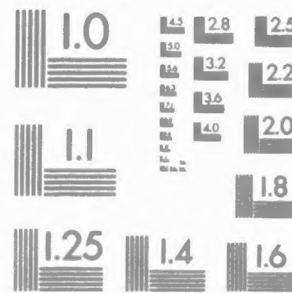
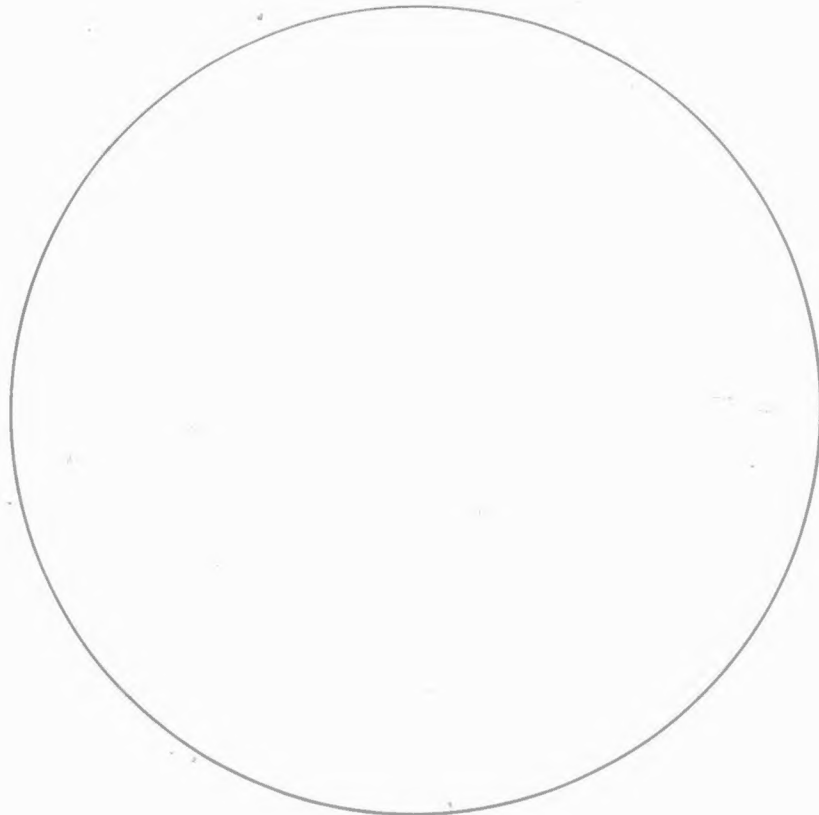
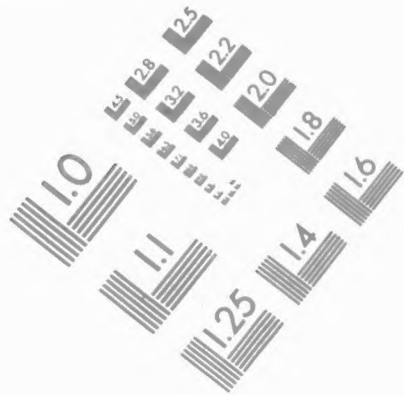


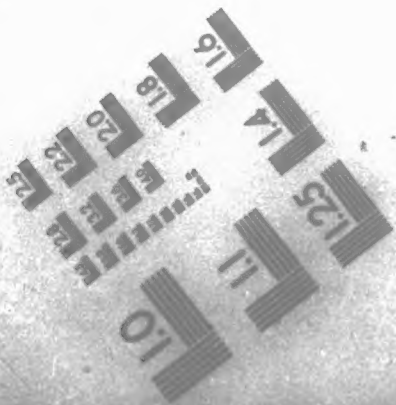
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**NATIONAL ARCHIVES MICROFILM PUBLICATIONS**

Microfilm Publication M1301

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

ROLL 102

MISSISSIPPI CHOCTAW MCR 1454 - MCR 1556

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

**WASHINGTON: 1983**

Choctaw MCR 1454

Mary Dawson

MCR 1454

MISSISSIPPI CHOCTAW

*Mary Dawson et al*

RECEIVED

DECEMBER 1 1902

NOV 28 1902

NOTICE OF CHARITABLE  
PURPOSES  
AND RECEIPTS

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoká, I. T., Feb. 25, 1901.

In the matter of the application of Mary Dawson for identification of herself and her minor child as a Mississippi Choctaw.

Mary Dawson, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mary Dawson.
- Q What is your age? A 35 years.
- Q What is your post office address? A Ardmore.
- Q Indian Territory? A Yes sir.
- Q How long have you lived at Ardmore? A I have been there five months.
- Q Where did you live before you lived there? A Close to Fort Smith in the Choctaw Nation.
- Q How long did you live there? A I was born there.
- Q Always lived in Indian Territory? A Yes sir.
- Q What is your father's name? A Adam Denison.
- Q Is he living? A No sir.
- Q What is your mother's name? A Lucinda.
- Q Is she living? A No sir.
- Q Through which one of these parents do you claim Choctaw blood? A Father.
- Q How much? A One half.
- Q What was your mother--a white woman? A No sir.
- Q Was she colored woman? A She was half--her father was white.
- Q And your father, was he a full blood Choctaw? A Yes sir.
- Q Did he have any negro blood? A No sir. His father and mother were both Choctaw Indians.
- Q Did your father live in Indian Territory? A Yes sir.
- Q Do you know whether your mother was a freedwoman? A They were never slaves---father noremother either.
- Q Nor any of their people back? A Not that I know of.
- Q Was your father ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A Yes sir.
- Q Now, I mean by the tribal authorities not by the neighbors--I mean by an act of the Choctaw Council--was he on the rolls? A I do not know.
- Q You mean everybody considered him an Indian? A Yes sir.
- Q And you do not know whether he was on the rolls? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a Choctaw Indian? A No sir.
- Q But you were recognized by the Choctaw people? A Yes sir.
- Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, this is my first.
- Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.
- Q Did you ever make application to the Dawes Commission for either citizenship or enrollment as a citizen of the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
- Q And you were never admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.

Mary Dawson---2.

- Q This is the first application of any kind you have ever made?  
A Yes sir.
- Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A I am claiming from my grandfather on my father's side.
- Q What is his name? A Mose Denison.
- Q Was he a full blood Choctaw Indian? A Yes sir.
- Q Under what treaty are you claiming the right to be identified now Are you claiming under the treaty of 1820, 1830 or 1866 or any other treaties? A I claim under 1830.
- Q Do you know what the treaty of 1830 provides with reference to the right to make application now to be identified as Mississippi Choctaw; do you understand what the law says, about your right to come here now to be identified? A I do not know where I do or not.
- Q Do you claim under the whole treaty or certain article? A Under the whole treaty.
- Q You do not claim under article fourteen, fifteen or nineteen particularly; do you know whether you claim under the fourteenth article A No sir.
- Q Did you ever hear of the treaty of Dancing Rabbit Creek? A I have heard people speaking about it.
- Q Do you know whether that treaty is the same as the treaty of 1830 A No sir.
- Q Did you ever have article fourteen of the treaty of 1830 explained to you? A No sir.
- Q Do you know whether your ancestor who lived in Mississippi in the year 1830 complied with the provisions of article fourteen of the treaty of 1830? A No sir.
- Q Do you know whether this ancestor of yours within six months after the date the treaty of 1830 was ratified told the United States Indian Agent then living in Mississippi that he intended to remain in the state of Mississippi and take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Do you know whether your ancestor came to the Indian Territory from Mississippi with the other Choctaw Indians between the years 1833 and 1837? A No sir.
- Q Do you not know whether he stayed there or came here? A No sir.
- Q Do you know whether he received any land from the United States Indian Agent in Mississippi under article fourteen of the treaty of 1830? A No sir.
- Q Do you know whether he claimed any land under that article? A No.
- Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- QX What is your husband's name? A Gabe Dawson.
- Q Do you make any claim for him? A No sir.
- Q Is your husband a white man or colored man? A He is half breed
- Q Have you any children you wish to make claim for? A Yes sir one
- Q What is its name? A Dink Dawson.
- Q How old is Dink? A Sixteen years old.
- Q Is this the only child you have? A Yes sir.
- Q Is Gabe Dawson the father of this child? A Yes sir.
- A And you are its mother? A Yes sir.
- Q And you and your husband are living together as husband and wife?  
A No sir.



Mary Dawson---3.

- Q Is the child living with you? A Yes sir.  
Q Did you get a divorce from your husband? A Yes sir.  
Q And you are legally separated? A Yes sir.  
Q And you are supporting this child? A Yes sir.  
Q And the child claims through you? A Yes sir.  
Q Anything further you want to say in support of your application now? A No sir.  
Q Have you a marriage license and marriage certificate you want to introduce now? A No sir.  
Q Have you any other documentary evidence you wish to introduce now?  
A No, I have nothing now.

On motion of Mr. [redacted], attorney for applicant, twenty days time is allowed from this date in which to file documentary evidence in support of application; also marriage license and certificate or certified copy of same.

The decision of the Commission in regard to this application you make on behalf of yourself and your minor child for identification as Mississippi Choctaws will be mailed to you at your present post office address.

(This applicant appears to be full blood negro.)

H. C. Risteen, having been first duly sworn, upon his oath states: that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 25th day of February, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 28 day of Feb. 1901.

*Charles H. Sawyer*

Notary Public.

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

-----

In the matter of the application of Mary Dawson, et al., for identification as Mississippi Choctaws, N.C.R. 1454,

List of papers forwarded to the Secretary of the Interior comprising the record in the above entitled case.

Original application of Mary Dawson, et al., to the Dawes Commission for identification as Mississippi Choctaws.....	1
Written petition of Mary Dawson.....	4
Affidavit of Mack McCoy.....	6
Affidavit of Harriet Nett.....	7
Decision of the Commission denying the application of Mary Dawson, et al., for identification as Mississippi Choctaws.....	8

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C. W. W.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

\*\*\*\*\*

In the matter of the application of Mary Dawson, et al.,  
for identification as Mississippi Choctaws, M. C. R. 1484.

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

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Mary Dawson for herself and her minor child, Hank Dawson, under the following provision of the act of Congress approved June 28, 1906 (34 Stats., 495):

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

It also appears that both of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded Sep-

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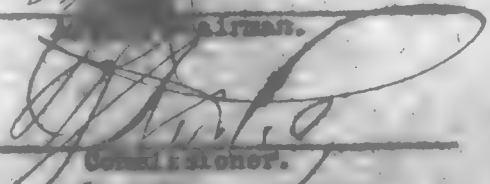

number twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Nose Denison (or Denson), who is alleged to have been a full blood Choctaw Indian.

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that neither of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress of June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Nose Denison (or Denson) the ancestor through whom the applicants herein claim rights to identification as Mississippi Choctaws, or any less remote ancestor, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 100), and August 23, 1842 (5 Stats., 513):

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary Dawson and Disk Dawson as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
Chairman.  
  
\_\_\_\_\_  
Commissioner.  
  
\_\_\_\_\_  
Commissioner.

Waskago, Indian Territory.

---

Wheatsboro, Indian Territory, March 11, 1902.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of February 28, inclosing affidavits of Mack McCoy and Harriet Matt to be filed with the claim of Mary Dawson for identification as a Mississippi Choctaw and affidavits of Mack McCoy and Mary Dawson, to be filed with the claim of Harriet Matt for identification as a Mississippi Choctaw, and petitions of Harriet Matt and Mary Dawson for filing in the above two cases. The same have been duly filed with the records in these two cases.

Yours truly,

Acting Chairman.

MS 2484  
MS 1222

Muskogee, Indian Territory, October 16, 1902.

Mansfield, McMurtry & Gornish,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 16th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary Dawson et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 23, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary Dawson and Bush Dawson as Choctaw persons entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of September twenty-seventh, and that the applications for their identification as such should be refused, and it is so ordered."

X M M & C S

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

*James D. Dwyer*

Acting Chairman.



copy

N O R 1486

Muskogee, Indian Territory, October 16, 1908.

Mary Dawson,  
 Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 16th day of October, 1908, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary Dawson et al., applicants to the Commission for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 20, 1890 (26 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary Dawson and Ruth Simpson as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

M D S.

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

*Tamie Dobby.*

Registered.

Acting Chairman.

COPY.

Muskogee, Indian Territory, November 1, 1902.

The Honorable,  
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Mary Dawson, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 16, 1902.

The Commission has the honor to report that the principal applicant in this case and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

James D. Dwyer,  
Acting Chairman.

Through the  
Commissioner of Indian Affairs.

Enc. H S R 1484

-:- COPY -:-

Land,  
66041-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Nov. 15, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith a report dated November 1, 1902, from C. R. Breckinridge, Esq., Commissioner in charge of the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Mary Dawson for the identification of herself and her minor child, Dink, as Mississippi Choctaws claiming rights under the fourteenth article of the treaty of 1830.

October 16, 1902, the Commission held that the applicants were not entitled to identification.

Descent is claimed from Adam Denison and Mose Denison (or Denson), father and grandfather, respectively, of the principal applicant.

The record establishes the fact that applicants are not full-blood Choctaw Indians. An examination of the records of this office fails to show that either Adam or Moses Denison (or Denson) received a patent to land under the provisions of

article fourteen of the treaty of 1830; or that they complied or attempted to comply with the provisions of said article; neither does it appear that they applied to the Commissions appointed under the Acts of March 3, 1837 and August 25, 1842, for an adjudication of any rights they may have had as Choctaw Indians.

It is therefore respectfully recommended that the decision of the Commission rejecting the applications, be affirmed.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

WRH  
D

3 inclosures,

-1- COPY -:-

I.T.D. 7194-1902.

J.W.H.

File 896-1898.

FHE

L.R.S.

DEPARTMENT OF THE INTERIOR.

Washington.

November 28, 1902.

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

Gentlemen:

November 1, 1902, you transmitted the record in the consolidated case embracing the applications for identification as Mississippi Choctaws of Mary Dawson (M.C.R. 1454), for herself and her minor child, Dink Dawson, including your decision of October 16, 1902, refusing to identify them as such.

From the record it appears that Mary Dawson was the daughter of Adam and Lucinda Denson, or Denison; that the former was a full blood Choctaw Indian and that the latter was part African.

It also appears that the father of Adam Denson was a full blood Choctaw Indian named Mose Denson, or Denison. These applicants seek identification as Mississippi Choctaws, but the testimony as shown by the record fails to show that any one of their alleged ancestors complied or attempted to comply, in person or by proxy, with the provisions of the 14th article of the treaty of September 27, 1830. or with the acts of March 3, 1857.

(5 Stat., 180), and August 23, 1842 (5 Stat., 513), relating thereto. As the records in the possession of the Indian Office fail to add anything in support of their claims, it must be held that your action in refusing to identify them, was correct.

Reporting in the matter November 15, 1902, the Commissioner of Indian Affairs recommends that your decision be affirmed.

The Department concurs therein and the same is accordingly affirmed. A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

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

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

11/15/1902  
REFER IN REPLY TO THE FILE NUMBER

M.C.R. 1454

ALLISON L. AYLESWORTH  
SECRETARY.

COMMISSION TO THE FIVE CIVILIZED TRIBES  
Muskogee, Indian Territory, December 8, 1902.

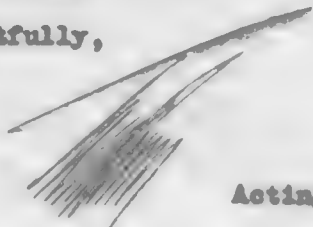
Mary Dawson,

Armore, Indian Territory.

Dear Madam:

You are hereby notified that on the 28th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the case of Mary Dawson, et al., of which decision you were advised by registered mail on the 16th day of October, 1902.

Respectfully,



Acting Chairman.



CONFIDENTIAL

Muskogee, Indian Territory, December 5, 1902.

Mansfield, McFarrey & Gernish,

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

Gentlemen:

You are hereby notified that on the 28th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the case of Mary Dawson, et al., of which decision you were advised by mail on the 16th day of October, 1902.

Respectfully,

*Charles D. Smith*  
Acting Chairman.

No 1454

For Identification as a Mississippi Choctaw.

Date Jul 25, 1901

Name Mary Dawson

Age 35 - Blood  $\frac{1}{2}$

Post Office, Audmore. I.T.

Father: Adam Dawson - d

Mother: Lucinda " d

Claims through father

Husband

Gabr Dawson -

Children:

Dink Dawson, 16

for self and  
child -

Stenographer:  
R. A. R. R.

1. 1. 57



RECEIVED  
JAN 2 1903

*[Signature]*  
ACTING CHAIRMAN



Department of the Interior.

Commission to the Five Civilized Tribes,

**MUSKOGEE, IND. TER.**

**OFFICIAL BUSINESS.**

**Penalty for private use, \$300.**

Mary Dawson,

~~Andmore, Muskogee Territory~~ ony.

Choctaw MCR 1455

Harriet Mott

MCR 1455

OFFICE OF THE  
A MISSISSIPPI CHOCTAW

*Harriet Mott et al*

RECEIVED

DECISION RENDERED. AUG 28 1902

NOTICE OF COURT APPOINTMENT

NOTICE OF COURT APPOINTMENT  
FOR HEARING

RECORD FORWARDED DEPARTMENTS

AUG 28 1902

ACTION OF FEDERAL DEPARTMENT OF INTERIOR

RE ACTION

RECORD OF DEPARTMENTAL ACTION  
FORWARDED TO COMMISSIONERS FOR CHOCTAW  
AND CHICKASAW NATIONS.

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

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In the matter of the application of Harriet Mott, et al.,  
for identification as Mississippi Choctaws, M C R 1455.

List of papers forwarded to the Secretary of the Interior  
with the record in the above case, together  
with the page occupied by each  
in said record.

	Page.
Original application of Harriet Mott, et al., for identification as Mississippi Choctaws.	1
Written petition of Harriet Mott, et al.	4
Ex parte affidavit of Mary Dawson.	6
Ex parte affidavit of Mack McCoy.	7
Final decision of the Commission in the case of Harriet Mott, et al., applicants for identi- fication as Mississippi Choctaws, denying said application.	8

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., Feb. 25, 1901.

In the matter of the application of Harriet Mett for identification of herself and her minor children as Mississippi Choctaws.

Harriet Mett, having been first duly sworn, upon oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Harriet Mett.  
 Q What is your age? A Forty nine.  
 Q What is your post office address? A Ardmore.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived at Ardmore? A I just moved to Ardmore a week before Christmas.  
 Q Where did you live before you lived in Ardmore? A Down below near the river.  
 Q In the territory? A Yes sir.  
 Q How long have you lived in the Indian Territory? A I just moved over in here.  
 Q Where did you come from? A From Texas.  
 Q You lived in Texas before coming here? A Yes sir.  
 Q How long did you live in the territory--a year? A Something over a year.  
 Q Not two years? A No sir.  
 Q How much over a year? A From last November up until now.  
 Q Were you born in Texas? A Yes sir.  
 Q What is your father's name? A Edmund Boykin.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Eliza Boykin.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Mother.  
 Q How much do you claim? A One fourth.  
 Q Was your father a white man? A No sir.  
 Q What was he? A A colored man.  
 Q What was your mother? A One half.  
 Q One half Indian? A Yes sir.  
 Q What was the other blood, white or colored? A Colored.  
 Q She was one half negro and one half Indian? A Yes sir.  
 Q Were any of her people ever slaves? A All of them I guess.  
 Q But your mother was one half Choctaw? A Yes sir.  
 Q Did she ever live in Indian Territory? A Not that I know of.  
 Q Where did she live, in Texas? A She came from the old states.  
 Q What state? A Georgia.  
 Q Was her name on any of the Rolls of the Choctaw Nation? A No  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for enrollment as a citizen to the Choctaw tribal authorities? A No sir.  
 Q Were you ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Did you ever make application to them for citizenship in the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Dawes Commission for citizenship or enrollment as a Choctaw Indian? A No sir.



Harriet Mott----2.

- Q Is this the first application you have ever made? A Yes sir.  
Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty? A 1830.  
Q Under the whole treaty or certain articles? A Under the whole treaty.  
Q And you do not claim particularly under the fourteenth article? A No sir.  
Q Do you claim under the fifteenth or nineteenth articles? A No.  
Q Under the supplement to the treaty? A No.  
Q Do you understand what article fourteen of the treaty of 1830 says about your right to be identified now? A I do not know as I do.  
Q What is the name of your ancestor who lived in Mississippi in the year 1830? A Ben Coonce.  
Q What relation was he to you? A Grandfather.  
Q Mother's father? A Yes sir.  
Q Your mother lived in Georgia? A Yes sir.  
Q Where did your grandfather live? A I do not know.  
Q Did he ever live in Mississippi? A Yes, I suppose so.  
Q What makes you think he lived in Mississippi? A I go by what my mother said.  
Q Do you know if he within six months after the treaty of 1830 was ratified told the United States Indian Agent who lived in Mississippi at that time that he intended to stay in Mississippi and take land there? A No sir.  
Q Do you know whether he ever took or claimed any land there under article fourteen of the treaty of 1830? A No.  
Q Do you know whether he complied with the provisions of article fourteen of the treaty of 1830. A No.  
Q Did any of your ancestors that you know of? A No.  
Q Your mother never was in the Indian Territory? A No sir.  
Q Did she live and die in Texas? A No, she lived in Georgia.  
Q You are the only one of your mother's family who lives in the Indian Territory? A Yes sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Benjamin Mott.  
Q Do you make any claim for him? A No sir.  
Q Is he a white or colored man? A Colored man.  
Q Have you any children you want to make application for? A I am the mother of fourteen, five of them under age.  
Q These five that are under age, any of them married? A No sir.  
Q Give me the names and ages of the five under age--the first?  
A Rosie Lee.  
Q How old is Rosie Lee? A Eighteen.  
Q The next? A Walker  
Q How old? A Fourteen.  
Q The next? A Harrison?  
Q How old is Harrison? A Twelve.  
Q The next? A Dedie M.  
Q How old? A Nine.  
Q And the next? A Delma.  
Q How old? A He is six years old.  
Q Any other children? A No sir.  
Q Is Benjamin Mott the father of these children? A Yes sir.  
Q And you are their mother? A Yes sir.

Harriet-Mott---3.

- Q And you and he are living together as husband and wife? A Yes.  
Q And they are living with you at your home? A Yes sir.  
Q And the basis of their claim is the same as yours? A Yes sir.  
Q Have you any documentary evidence you want to introduce now?  
A Not now.

On motion of Mr Arnold, counsel for applicants, twenty days time is granted by the Commission from the date hereof for filing documentary evidence in support of this application; also marriage license and certificate or certified copy of the same.

- Q Is there anything further you want to state in regard to this application? A No sir.

The decision of the Commission in regard to this application you make in behalf of yourself and your minor children for identification as Mississippi Cheetaws will be mailed to you at your present post office address.

(This applicant appears to be full blood negro.)

H. C. Risteen, having been first duly sworn, upon his oath states: that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings in the above entitled cause on the 25th day of February, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 28<sup>th</sup> day of February, 1901.

*Charles H. Sawyer*

Notary Public.

C. W.  
R B

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

-----

In the matter of the application of Harriet Mott, et al.,  
for identification as Mississippi Choctaws, M C R 1455.

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

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by Harriet Mott for herself and her five minor children, Rosie Lee, Walker, Harrison, Dodie E. and Delma Mott, under the following provision of the act of Congress approved June 26, 1898, (30 Stat., 485):

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being

descendants of one Ben Coonee (or Cooneh), who is alleged to have been possessed of some Choctaw blood (degree thereof not stated), and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stat., 321).

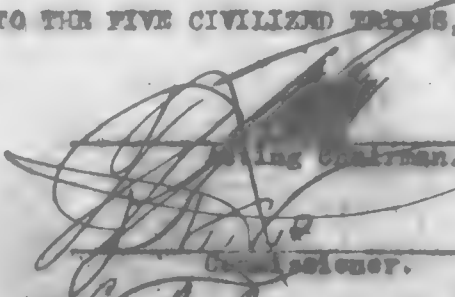

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Ben Coonee (or Cooneh), or a less remote ancestor of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the act of Congress approved March 3, 1857, (5 Stat., 180), and August 23, 1842, (5 Stat., 513).

It is therefore the opinion of this Commission that the

3.

evidence herein is insufficient to determine the identity of Harriet Mett, Rosie Lee Mett, Walker Mett, Harrison Mett, Dedic M. Mett, and Delma Mett as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Acting Chairman.  
  
Commissioner.

Muskogee, Indian Territory,

AUG 8 1902

Muskogee, Indian Territory, March 11, 1901.

Messrs Hudson & Arnold,  
Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of February 28, enclosing affidavits of Mark Holey and Harriet Matt to be filed with the claim of Mary Dawson for identification as a Mississippi Choctaw and affidavits of Mark Holey and Mary Dawson, to be filed with the claim of Harriet Matt for identification as a Mississippi Choctaw, and affidavits of Harriet Matt and Mary Dawson for filing in the above two cases. The same have been duly filed with the records in these

COPY.

Muskogee, Indian Territory, August 8, 1902.

Manfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 8th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Harriet Mott, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Harriet Mott, Rosie Lee Mott, Walker Mott, Harrison Mott, Dedie M. Mott, and Delma Mott as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

MEMO \_\_\_\_\_

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

*James Dixey*  
Acting Chairman.



COPY.

H.C.R. 1455

Muskogee, Indian Territory, August 8, 1902.

Harriet Mott,  
Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 8th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Harriet Mott, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 23, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Harriet Mott, Rosie Lee Mott, Walker Mott, Harrison Mott Dodie M. Mott, and Della Mott as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

H K

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

*Tame Dixby.*  
Acting Chairman.

Registered.

COPY.

M.C.R. 1455

Muskogee, Indian Territory, August 8, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Harriet Mott, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of August 8, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letter being attached to the record.

Respectfully,

*Jams Dixey.*

Acting Chairman.

Through the  
Commissioner of Indian Affairs.  
2 enclosure.

Copy

DEPARTMENT OF THE INTERIOR.

OFFICE OF INDIAN AFFAIRS.

WASHINGTON, OCT. 4, 1902.

land  
48282--1902

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated August 8, 1902, forwarding the record relative to the application of Harriet Mott, et al., for identification as Mississippi Choctaws claiming rights in the Choctaw lands under article fourteen of the treaty of 1830.

Harriet Mott applies for the identification of herself and her five minor children, Rosie Lee, Walker, Harrison, Dodie M. and Delma Mott.

August 8, 1902, the Commission held that the parties above named were not entitled to identification.

The record in the case shows that the principal applicant claims descent from her grandfather, Ben Coonce or Coench. Her mother was Eliza Boycan, Boyca or Boykin, nee Coench or Coonca. The applicants are not of full blood, and the records of this office do not show that any one by the name of Ben Coonce or Coench, or Eliza Boycan, Boyca or Boykin nee Coench or Coonce received a patent of land

under article 14 of the treaty of 1830, or that they, or either of them, complied or attempted to comply with the provisions of said article of the treaty; or that they applied to the Commission appointed under the acts of March 3, 1837, and August 23, 1842, for an adjudication of their rights, if any they had.

It is therefore respectfully recommended that the decision of the Commission be approved.

Very respectfully,  
Your obedient servant,

A.C. Tonner,

Acting Commissioner.

G.A.W. (S)

No. 18577

DEPARTMENT OF THE INTERIOR.

F.A.F.

ITD 6106-1902.

WASHINGTON,

OCTOBER 10, 1902.

L.R.S.

Commission to the Five Civilized Tribes,  
Muskogee, I. T.

Gentlemen:

August 8, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Harriet Mott and her minor children, Rosie Lee, Walker, Harrison, Dodie M. and Delma Mott.

The applicants endeavor to trace their descent from one Ben Coonce (or Coonch), alleged to have been a Choctaw Indian residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever enrolled or admitted as a Choctaw citizen, or that said Coonce or a less remote ancestor of the applicants complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842, (5 Stat., 513). You refused the application August 8, 1902.

The Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter of October 4 is enclosed herewith.

-2-

The Department has reviewed the whole case and finds no reason to disturb your decision; it is therefore affirmed.

Respectfully,

(signed) Thos Ryan

Acting Secretary.

1 inclosure.

E.M.D.

CO.

Muskogee, Indian Territory, October 21, 1902. M.C.R. 1455

Harriet Mott,  
Ardmore, Indian Territory.

*Remailed Atoka, I.T.*

Dear madam:

*Nov. 12. 92*

You are hereby advised that on the 10th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Cheetags of the several persons included in the case of Harriet Mott, et al., of which decision you were advised by registered mail on the 8th day of August, 1902.

Respectfully,

(SIGNED)

*James Dixey.*  
Acting Chairman.



COPY.

M.C.R. 1455

Muskegee, Indian Territory, October 21, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen

You are hereby advised that on the 10th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Harriet Mott, et al., of which decision you were advised by mail on the 8th day of August, 1902.

Respectfully,

(SIGNED)

*Tame Dixey.*  
Acting Chairman.

Miss. Choctaw R1488

Muskogee, Indian Territory, November 12, 1902.

Harriet Mott,

Atoka, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of November 10, stating that you have not received the letters addressed to you at Ardmore, Indian Territory; that you have moved to Atoka, Indian Territory, and desire to have your mail sent to that place.

In reply to your letter you are advised that this change of address has been made a matter of record, and a registered letter which was mailed to you at Ardmore, Indian Territory, August 8, 1902, and returned to this office uncalled for has been registered to you at Atoka, Indian Territory.

Respectfully,

Acting Chairman.

## For Identification as a Mississippi Choctaw.

Date Feb. 25, 1901  
 Name Harriet Matt.  
 Age 49 - Blood 1/4  
 Post Office, Ardmore, I.T.  
 Father: Edmund Boykin, l.  
 Mother: Eliza " l.  
 Claims through Mother -  
 Husband  
 Benjamin Matt. -

## Children:

Rosie Lee -	18
Walker -	14
Harrison -	12
Blodie M.	9
Helma (boy)	6

For self and  
 children

Stenographer:  
 Risteen

Choctaw MCR 1456

Sarah E. Byrd

MCR 1456

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., Feb. 26, 1901.

In the matter of the application of Sarah E. Byrd for identification for herself and her minor children as Mississippi Choctaws.

Sarah E. Byrd having been first duly sworn upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Sarah E. Byrd.  
 Q What is your age? A Forty eight.  
 Q What is your post office address? A Ardmore.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived in Ardmore? A I have lived in Ardmore about three years.  
 Q Where did you live before you lived there? A In the territory around about Marietta.  
 Q How long have you lived continuously in the territory? A About twenty six years I believe.  
 Q What state were you born in? A Mississippi.  
 Q What place in Mississippi? A Marion County, but when I left there I came from Pearl County.  
 Q When did you leave Mississippi? A I think about twenty six years ago.  
 Q And where did you go to? A To the territory.  
 Q And have lived here since? A Yes sir.  
 Q What is your father's name? A Henry Pittman  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Eliza J. Pittman.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q You and your mother live in the Indian Territory? A Yes sir.  
 Q Was your mother ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is her name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application to the tribal authorities of the Choctaw Nation for citizenship in the Choctaw Nation? A No sir.  
 Q Have you ever made application to the tribal authorities of the Choctaw Nation for enrollment as a citizen of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application to the Dawes Commission for either enrollment or citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made? A Yes sir.  
 Q And you are now making application for identification as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty are you making this claim? A Treaty of 1830  
 Q Do you claim under the whole treaty or under certain articles of the treaty? A Yes sir.  
 Q Under the whole treaty or under certain articles. A I do not

Sarah E. Byrd---2.

know, article fourteen I reckon.

Q Do you know what article fourteen of the treaty of 1830 provides

A No, I have heard.

Q Do you recall any of its provisions? A No sir.

Q Do you know whether you claim under article fifteen and nineteen or supplement of that treaty? A No, I am not read up at all.

Q What is the name of your ancestor who lived in Mississippi in 1830? A My grandfather, Liberty Warren.

Q Was he a Choctaw Indian? A Yes sir.

Q Full blood? A No sir.

Q How much Choctaw blood did he have? A One quarter.

Q Did he live in Mississippi in 1830? A Yes sir.

Q Do you know whether he complied with the provisions of article fourteen of the treaty of 1830? A I do not.

Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi and take land there and become a citizen of the United States. A No sir, I do not.

Q Do you know whether as a matter of fact he came to the Indian Territory between the years 1833 and 1837 when the other Indians came here? A No.

Q Did he receive or claim any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I do not know.

Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.

Q Are you married? A I am a widow.

Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A Yes sir.

Q What is the name of your deceased husband? A Ira Byrd.

Q What is the name of your oldest child under twenty one years of age and unmarried? A Mary.

Q How old is Mary? A Twenty.

Q And the next? A Austin.

Q How old? A Eighteen.

Q And the next? A Eliza.

Q How old is Eliza? A Fifteen.

Q What is the name of the next? A Eddie

Q How old is Eddie? A Thirteen.

Q The next? A Walter.

Q How old? A Eleven.

Q Any others? A Maggie, she is nine.

Q And that is all? A Byrdie.

Q How old is Byrdie? A Seven.

Q Is that all? A That is all, except some ever age.

Q Are these all your children and all living with you at your home

A Yes sir.

Q You are taking care of them? A Yes sir.

Q And their claim is the same as yours and through you? A Yes sir.

Q Have you any documentary evidence that you want to introduce now and make a part of your application. A I want to claim the right from my grandfather.

Q Have you any writings, or documents, or affidavits? A No sir

Q Do you wish time to prepare them and file? A Yes sir.

Twenty days time from the date hereof is granted to applicant to prepare and file documentary evidence in support of her application for herself and her minor children as for identification as Mississippi Choctaws.

Sarah E. Byrd--3.

Q Is there anything further you want to say in support of your application that you can think of? A No sir I do not think there is. I have three other girls.

Q Are these all unmarried that you have given me? A Yes sir, and I have two single daughters but they are over age.

Q All of your children that are married and all over age will make applications for themselves? A Yes sir.

The decision of the Commission in regard to this application you make in behalf of yourself and your children for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, states upon oath: that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings in the above entitled cause on the 26th day of February, 1901, and that the above and foregoing is full true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 28<sup>th</sup> day of February, 1901.

*H. C. Risteen*  
*Charles H. Sawyer,*  
Notary Public.

Muskogee, Indian Territory, April 10, 1901.

Mr. J. C. Rice,

Marietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter without date, in which you ask for additional time in which to file affidavits in the following applications for identification as Missions, 1 Choctaws:

Sarah K. Byrd,	MC 1456
Mary H. Butt,	MC 1457
Sadie G. Rice,	MC 1458
Margie S. Enoch,	MC 1459
Stella L. Butt,	MC 1460

You are advised that the Commission will accept any evidence which you may offer in support of these cases prior to April 25, 1901.

Yours truly,

Acting Chairman.



Mapkegee, Indian Territory, April 10, 1901.

Mr. J. C. Rice,

Marietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter without date, in which you ask for additional time in which to file affidavits in the following applications for identification as Mississippi Choctaws:

Sarah E. Byrd,	MC 1456
Mary R. Butt,	MC 1457
Sadie G. Rice,	MC 1458
Haggie S. Enoch,	MC 1459
Stella L. Butt,	MC 1460

You are advised that the Commission will accept any evidence which you may offer in support of these cases prior to April 25, 1901.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, May 6, 1901.

Mr. J. C. Rice,

Marietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of May 3, inclosing affidavits of Mary Duncan and H. H. Johnson, to be filed in support of the application of Saray E. Byrd for the identification of herself and her minor children as Mississippi Choctaws. Also affidavits of Mary Duncan and H. H. Johnson to be filed with the claim of Maggie S. Enochs for the identification of herself and children as Mississippi Choctaws.

The same have been duly filed and made a part of the record in this case and will receive the consideration of the Commission in determining the rights of these applicants.

Yours truly,

Acting Chairman.

MC 1456  
MC 1459

COPY.

Muskegee, Indian Territory, September 4, 1902.

Sarah E. Byrd,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 4th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Pittman, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza J. Pittman,	M.C.R.1741;
Sarah E. Byrd, et al.,	M.C.R.1456;
Joseph A. Pittman, et al.,	M.C.R.1742;
Rosa R. Easterwood,	M.C.R.1744;
Mary R. Butt, et al.,	M.C.R.1457;
Sudie C. Rice, et al.,	M.C.R.1458;
Maggie J. Enoch, et al.,	M.C.R.1459;
Francis Leonidas Ford, et al.,	M.C.R.1261;
Stella L. Butt,	M.C.R.1460.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

S. E. D., 2.

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Eliza J. Pittman, Sarah E. Byrd, Mary Byrd, Austin Byrd, Eliza Byrd, Eddie Byrd, Walter Byrd, Maggie Byrd, Byrdie Byrd, Joseph A. Pittman, William H. Pittman, John M. Pittman, Birdie Pittman, Walter M. Pittman, Maggie M. Pittman, Vera V. Pittman, Lola L. Pittman, Neva T. Pittman, Rosa R. Easterwood, Mary R. Butt, Maggie E. Butt, Sudie C. Rice, William L. Rice, Joanna Rice, Henry Raymond Rice, Maggie S. Enoch, Ella M. Enoch, Willis Enoch, Francis Leonidas Ford, Leonidas Francis Ford, Harry Wesley Ford, Jessie Jewel Ford, Sarah Edna Ford, Thomas Earl Ford, Mattie Almyra Ford and Stella L. Butt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED

*James D. [unclear]*

Acting Chairman.

Registered.

477238

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

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

RECEIVED  
M.C.R. 1456

ALLISON L. AYLESWORTH  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

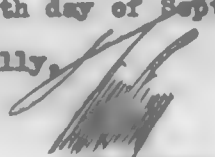
Muskogee, Indian Territory, February 24, 1903. a

Sarah E. Byrd,  
Ardmore, Indian Territory.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Kliza J. Pittman, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

  
Chairman.

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

**FILED**

APR 2 1903



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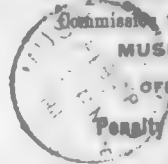
Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Sarah E. Byrd,

~~Indian Territory~~

No. 1456

For Identification as a Mississippi Choctaw.

Date Feb. 26, 1901

Name Sarah E. Byrd

Age 48 - Blood 1/16

Post Office, Ardmore, I.T.

Father: Henry Pittman, d

Mother: Eliza J. " l

Claims through ~~husband~~ mother, -

Ira Byrd - (d)

Children:

- Mary - " 20.
- Austin - 18.
- Eliza - 15.
- Eddie - 13
- Walter - 11
- Maggie - 9
- Byrdie " 7

for prep and  
Children  
Mr. Reitemeyer



1456

~~2001  
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457  
431



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

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1209  
unclaimed

Sarah E. Byrd,

~~Address~~

~~Address~~



Postage

Sarah E. Syrd et al

DEPARTMENT  
OF THE INTERIOR

1002

IN REPLY TO YOUR LETTER OF APRIL 1903.

NOTICE OF DEPARTMENTAL ACTION  
FORWARD TO APPLICANT.

FEB 21 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARD TO ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

REFER TO M. C. R. 1741.

Choctaw MCR 1457

Mary R. Butt

MCR 1457

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., Feb. 26, 1901.

In the matter of the application of Mary R. Butt for identification for herself and her minor child as Mississippi Cheetaws.

Mary R. Butt, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mary R. Butt.  
 Q What is your age? A Thirty two.  
 Q What is your post office address? A Marietta, I. T.  
 Q How long have you lived at Marietta? A I have lived there three years.  
 Q Do you live in Marietta? A Yes sir.  
 Q Where did you live before you lived there? A At Ardmore.  
 Q How long? A Nearly two years.  
 Q Where did you live before that? A Right around in the country there.  
 Q How long have you lived in the Indian Territory? A About twenty six years, best I can tell.  
 Q Where did you live before you lived in the Indian Territory.  
 A Mississippi.  
 Q Were you born in Mississippi? A Yes sir.  
 Q What is your father's name? A Henry Pittman.  
 Q Is he living? A He is dead.  
 Q What is your mother's name? A Eliza J. Pittman.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My mother's side.  
 Q How much do you claim? A I claim one sixteenth.  
 Q Was your mother ever recognized by the Cheetaw tribal authorities as a Cheetaw Indian? A Not that I knew of she was not.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A No, I guess not.  
 Q Have you ever made application to the Cheetaw tribal authorities for citizenship in the Cheetaw Nation? A No sir.  
 Q Have you ever made application to the authorities of the Cheetaw Nation for enrollment as a citizen? A No sir.  
 Q Did you make application to the Dawes Commission for enrollment or citizenship in the Cheetaw Nation under the act of Congress of June 10, 1897? A No sir.  
 Q Were you ever admitted to citizenship in the Cheetaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the Cheetaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made either for enrollment or citizenship? A Yes sir.  
 And you are now making this application for identification as a Mississippi Cheetaw? A Yes sir.  
 Q Under what treaty are you making this claim? A 1830.  
 Q Do you claim under that of 1830? A I do not know  
 Q Or that of 1866? A I do not know.  
 Q Did you ever hear of the treaty of Dancing Rabbit Creek? A No sir  
 Q Do you know whether that is the same as the treaty of 1830? A I do not.

Mary R. Butt---S.

- Q Do you claim under the whole treaty of 1830 or only under a part of it? A I do not know.
- Q Do you know whether any of your ancestors ever took advantage of article fourteen of the treaty of 1830? A No sir, I do not.
- Q Did you ever hear of article fourteen? A Yes, I heard of it.
- Q What do you understand it to mean? A I do not know as I can explain.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Liberty Warren.
- Q Was he a full blood Choctaw Indian? A He just claimed one quarter.
- Q Did he live in Mississippi in 1830? A Yes sir.
- Q Did he comply with all the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Do you know of any legislative enactment in any treaty other than that which is contained in article fourteen of the treaty of 1830 which gives you a right to make this application today? A No sir.
- Q But you say you do not know what the provisions of article fourteen were; you simply believe there ought to be some law to allow you to be identified as you have Choctaw blood? A Yes sir.
- Q Do you know whether your ancestor declared to the United States Indian Agent who lived in Mississippi in 1830 within six months after that treaty was ratified that he intended to stay in Mississippi and take land there and become a citizen of the United States? A No sir.
- Q Do you know whether he came to the Indian Territory from Mississippi in the years 1835 to 1837 when the other Indians came? A I do not know.
- Q Did he ever claim or hold and land from the United States government under article fourteen of the treaty of 1830? A If he did I never did know it.
- Q Did you or your ancestors ever receive any benefits in the Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Marian A. Butt.
- Q Do you make any claim for him? A I guess not.
- Q Have you any children under twenty one years of age that you want to make application for? A One child only.
- Q What is its name? A Maggie R.
- Q How old is Maggie? A Fourteen.
- Q That is all the child you have? A Yes sir.
- Q Marian A. Butt is the father of that child? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q And you and he are living together as husband and wife? A Yes.
- Q And the child is living with you at your home? A Yes sir.
- Q And the basis of her claim is the same as yours? A Yes sir.
- Q Have you any documentary evidence you want to introduce in support of your application? A I would like to send in some affidavits.
- Q How much time do you need, twenty days? A Such time as you can give me.

Twenty days time from the date hereof is granted to applicant to prepare and file documentary evidence in support of her application for herself and her minor child for identification as Mississippi Choctaws:

Mary R. Butt---S.

Q Is there anything further you would like to state in support of your application? A I do not reckon there is.

The decision of the Commission in regard to this application you make in behalf of yourself and your minor child for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 26th day of February, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 28<sup>th</sup> day of Feb. 1901.

*Charles W. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 10, 1901.

Mr. J. C. Rice,

Marietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter without date, in which you ask for additional time in which to file affidavits in the following applications for identification as Mississippi Choctaws:

Sarah E. Byrd,	MC 1456
Mary R. Butt,	MC 1457
Sudie C. Rice,	MC 1458
Margie S. Knoch,	MC 1459
Stella L. Butt,	MC 1460

You are advised that the Commission will accept any evidence which you may offer in support of these cases prior to April 25, 1901.

Yours truly,

Acting Chairman.



Muskegee, Indian Territory, September 26, 1901.

Mr. W. A. Butt,  
Marietta,  
Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 16th, in which you ask what disposition has been made with the applications of Mary R. Butt and Stella L. Butt, and what is necessary to be done in order to bring these cases properly before the Commission for trial.

In reply to your letter you are advised that it appears from our records that on February 26th, 1901, Mary R. Butt appeared before the Commission at Atoka, Indian Territory, and applied for the identification of herself and her minor child as Mississippi Choctaw. The affidavits of Mary Dunkin and Henry Johnson have been offered in support of this application.

It also appears that on February 26th, 1901, Stella L. Butt appeared before the Commission at Atoka, Indian Territory, and applied for identification as a Mississippi Choctaw. The affidavits of Henry Johnson and Mary Dunkin have been offered in support of this application.

If these applicants wish to introduce any additional evi-

M.A.B., #2.

dence at this time in support of their applications; either the oral testimony of witnesses, their depositions or affidavits, or any documentary evidence, they will be permitted to do so and the same will be made a part of the records in these cases.

Yours truly,

M.C.1457

M.C.1460.

Muskogee, Indian Territory, September 26, 1901.

Mr. W. A. Butt,  
Marietta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 16th, in which you ask what disposition has been made of the applications of Mary R. Butt and Stella L. Butt, and what is necessary to be done in order to bring these cases properly before the Commission for trial.

In reply to your letter you are advised that it appears from our records that on February 26th, 1901, Mary R. Butt appeared before the Commission at Atoka, Indian Territory, and applied for the identification of herself and her minor child as Mississippi Choctaws. The affidavits of Mary Duffin and Henry Johnson have been offered in support of this application.

It also appears that on February 26th, 1901, Stella L. Butt appeared before the Commission at Atoka, Indian Territory, and applied for identification as a Mississippi Choctaw. The affidavits of Henry Johnson and Mary Duffin have been offered in support of this application.

If these applicants wish to introduce any additional evidence at this time in support of their applications, either

M. A. Rec-2.

er any documentary evidence, they will be permitted to do so  
and the same will be made a part of the records in these cases.

Yours truly,

Acting Chairman.

M. C. 1459

M. C. 1460

Muskogee, Indian Territory, September 4, 1902.

Mary R. Butt,

Marietta, Indian Territory.

Dear Madam:

You are hereby advised that on the 4th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Pittman, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza J. Pittman,	M.C.R.1741;
Sarah E. Byrd, et al.,	M.C.R.1456;
Joseph A. Pittman, et al.,	M.C.R.1742;
Rosa R. Easterwood,	M.C.R.1744;
Mary R. Butt, et al.,	M.C.R.1457;
Sadie C. Rice, et al.,	M.C.R.1458;
Maggie S. Enoch, et al.,	M.C.R.1459;
Francis Leonidas Ford, et al.,	M.C.R.1201;
Stella L. Butt,	M.C.R.1460.

These applications were made under the provision of the act of Congress of June 20, 1890, (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the

M. R. E., 8.

identity of Elias J. Pittman, Sarah E. Byrd, Mary Byrd, Austin Byrd, Eliza Byrd, Essie Byrd, Walter Byrd, Maggie Byrd, Byrdie Byrd, Joseph A. Pittman, William H. Pittman, John M. Pittman, Birdie Pittman, Walter M. Pittman, Maggie M. Pittman, Vera V. Pittman, Lola L. Pittman, Nova T. Pittman, Rosa R. Basterwood, Mary R. Butt, Maggie E. Butt, Sudie C. Rice, William L. Rice, Joanna Rice, Henry Raymond Rice, Mamie S. Enoch, Ella M. Enoch, Willie Enoch, Francis Leonidas Ford, Leonidas Francis Ford, Barry Wesley Ford, Jessie Jewel Ford, Sarah Edna Ford, Thomas Earl Ford, Mattie Almyra Ford and Stella L. Butt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

GNEP

Acting Chairman.

Registered.

Muskogee, Indian Territory, February 24, 1903.

Mary R. Butt,  
Marietta, Indian Territory.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Kliza J. Pittman, et al., of which decision you were advised by registered mail on the 4th day of September, 1902. ▶

Respectfully,

Chairman.

*Nary R. Bull, et al*

# REFUSED

DECISION RENDERED BY SECRETARY OF INTERIOR

NOTICE OF DECISION MAILED APPLICANT.

SEP 4 - 1902

NOTICE OF DECISION RENDERED BY ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 11 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

FEB 21 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

FEB 24 1903

REFER TO M. C. R. 1741



Choctaw MCR 1458

Sudie C. Rice

MCR 1458

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., Feb. 26, 1901.

In the matter of the application of Sudie C. Rice for identification for herself and her minor children as Mississippi Choctaws.

Sudie C. Rice, having been first duly sworn, upon her oath testifies as follows.

Examination by the Commission:

- Q What is your name? A Sudie C. Rice.  
 Q What is your age? A Thirty.  
 Q What is your post office address? A Marietta, Indian Territory.  
 Q How long have you lived there? A I have been living in the territory about twenty six years.  
 Q How long in Marietta, A About five years.  
 Q Twenty six years altogether in the Indian Territory? A Yes sir.  
 Q Continuously? A We lived in Texas four or five years; I have been in this country twenty six years.  
 Q Where were you born? A Mississippi  
 Q What place? A Hancock County.  
 Q When did you leave Mississippi and come to this country? A Twenty six years ago, when I was very small.  
 Q What is your father's name? A Henry Pittman.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Eliza J Puttmen.  
 Q Is she living? A Yes sir.  
 Q Through which one do you claim Choctaw blood? A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Was your mother ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation.  
 A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Dawes Commission, under the act of Congress of June 10, 1896, for either citizenship or enrollment in the Choctaw Nation? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made of any kind? A Yes sir.  
 Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A Under the treaty between the Mississippi Choctaws and the United States.  
 Q When was that treaty made? A 1830.  
 Q And what was that treaty made for? A I do not know about that. I have never read up on that like I ought to have read.  
 Q Do you claim under the whole treaty? A Under the fourteenth article.

Sudie O. Rice--2.

Q Do you think you claim under any other part of the treaty except the fourteenth article? A I really do not understand it like I had ought to.

Q You do not claim under article fifteen or nineteen or under the supplement to the treaty? A No sir.

Q Do you know why article fourteen was put in the treaty of 1830? A No sir.

Q You know that the treaty of 1830 was made between the United States and the Choctaw Nation for the purpose of providing for the removal of the Indians in Mississippi to the Indian Territory, and some who did not desire to come were provided for under article fourteen of the treaty; they stayed there under the condition that they would cease to be Indians and become citizens of the United States. That was what article fourteen provided. You claim to be descended from Mississippi Choctaw who declared his citizenship in the United States and abandoned his citizenship in the Choctaw Nation. In order that he would have the right to take land afterwards in the Indian Territory, or his descendants would have a right to take land in the Indian Territory, you should be able to show to the Commission that he complied with the provisions of article fourteen of the treaty of 1830. One provision was that he must have declared his intention to the United States Indian Agent, Colonel Ward, who then lived in Mississippi, of taking land there and becoming a citizen of the United States. Do you know whether he did that? A I do not know.

Q What was the name of your ancestor who lived in Mississippi in 1830?

A Liberty Warren.

Q You claim the right to be identified because you are descended from him? A Yes sir.

Q What kin was he to you? A My grandfather

Q On your mother's side? A Yes sir.

Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that he intended to remain there and take land? A No sir; Not that I know of.

Q Did he as a matter of fact come to the Indian Territory from Mississippi in the years 1835 to 1837 when the other Indians were removed by the United States government. A No sir.

Q Do you know whether he received or claimed land in Mississippi under the fourteenth article of the treaty of 1830? A No sir.

Q Did you ever receive any benefits in the Indian Territory as a Choctaw Indian? A No sir.

Q Are you married? A Yes sir.

Q What is the name of your husband? A J. C. Rice.

Q Do you make any claim for him? A No sir.

Q He is a white man? A Yes sir.

Q And he is not an Indian? A No sir.

Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.

Q What is the name of the oldest? A William L.

Q How old? A Eleven.

Q Any other child? A Joanna

Q How old? A Seven.

Q J C Rice is the father of these children? A Yes sir

Q And you are the mother? A Yes sir.

Q And you and he are living together as husband and wife? A Yes

Sadie C. Rice---3

- Q And the basis of their claim is the same as yours? A Yes sir.  
Q And they are living together with you at your home? A Yes sir.  
QX Andything further you want to say in support of your application  
A I have some affidavits I want to send in.  
Q How much time do you want, twenty days? A Yes sir, about that.

Twenty days time from the date hereof is granted to applicant in which to prepare and file documentary evidence in support of her application for identification for herself and her minor children as Mississippi Choctaws.

The decision of the Commission in regard to this application you make in behalf of yourself and your minor children for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 26th day of February, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*  
Subscribed and sworn to before me this 1<sup>st</sup> day of February, 1901.

*Charles H. Sawyer*

Notary Public.

Huskogee, Indian Territory, April 10, 1901.

Mr. J. C. Rice,  
Marietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter without date, in which you ask for additional time in which to file affidavits in the following applications for identification as Mississippi Choctaws:

Sarah E. Ford,	MC 1486
Mary E. Nutt,	MC 1487
Sadie C. Rice,	MC 1488
Margie S. Knech,	MC 1489
Stella L. Nutt,	MC 1490

You are advised that the Commission will accept any evidence which you may offer in support of these cases prior to April 25, 1901.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, September 10, 1901.

Sudie C. Rice,  
 Marietta,  
 Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of the application of  
 Henry Raymond Rice, for identification as a Mississippi Choctaw. The  
 affidavits of the mother and physician are accepted as evidence of  
 the birth of this child, and the application will be filed with and  
 made a part of the original application of Sudie C. Rice, for identi-  
 fication as a Mississippi Choctaw.

Yours truly,

M. C. 1480.

COPY

Muskogee, Indian Territory, September 4, 1902.

Sudie C. Rice,

Marietta, Indian Territory.

DEAR Madam:

You are hereby advised that on the 4th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Pittman, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza J. Pittman,	M.C.R.1741;
Sarah E. Byrd, et al.,	M.C.R.1458;
Joseph A. Pittman, et al.,	M.C.R.1742;
Rosa R. Easterwood,	M.C.R.1744;
Mary R. Butt, et al.,	M.C.R.1457;
Sudie C. Rice, et al.,	M.C.R.1458;
Maggie S. Knosh, et al.,	M.C.R.1459;
Francis Leonidas Ford, et al.,	M.C.R.1281;
Stella L. Butt,	M.C.R.1460.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stat., 495), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the

S. C. R., 2.

identity of Eliza J. Pittman, Sarah E. Byrd, Mary Byrd, Austin Byrd, Eliza Byrd, Eddie Byrd, Walter Byrd, Maggie Byrd, Myrdie Byrd, Joseph A. Pittman, William H. Pittman, John K. Pittman, Birdie Pittman, Walter M. Pittman, Maggie M. Pittman, Vera V. Pittman, Lola L. Pittman, Nova T. Pittman, Rosa R. Easterwood, Mary R. Butt, Maggie K. Butt, Sudie C. Rice, William L. Rice, Joanna Rice, Henry Raymond Rice, Maggie S. Enoch, Ella M. Enoch, Willis Enoch, Francis Leonidas Ford, Leonidas Francis Ford, Harry Wesley Ford, Jessie Jewel Ford, Sarah Edna Ford, Thomas Earl Ford, Mattie Almyra Ford and Stella L. Butt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.



COPY.

M.C.P. 1458

Muskogee, Indian Territory, February 24, 1903.

Sudie C. Rice,

Marietta, Indian Territory.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Eliza J. Pittman, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

RESPECTFULLY,  
*Tame Pickens*  
Chairman.

*Audie C. Rice, et al*  
**REFUSED**

DECISION RENDERED. 8 17 1902

NOTICE OF DECISION MADE APPLICANT.

SEP 1 - 1902

NOTICE OF DECISION MADE ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

SEP 1 - 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 11 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

FEB 24 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

FEB 24 1903

REFER TO M. C. R. 1741

For Identification as a Mississippi Choctaw.

Date Feb 26. 1901

Name Audie C. Rice.

Age 30 Blood 1/16

Post Office, Merietta, I.T.

Father; Henry Pittman, d

Mother: Eliza J. "

Claims through Mother -

Husband

J.C. Rice. -

Children:

William L. - 11

Joanna - 7

Claims for self and children

H. C. Rice

No. 1457

For Identification as a Mississippi Choctaw.

Date Feb. 26. 1901

Name Mary R. Butt.

Age 32 - Blood 1/16

Post Office, Maunetta, I. T.

Father: Henry Pittman, d

Mother: Eliza J. "

Claims through Mother

Husband,

Marian A. Butt.

Children:

Maggie E. — 14

H. H. Hester  
Agent

Choctaw MCR 1459

Maggie S. Enoch

MCR 1459

N. C. 1489.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., Feb. 28, 1901.

In the matter of the application of Maggie S. Enoch for identification for herself and her minor children as Mississippi Choctaws.

Maggie S. Enoch, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Maggie S. Enoch.  
Q What is your age? A Twenty eight.  
Q What is your post office address? A Marietta.  
Q Indian Territory? A Yes sir.  
Q How long have you lived at Marietta? A I do not live at Marietta, I live about seven miles west; I have been living there for about twenty six years.  
Q Right there? A In the same neighborhood.  
Q Keeping the same post office address? A Yes sir.  
Q What is your father's name? A Henry Pittman.  
Q Is he living? A No sir.  
Q What is your mother's name? A Elizabeth J. Pittman.  
Q Living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A One sixteenth.  
Q Is the name of your mother on any of the Choctaw tribal rolls?  
A No sir.  
Q Is your name on any of the Choctaw tribal rolls? A No sir.  
Q Were you ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.  
Q Did you ever make application to the tribal authorities of the Choctaw Nation for citizenship in the Choctaw Nation? A No sir.  
Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
Q Did you ever make application to the Commission to the Five Civilized Tribes for citizenship or enrollment in the Choctaw Nation under the act of congress of June 10, 1898? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Bureau Commission or the Choctaw tribal authorities? A No sir.  
Q Is this the first application of any kind that you have ever made?  
A Yes sir.  
Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty? A Treaty between the United States and the Mississippi Choctaws.  
Q When was that treaty made? A 1830.  
Q Do you claim under the whole treaty? A Yes sir.  
Q What was that treaty passed for? A I could not tell you.  
Q How do you know you claim under the whole treaty? A I do not know.  
Q Do you not claim under article nineteen of that treaty? A That is something I do not know about.

Maggie S. Enoch--2.

- Q Do you know whether you claim under article fourteen? A No, I do not know.
- Q Do you know what article fourteen provides? A I do not know as I do.
- Q You are making this application for identification as a Mississippi Choctaw? A Yes sir.
- Q You claim you have Mississippi Choctaw blood? A Yes sir.
- Q It is important for you is it not that there should be some law that allows you to make this application? A Yes sir.
- Q Do you not know what that law is; you say it is in the treaty of 1830; do you know whether it is in the whole treaty of just one article of it? A No sir, I do not.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Liberty Warren.
- Q Was he a Choctaw Indian? A Yes sir.
- Q Was he a full blood? A No sir.
- Q How much? A One quarter.
- Q What kin? A Grandfather on my mother's side.
- Q Did he live in Mississippi in 1830? A Yes sir.
- Q Did he comply with all the provisions of article fourteen of the treaty? A I do not know.
- Q Do you know whether he within six months after the treaty was ratified told the United States Indian Agent who lives in Mississippi that he intended to stay there and take land and become a citizen of the United States? A No, I do not know.
- Q Did he remove from Mississippi to the Indian Territory when the other Indians came here in the years 1833 to 1837? A No sir.
- Q Why did he stay in Mississippi? A I do not know.
- Q Did he ever receive or claim any land under article fourteen? A No not that I know of.
- Q If he ever did claim or receive land there you would have known it? A Yes sir.
- Q Did you ever receive any benefits as an Indian in the Indian Territory? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A James M. Enoch.
- Q Do you make any claim for him? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.
- Q What is the name of the eldest? A Ella M.
- Q How old? A Eight years.
- Q What is the name of the next? A Willis
- Q How old? A He will soon be three years old.
- Q Any more? A That is all.
- Q James M. Enoch is the father of these children? A Yes sir
- Q And you are the mother? A Yes sir.
- Q And you and he are living together as husband and wife? A Yes
- Q And these children claim through you? A Yes sir.
- Q Have you any documentary evidence that you want to file with the Commission and make a part of your application. A I have not any with me.
- Q Do you wish time to file them? A Yes sir.

Twenty days time from the date hereof is granted to applicant in which to prepare and file documentary evidence in support of her application for herself and her minor children for identification as Mississippi Choctaws.

Maggie S. Maech---3.

Q Is there anything further that you can think of that you want to state? A No sir.

The decision of the Commission in regard to this application you make in behalf of yourself and your minor children for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 26th day of February, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 28 day of February, 1901.

*Charles H. Sawyer*  
Notary Public.



Muskogee, Indian Territory, May 6, 1901.

Mr. J. C. Rice,

Marietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of May 3, inclosing affidavits of Mary Duncan and H. H. Johnson, to be filed in support of the application of Sarah F. Ford for the identification of herself and her minor children as Mississippi Choctaws. Also affidavits of Mary Duncan and H. H. Johnson to be filed with the claim of Maggie S. Enechs for the identification of herself and children as Mississippi Choctaws.

The same have been duly filed and made a part of the record in this case and will receive the consideration of the Commission in determining the rights of these applicants.

Yours truly,

Acting Chairman.

MC 1456  
MC 1459

Muskogee, Indian Territory, September 4, 1902.

Maggie S. Enoch,

Marietta, Indian Territory.

Dear Madam:

You are hereby advised that on the 4th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Pittman, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza J. Pittman,	M.C.R.1741;
Sarah E. Byrd, et al.,	M.C.R.1455;
Joseph A. Pittman, et al.,	M.C.R.1742;
Rosa R. Easterwood,	M.C.R.1744;
Mary R. Butt, et al.,	M.C.R.1457;
Sudie C. Rice, et al.,	M.C.R.1458;
Maggie S. Enoch, et al.,	M.C.R.1459;
Francis Leonidas Ford, et al.,	M.C.R.1281;
Stella L. Butt,	M.C.R.1460.

These applications were made under the provision of the act of Congress of June 23, 1890, (30 Stats., 496), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the

M. S. L., 2.

identity of Elise J. Pittman, Sarah E. Byrd, Mary Byrd, Austin Byrd, Elias Byrd, Eddie Byrd, Walter Byrd, Maggie Byrd, Birdie Byrd, Joseph A. Pittman, William H. Pittman, John M. Pittman, Birdie Pittman, Walter M. Pittman, Maggie M. Pittman, Vera V. Pittman, Lola L. Pittman, Nova T. Pittman, Ross E. Easterwood, Mary A. Butt, Maggie E. Butt, Sadie C. Rice, William L. Rice, Joanna Rice, Henry Raymond Rice, Maggie S. Enoch, Ella M. Enoch, Willie Enoch, Francis Leonidas Ford, Leonidas Francis Ford, Harry Wesley Ford, Jessie Jewel Ford, Sarah Edna Ford, Thomas Earl Ford, Mattie Alayra Ford and Stella L. Butt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

*James Dinby.*

Acting Chairman.

Registered.

M.C.R. 1459

Muskogee, Indian Territory, February 24, 1903.

Maggie S. Knoch,

Marietta, Indian Territory.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Eliza J. Pittman, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

James Dixie  
Chairman.

No. 1459

For Identification as a Mississippi Choctaw.

Date Feb. 26. 1901

Name Maggie S. Enoch.

Age 28 - Blood 1/16

Post Office, Marietta; I. T.

Father: Henry Pittman d

Mother: Eliza J. d

Claims through Mother.

Husband

James M. Enoch

Children:

Ella M. - 8

Willis - 3

for self &  
children

H. Christen  
Steno.

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

NOV 24 1902



ACTING CHAIRMAN.



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Maggie S. Enoch,

Marietta,

Indian Territory.

*Lead!*

*1890*

*Maggie S. Enoch et al*

REFUSED

DECISION RENDERED. SEP 3 1902

NOTICE OF DECISION MAILED APPLICANT.

SEP 4 - 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

SEP 1 - 1902

RECORD FORWARDED DEPARTMENT.

SEP 1 - 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 11 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

FEB 24 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

FEB

1903

REFER TO M. C. R. 1741



Choctaw MCR 1460

Stella L. Butt

MCR 1460

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., Feb.26, 1901.

In the matter of the application of Stella L. Butt for identification as a Mississippi Choctaw.

Stella L. Butt, having been first duly sworn, upon her oath testifies as follows,-

Examination by the Commission.

- Q What is your name? A Stella L. Butt.  
 Q What is your age? A Twenty one.  
 Q What is your post office address? A Dexter Texas.  
 Q How long have you lived in Dexter? A Fourteen years.  
 Q Where did you live before that? A Grayson County.  
 Q Born in Texas? A Yes sir.  
 Q What is your father's name? A W. L. Butt.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Lizzie L. Butt.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Was she ever on any of the tribal rolls of the Choctaw Nation.  
 A Not that I knew of.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment? A No sir.  
 Q Did you ever make application to the Dawes Commission for citizenship or enrollment in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made of any kind?  
 A Yes sir.  
 Q Are you now making application to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty? A Article fourteen of the treaty of 1830 between the United States government and the Choctaw Nation.  
 Q Do you understand the provisions of article fourteen of the treaty of 1830? A I do not.  
 Q Did you ever read it? A I do not know as I ever did.  
 Q Did you ever have it explained to you? A No sir.  
 Q You claim under it? A Yes sir.  
 Q What makes you claim under it? A I do not know that.  
 Q Why do you think you claim under it? A I do not know  
 Q Somebody told you you claimed under it? A I only knew that a have a certain amount of Choctaw and that is what I claim under.

Stella L. Butt---2.

- Q What is the name of your ancestor who lived in Mississippi in 1830  
A Liberty Warren.  
Q What relation was he to you? A Grand father.  
Q How much Cheetaw blood did he have? A One quarter.  
Q Have you any documentary proof that you are lineally descended from him? A I have not now.  
Q How do you know you are descended from him; what proof have you-- any documentary evidence, record of births and marriages, etc? A Yes  
Q What evidence have you that he complied with the provisions of article fourteen of the treaty of 1830? A I have not any.  
Q Do you know whether he within six months after the treaty was ratified sold the United States Indian Agent in Mississippi that he intended to remain in that state and take land there and become a citizen of the state of Mississippi? A I do not.  
Q Do you know whether he came from Mississippi to the Indian Territory in the years 1835 to 1837 when the other Indians came here? A No.  
Q Did he ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.  
Q Are you married? A No sir.  
Q You are making this claim for yourself alone? A Yes sir.  
Q Have you any documents that you wish to file now with your claim?  
A Not with me.  
Q Do you wish time in which to file same? A Yes sir.

Twenty days time from the date hereof is granted to applicant in which to prepare and file documentary evidence in support of her claim for identification as a Mississippi Cheetaw.

- Q Is there anything further you would like to state in support of your claim? A No sir.

The decision of the Commission in regard to this application you make for identification as a Mississippi Cheetaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 26th day of February 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 2<sup>nd</sup> day of February, 1901.

*H. C. Risteen*  
*Charles W. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 10, 1901.

Mr. J. C. Rice,

Varietta, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter without date, in which you ask for additional time in which to file affidavits in the following applications for identification as Mississippi Cheateas:

Sarah E. Bird,	MC 1456
Harry R. Butt,	MC 1457
Sadie C. Rice,	MC 1458
Margie S. Enoch,	MC 1459
Stella L. Butt,	MC 1460

You are advised that the Commission will accept any evidence which you may offer in support of these cases prior to April 25, 1901.

Yours truly,

Acting Chairman.

2

Mustagee, Indian Territory, September 26, 1901.

Mr. M. A. Butt,  
Marietta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 16th, in which you ask what disposition has been made of the applications of Mary R. Butt and Stella L. Butt, and what is necessary to be done in order to bring these cases properly before the Commission for trial.

In reply to your letter you are advised that it appears from our records that on February 26th, 1901, Mary R. Butt appeared before the Commission at Atoka, Indian Territory, and applied for the identification of herself and her minor child as Mississippi Choctaws. The affidavits of Mary Dunkin and Henry Johnson have been offered in support of this application.

It also appears that on February 26th, 1901, Stella L. Butt appeared before the Commission at Atoka, Indian Territory, and applied for identification as a Mississippi Choctaw. The affidavits of Henry Johnson and Mary Dunkin have been offered in support of this application.

If these applicants wish to introduce any additional evidence at this time in support of their application, either by the oral testimony of witnesses, their depositions or exhibits

M. A. B... ..

or any documentary evidence, they will be permitted to do so  
and the same will be made a part of the records in these cases.

Yours truly,

Acting Chairman.

H. C. 1457

H. C. 1460

RECEIVED  
MAY 10 1940  
U. S. DEPARTMENT OF JUSTICE  
WASHINGTON, D. C.

N.C.R. 1000.

COPY.

Muskogee, Indian Territory, September 4, 1902.

Stella L. Butt,

*Received Marietta I. L. Dec 17 1902*

Denton, Texas.

Dear Madam:

You are hereby advised that on the 4th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Pittman, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza J. Pittman,	N.C.R. 1741;
Sarah E. Byrd, et al.,	N.C.R. 1000;
Joseph A. Pittman, et al.,	N.C.R. 1743;
Rosa R. Easterwood,	N.C.R. 1744;
Mary R. Byrd, et al.,	N.C.R. 1745;
Emilie C. Rice, et al.,	N.C.R. 1746;
Marcell S. Bush, et al.,	N.C.R. 1747;
Francis Leoman Ford, et al.,	N.C.R. 1748;
Stella L. Butt,	N.C.R. 1000.

These applications were made under the provision of the act of Congress of June 20, 1900, (30 Stat., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indian persons named in the Choctaw lists under article four of the treaty between the United States and the Choctaw Indians made September twenty-seventh, eighteen hundred and thirty, and in that case may subpoena witnesses and produce all other evidence requisite and may report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Eliza J. Pittman, Sarah E. Byrd, Mary Byrd, Austin Byrd, Eliza Byrd, Eddie Byrd, Walter Byrd, Maggie Byrd, Byrdie Byrd, Joseph A. Pittman, William H. Pittman, John W. Pittman, Birdie Pittman, Walter M. Pittman, Maggie M. Pittman, Vera V. Pittman, Lola L. Pittman, Nova T. Pittman, Ross R. Easterwood, Mary R. Butt, Maggie E. Butt, Sudie C. Rice, William L. Rice, Joanna Rice, Henry Raymond Rice, Maggie S. Enoch, Ella M. Enoch, Willis Enoch, Francis Leonidas Ford, Leonidas Francis Ford, Harry Wesley Ford, Jessie Jewel Ford, Sarah Edna Ford, Thomas Earl Ford, Mattie Almyra Ford and Stella L. Butt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

*James D. Dancy*

Acting Chairman.

Registered.



Muskogee, Indian Territory, February 24, 1903.

Stella L. Butt,  
Marietta, Indian Territory.

Dear Madam:

You are hereby notified that on the 11th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Eliza J. Pittman, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

(SIGNED)

James Birney

Chairman.

*Stella S. Cur.*

REFUSED

RENDERED. 1902

SEP 1 1902

SEP 1 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

AND FORWARDED DEPARTMENT.

BY THE SECRETARY OF THE INTERIOR.

FEB 1903

OFFICE OF DEPARTMENTAL ACTION  
AND BY APPLICANT.

OFFICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

REFER TO M. C. R. 1741

No. 1460

For Identification as a Mississippi Choctaw.

Date Feb. 26, 1901

Name Stella L. Butt,

Age 21 - Blood 1/16

Post Office, Wexler, Texas

Father: W. L. Butt, l

Mother: Lizzie L., d

Claims through mother

for sub

Children:

H. R. R. R. R.  
Tran.

@hoctaw MCR 1461

MCR 1461

Nicholas Dayton

See MCR. 1367, 1495, 1493, 1494

*Nicholas Dayton*

REFUSED

DEC 15 1902

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT.

JUL 15 1902

NOTICE OF DEPARTMENTAL ACTION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 15 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR:

AUG 15 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

AUG 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

AUG 23 1902

REFER TO M. C. R. 1367, 1495,

1493, 1494.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., Feb. 27, 1901.

In the matter of the application of Nicholas Dayton for identification as a Mississippi Choctaw.

Nicholas Dayton, having been first duly sworn, testifies on his oath as follows:

Examination by the Commission:

- Q What is your name? A Nicholas Dayton.  
Q What is your age? A Sixty one.  
Q What is your post office address? A Liberty Hill, Texas.  
Q Do you live at Liberty Hill? A No, near there.  
Q Is it your post office? A Yes sir.  
Q How long have you lived there? A About twenty three years.  
Q Where did you live before that? A I lived near Bagdad before that for a short time.  
Q Where were you born? A In the state of Ohio.  
Q Where in Ohio? A Coshocton County.  
Q How old were you when you left there? A Seven years old.  
Q Where did you go? A To Indiana.  
Q How long did you live there? A I think about three years until the rebellion commenced.  
Q Then where did you remove to? A Went into the army.  
A Union army? A No, confederate.  
Q After that where did you live? A Texas.  
Q Since the war you have lived in Texas? A Since the war I went back to Missouri and stayed there a while and am now back in Texas.  
Q What is your father's name? A John Dayton.  
Q Is he living? A No sir, dead.  
Q What is your mother's name? A Elizabeth Dayton.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A One eighth.  
Q Did your mother ever live in the Indian Territory? A So I have been told she did, and learned it from her hub that she had.  
Q In the Indian Territory? A In the state of Mississippi.  
Q She never lived in the Indian Territory? A No sir.  
Q Where did she die? A In Indiana.  
Q Was she ever recognized by any of the tribal authorities of the Choctaw Nation as a Choctaw Indian? A I could not tell you.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for enrollment? A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Did you ever make application to the Dawes Commission for either citizenship or enrollment in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw

Nicholas Dayton---2.

- tribal authorities? A No sir, I never lived in the Indian Territory at all.
- Q This is the first application of any kind that you have ever made? A Yes sir.
- Q And you are now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty are you making this claim? A 1830.
- Q Under what part--the whole treaty or any certain articles? A I do not know, I am not well posted.
- Q Did you ever hear of article fourteen of the treaty of 1830? A Yes sir.
- Q Do you know whether the treaty of 1830 is the same as the treaty of Dancing Rabbit Creek? A No sir, I do not know. All I knew is that I heard that the treaty of 1830 provides lands for the Choctaw Indians--lands west of the Mississippi for lands east of the Mississippi.
- Q Did your Choctaw ancestor have land east of the Mississippi. A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Elizabeth Dayton.
- Q Did she live in Mississippi in 1830? A That is my understanding that she did.
- Q Do you know whether she complied with the provisions of Article fourteen of the treaty of 1830? A No sir, I do not.
- Q Did she within six months after that treaty was ratified tell the United States Indian Agent who lived in Mississippi that she intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A I do not know anything about that.
- Q Do you know whether she came to the Indian Territory in the years 1835 to 1837 when the other Indians were removed here by the United States government? A I do not know.
- Q Did she in any manner comply with the provisions of article fourteen? A I do not know.
- Q Did she claim or receive any lands in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q You would have known it if she had? A I think so.
- Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Mary L. Dayton.
- Q Is she living? A Yes sir.
- Q Do you make any claim for her? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A No sir.
- Q Have you any documentary evidence of any kind that you want to introduce now? A No sir.
- Q Would you like time to introduce it? A Yes sir.

Twenty days time from the date hereof is granted applicant in which to prepare and file documentary evidence in support of his claim for identification as a Mississippi Choctaw.

- Q Is there anything further you would like to state in regard to your application? A No sir.

The decision of the Commission in regard to this application

Nicholas Dayton---3

you make for identification as a Missions Chester will  
be mailed to you at your present post office address.

N. C. Risteen, having been first duly sworn, upon his oath  
states: That as stenographer to the Commission to the Five Civilized  
Tribes he reported in full all proceedings had in the above entitled  
cause on the 27th day of February, 1901, and that the same and fore-  
going is a full, true and correct transcript of his stenographic notes  
of said cause on said date.

*N. C. Risteen*

Subscribed and sworn to before me this 28 day of February, 1901.

*Charles H. Sawyer*

Notary Public.



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

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In the matter of the application of Nicholas Dayton, et al., for identification as Mississippi Choctaws, consolidating the applications of-

Nicholas Dayton,	H C B 1403
William L. Dayton, et al.,	H C B 1407
Mary L. Reed,	H C B 1408
Nicholas C. Dayton, et al.,	H C B 1409
George F. Dayton,	H C B 1404

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List of papers forwarded to the Secretary of the Interior, comprising the record in the consolidated case of Nicholas Dayton, et al.

	Page.
Original application of Nicholas Dayton to the Board Commission for the identification of himself as a Mississippi Choctaw - - - - -	3
Original application of William L. Dayton, et al., to the Board Commission for identification as Mississippi Choctaws - - -	4
Original application of Mary L. Reed to the Board Commission for identification as a Mississippi Choctaw - - - - -	7
Original application of Nicholas C. Dayton, et al., to the Board Commission for identification as Mississippi Choctaws - - -	9
Original application of George F. Dayton to the Board Commission for identification as a Mississippi Choctaw - - - - -	20
Decision of the Commission denying the application of Nicholas Dayton, William L. Dayton, et al., Mary L. Reed, Nicholas C. Dayton, et al., and George F. Dayton for identification as Mississippi Choctaws - - - - -	24

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

*Book  
C. v. W.*

In the matter of the application of Nicholas Dayton, et al., for identification as Mississippi Choctaws, consolidating the applications of-

Nicholas Dayton,	N C R 1451
William L. Dayton, et al.,	N C R 1367
Mary L. Reed,	N C R 1496
Nicholas C. Dayton, et al.,	N C R 1473
George P. Dayton,	N C R 1494

DECISION.

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Nicholas Dayton for himself; by William L. Dayton for himself and his five minor children, Nicholas, William L., Harlin, Allen, and Myrtle Dayton; by Mary L. Reed for herself; by Nicholas C. Dayton for himself and his two minor children, Eliza T., and Robert C. Dayton; and by George P. Dayton for himself, under the following provision of the act of Congress approved June 20, 1906, (34 Stat., 626):

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one John Dayton and Elizabeth Dayton (nee Collins), both of whom are alleged to have been quarter blood Choctaw Indians and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission that no one of said applicants has ever been enrolled as a member of the Choctaw tribe by the Choctaw tribal authorities or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress, approved June 20, 1896, (29 Stat., 522).

It does not appear from the testimony and evidence offered in support of said applications or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said John Dayton or Elizabeth Dayton (nee Collins) or ancestors less remote signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent,

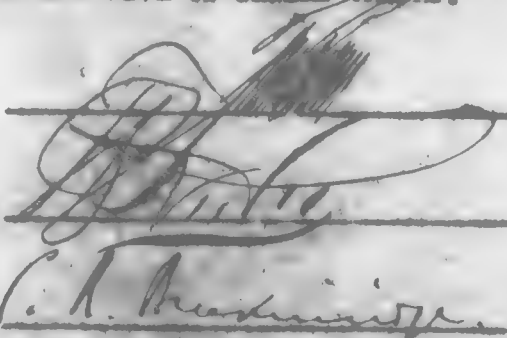
170

-3-

Chectaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180), and August 23, 1842, (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nicholas Dayton, William L. Dayton, Nicholas Dayton (2), William L. Dayton (2), Hurlin Dayton, Allen Dayton, Myrtle Dayton, Mary L. Reed, Nicholas C. Dayton, Ellis T. Dayton, Robert C. Dayton, and George P. Dayton as Chectaw Indians entitled to rights in the Chectaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



C. H. Bradburn

Muskogee, Indian Territory,

JUL 15 1902

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42540-1902.

—C O P Y.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,

Washington, July 23, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report dated July 15, 1902, from the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding the record relative to the consolidated Mississippi Choctaw case of Nicholas Dayton, et al., who apply for identification as Mississippi Choctaws claiming rights in the Choctaw lands under the provisions of the fourteenth article of the Treaty of September 27, 1830.

Nicholas Dayton applies for the identification of himself; William L. Dayton applies for the identification of himself and his five minor children, Nicholas, William L., Marlin, Allen and Myrtle Dayton; Mary Reed applies for the identification of herself; Nicholas C. Dayton applies for the identification of himself and his two minor children, Ellis T. and Robert C. Dayton; George P. Dayton applies for the identification of himself.

July 15, 1902, the Commission held that the parties above named were not entitled to identification as Mississippi Choctaws.

-2-

The parties to this consolidated case attempt to trace their descent from John and Elizabeth Dayton, father and mother of principal applicant Nicholas Dayton. Mention is made, however, by some of the applicants, of a person by the name of Collins (first name not given), grandfather of principal applicant Nicholas Dayton, and great-grandfather of the applicants who mention said Collins.

A careful search of the records of this office relating to those Indians who complied or attempted to comply with the provisions of said article fourteen of the treaty of 1830 fails to show that any one by the name of John or Elizabeth Dayton, or that any person by the name of Collins complied or attempted to comply with the provisions of said article of said treaty, or that they, or either of them, applied to the commissions appointed under the provisions of the Acts of March 3, 1837 and August 23, 1842 for an adjudication of their rights.

It is therefore respectfully recommended that the decision of the Commission be affirmed.

Very respectfully,

Your obedient servant,

(Signed) A. C. Tonner,  
Acting Commissioner.

GAW  
D

3 inclosures.

D.C. 13476-1902.

48765

J.W.H.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

August 15, 1902.

I.T.D. 4469-1902.

L.R.S.

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

Gentlemen:

July 15, 1902, you transmitted the record in the consolidated case embracing the applications for identification as Mississippi Choctaws, of Nicholas Dayton for himself; of William L. Dayton for himself and his five minor children, Nicholas, William L., Murlin, Allen, and Myrtle Dayton; of Mary L. Reed for herself; of Nicholas C. Dayton for himself and his two minor children, Ellis T., and Robert C. Dayton; and of George P. Dayton for himself; including your decision of same date refusing to enroll the applicants.

Applicant Nicholas Dayton attempts to trace his Choctaw descent through his mother, Elizabeth Dayton, nee Collins, to his grandfather, one Collins (first name not given). The other applicants are the children and grandchildren of the said Nicholas Dayton.

The whole record fails to show that any one of the applicants was ever duly admitted to citizenship in the Choctaw Nation.

or that the alleged ancestors, above named, ever complied or attempted to comply with the provisions of article fourteen of the treaty of September 27, 1830, or with the Acts of March 3, 1837 (5 Stat., 120), and August 23, 1842 (5 Stat., 513).

The Acting Commissioner of Indian Affairs in his report of July 23, 1902, recommends that your decision be approved.

The Department, upon careful review of the whole case, approves your action, and your decision is affirmed.

Copy of said report of the Acting Commission is inclosed.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

1 inclosure.

DcL



COP,

H O R 1461

Mustang, Indian Territory, July 15, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Nicholas Dayton, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 15, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Nicholas Dayton,	H O R 1461
William L. Dayton, et al.,	" 1467
Mary L. Reed,	" 1468
Nicholas G. Dayton, et al.,	" 1493
George F. Dayton,	" 1494

The Commission has the honor to report that the principal applicants in the several separate applications, their attorneys of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Com-

Sec. Int.

mission, copies of said letters being attached to the record.

Respectfully,

(SIGNED)

*James Bixby.*

Acting Chairman.

Through the

Commissioner of

Indian Affairs.

1 enclosure.

300

M C R 1461

Muskogee, Indian Territory, July 15, 1902.

Mansfield, Kohnarray & Carnish,

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

Gentlemen:

You are hereby advised that on the 15th day of July 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nicholas Dayton, et al., embracing the following applications for identification as Mississippi Choctaws

- |                             |            |
|-----------------------------|------------|
| Nicholas Dayton,            | M C R 1461 |
| William L. Dayton, et al.,  | " 1367     |
| Mary L. Reed,               | " 1498     |
| Nicholas C. Dayton, et al., | " 1493     |
| George P. Dayton,           | " 1494     |

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw persons claiming rights to Choctaw lands under Article 14 of the Treaty between the United States and the Choctaw Nation, concluded November twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decisions concludes as follows:

H 200 & C 90

"It, is therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Nicholas Dayton, William L. Dayton, Nicholas Dayton (2), William L. Dayton (2), Harlin Dayton, Allen Dayton, Myrtle Dayton, Mary L. Reed, Nicholas O. Dayton, Ellis T. Dayton, Robert C. Dayton, and George P. Dayton as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*James Dick*  
Acting Chairman;

COPY.

M C R 1441

Muskogee, Indian Territory, July 18, 1902.

Nicholas Dayton,  
Liberty Hill, Texas.

Dear Sir:

You are hereby advised that on the 15th day of July 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nicholas Dayton, et al., embracing the following applications for identification as Mississippi Choctaws:

Nicholas Dayton,	M C R 1441
William L. Dayton, et al.,	" 1447
May L. Dayton,	" 1448
Nicholas C. Dayton, et al.,	" 1449
George F. Dayton,	" 1450

These applications were made under the provisions of the act of Congress of June 28, 1900 (30 Stat., 455) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming descent from the Choctaw Indians under articles 17, 18, and 19 of the Treaty between the United States and the Choctaw Nation, concluded September 8, 1830, and to that end to call upon, examine, and take evidence, and to that end to employ such agents, clerks, and messengers, and to that end to employ such money as may be necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the issue"

1130

city of Nicholas Dayton, William L. Dayton, Nicholas Dayton (2), William L. Dayton (2), Maria Dayton, Allen Dayton, Myrtle Dayton, Mary L. Reed, Nicholas S. Dayton, Ellis T. Dayton, Robert O. Dayton, and George P. Dayton, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said act, section 1, as amended, section 1, hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*Tame Dixby.*  
Acting Chairman.

Registered.

M C R 1461

Muskogee, Indian Territory, July 29, 1902.

Nicholas Dayton,  
Liberty Hill, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th instant, relative to your right to citizenship in the Choctaw Nation.

We can render you no further information in regard to this matter than to advise you that the Commission has refused your application for identification as a Mississippi Choctaw and the record in this case is now before the Secretary of the Interior for his review.

As soon as we are advised of the action of the Secretary of the Interior, you will be duly notified thereof.

Yours truly,

Commissioner in Charge.

OPY.

M.C.R. 1461.

Muskagee, Indian Territory, August 23, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 15th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nicholas Dayton, et al., of which decision you were advised by registered mail on the 15th day of July, 1902.

Yours truly,

(SIGNED)

James D. Kirby,

Acting Chairman.



COPY.

M.C.R. 1461.

Weskegee, Indian Territory, August 25, 1902.

Nicholas Dayton,  
Liberty Hill, Texas.

Dear Sir:

You are hereby advised that on the 15th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nicholas Dayton, et al., of which decision you were advised by registered mail on the 15th day of July, 1902.

Very truly,

Acting Chief

No. 1401

For Identification as a Mississippi Choctaw.

Date <sup>May</sup> Feb. 27. 1901

Name Nicholas Dayton.

Age 61- Blood  $\frac{1}{8}$

Post Office, Liberty Hill, Texas -

Father: John Dayton, d

Mother: Elizabeth " d

Claims through Mother  
wife.

Mary L. Dayton, l-

~~Children:~~

for self alone -

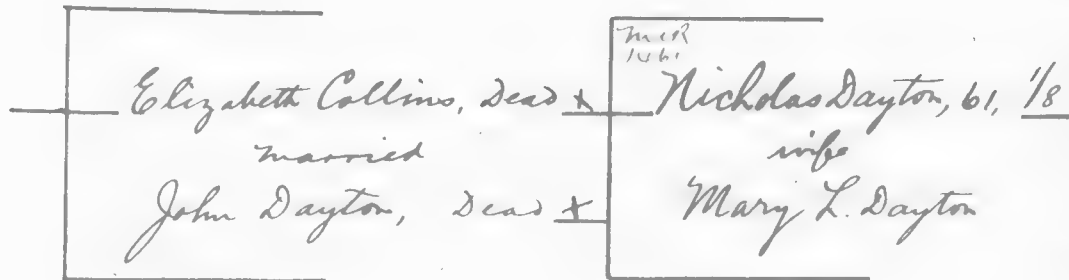
H. C. Risten  
Stems.

REFER TO M.C.R. 1461

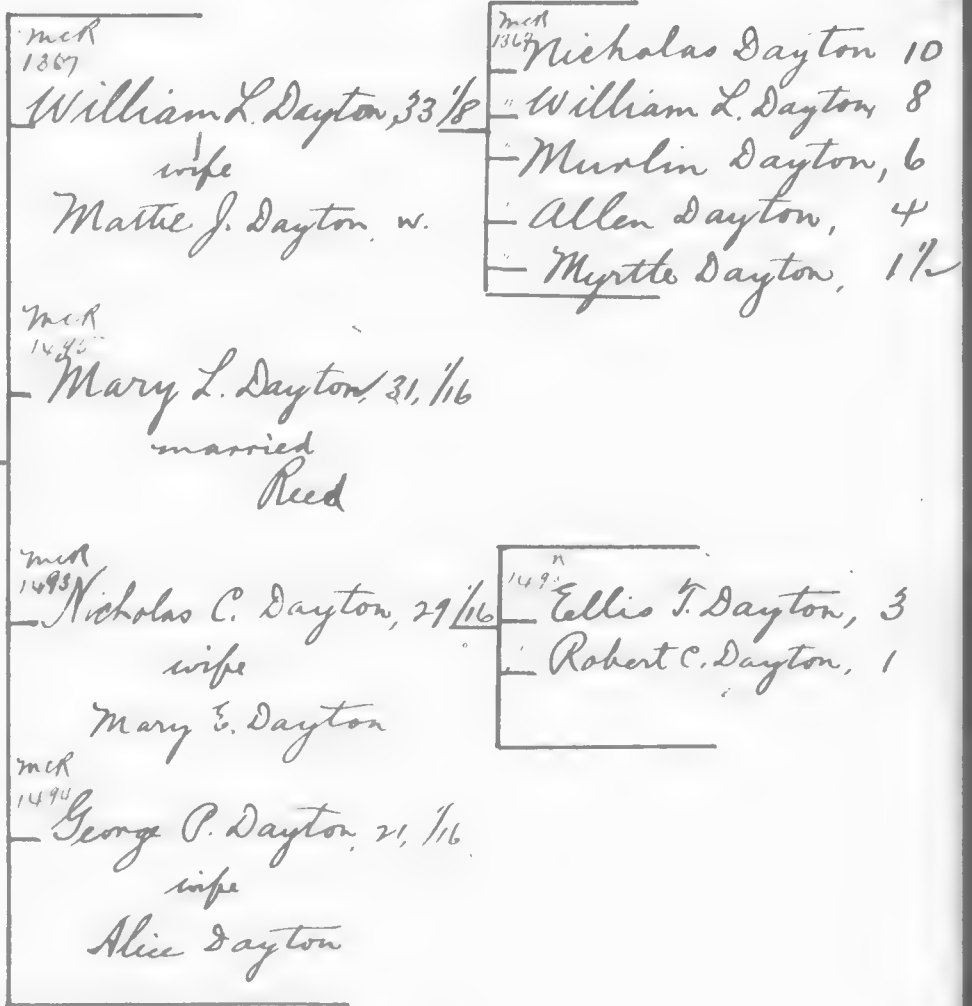
Nicholas Dayton  
es

Consolidated Co

Collins,



x Conflict in testimony as to descent



Choctaw MCR 1462

MCR 1462

Emily Smiley

*Emily Smiley et al*

REFUSED

SECTION AT 1902

MAILER APPLICANT

AUG 11 1902

MAILER APPLICANT  
FOR THE NICKASAW NATIONAL

AUG 11 1902

SEARCHED FORWARDED DEPARTMENT

AUG 11 1902

ACTED BY SECRETARY OF INTERIOR

OCT 14 1902

DEPARTMENTAL ACTION  
APPLICANT

OCT 20 1902

DEPARTMENTAL ACTION  
FOR THE ATTORNEYS FOR CHOCTAW  
AND CHEROKEE NATIONS

OCT 20 1902

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

-----

In the matter of the application of Emily Bailey, et al., for identification as Mississippi Choctaws, N C R 1462.

List of papers forwarded to the Secretary of the Interior with the record in the above case, together with the page occupied by each in said record.

	Page.
Original application of Emily Bailey, et al., for identification as Mississippi Choctaws.	1
Final decision of the Commission in the case of Emily Bailey, et al., applicants for identification as Mississippi Choctaws, denying said application.	4

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., Feb. 27, 1901.

In the matter of the application of Emily Smiley for identification for herself and her minor child as Mississippi Choctaws.

Emily Smiley, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Emily Smiley.  
Q What is your age? A Twenty five  
Q What is your post office address? A Bernice Louisiana.  
Q Do you live at Bernice? A Yes sir.  
Q How long have you lived there? A Four months.  
Q Where did you live before you lived there? A In Arkansas?  
Q How long did you live in Arkansas? A Ten years.  
Q Where were you born. A Calcasieu Parish, Louisiana  
Q Did you ever live outside of Louisiana? A Yes sir.  
Q Where did you live when you removed from Louisiana? A Texas.  
Q Did you live in Texas? A Just came through there.  
Q You lived in Louisiana? A Yes sir.  
Q And you have always lived there? A I lived in Arkansas.  
Q How old were you when you left Louisiana for Arkansas? A I could not tell you.  
Q You never lived in Mississippi nor in Indian Territory? A No  
Q What is your father's name? A G. G. Geins.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary Geins.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much do you claim? A Just about a quarter.  
Q Did your father ever live in Indian Territory? A No sir.  
Q Was he ever recognized as a Choctaw Indian by the tribal authorities of the Choctaw Nation? A I do not know.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
Q Did you ever make application to the Bureau Commission for enrollment or citizenship in the Choctaw Nation under act of Congress of June 10, 1896. A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States court in Indian Territory on appeal from the authorities of either the Bureau Commission or the Choctaw tribal authorities?  
Q Is this the first application of any kind you have ever made?  
A Yes sir.  
Q Are you now making application for identification as a Mississippi



Baily Smiley----3.

Cheetaw? A I do not understand.

Q You are not making application for enrollment are you? A I do not thoroughly understand you yet.

Q If you made application for enrollment as a Choctaw, it would be under the law because your name is on the 1896 census roll of the Choctaw Nation. Now, you are making this application because you are descended from a Mississippi Choctaw and the only authority that gives you a right to come now before the Dawes Commission and make this application is contained in section twenty one of the Curtis Bill which I will read to you. Section twenty one of the act of Congress approved June 28, 1898, (Public - No.162), reads as follows: "Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior." This is the only law there is in existence which gives you a right to come here now and make this application, and you will note this section says "said commission shall have the right to determine the identity of Choctaw Indians claiming rights under article fourteen"--therefore, I ask you the question if you come here to be identified as a Mississippi Choctaw? A Yes sir.

Q Under what treaty are you making this application for identification? A 1830.

Q Do you claim under the whole treaty of 1830 or under only certain articles of that treaty? A I do not know; you will have to explain.

Q What is the name of your ancestor who lived in Mississippi in 1830? A I do not know.

Q What is the name of the relative or kin you claim was a Mississippi Choctaw and who lived in Mississippi? A I do not know.

Q Do you not know who your ancestor is--You cannot expect that you will be able to prove that you have the right to be identified here, if you cannot tell through whom you claim, and it is supposed you will know something about your application? A I do not know any thing about it, except what I have been told. I have been told that I had a right here.

Q Through whom do you claim your right? A There have been lots of different people told me I had a right here.

Q If you have a right here it is because you are descended from some ancestor who lived in Mississippi and who was a Choctaw Indian; do you not know who that person is? A No sir.

Q You claim through your father? A Yes sir.

Q Was it your father's father, or your father's grandfather or grandmother who lived in Mississippi? A I do not know.

Q Did your father live in Mississippi? A No sir.

Q Where did he live? A He was raised in Louisiana.

Q Lived there all the time? A I do not know.

Q And you do not know whether any of his kin ever lived in Mississippi? A No sir.

Q You do not know whether any of your ancestors lived in Mississippi? A No sir.

Q It is a very material part of your application that you should know for if you cannot establish your identity through kinship with a Mississippi Choctaw, it seems to me that you have no right to make this claim. Do you think you can prove it if I give you twenty days to file documentary evidence. A I think so.

Emily Smiley---5.

Twenty days time from the date hereof is allowed applicant in order that she may prepare and file documentary evidence to show that she is lineally descended from a Mississippi Choctaw.

- Q I will ask you these question in order that we may get as full an examination as we can. Do you know whether your ancestor or ancestors through whom you make this application ever complied with article fourteen of the treaty of 1830? A No sir, I do not.
- Q Do you know whether your ancestor or ancestors within six months after the ratification of the treaty of 1830 told the United States Indian Agent living in Mississippi at that time that he or she intended to remain in Mississippi and take land there and become a citizen of the United States. A No sir.
- Q Do you know whether your ancestor or ancestors, or any of them, ever claimed or received any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A No sir.
- Q Did any of your ancestors ever comply in any manner with article fourteen of that treaty? A I do not know.
- Q Are you married? A Yes sir.
- Q What is the name of your husband? A W. R. Smiley.
- Q Do you make any claim for him? A No sir.
- Q Have you any children you wish to make application for? A Yes
- Q What is the name? A Asy Smiley.
- Q How old? A fourteen months.
- Q W.R.Smiley is the father of this boy? A Yes sir.
- Q And you are its mother? A Yes sir.
- Q You and he are living together as husband and wife? A Yes
- Q And the basis of that child's claim is the same as yours? A Yes
- Q Have you any documentary evidence of any kind you want to introduce now, or do you wish to present them in the time given by the Commission? A Yes sir.
- Q Is there anything further you want to say in regard to this application? A No sir.

The decision of the Commission in regard to this application you make in behalf of yourself and your minor child for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 27th day of February, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 28 day of February 1901.

*H. C. Risteen*  
*Charles H. Sawyer.*  
Notary Public.

C. W. J. R.

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

In the matter of the application of Emily Smiley, et al.,  
for identification as Mississippi Choctaws, N C R 1462.

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

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by Emily Smiley for herself and her minor child, Amy Smiley, under the following provision of the act of Congress approved June 28, 1898, (30 Stat., 495):

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being dependants of one G. G. Coine, who is alleged to have been

possessed of some Choctaw blood (degree thereof not stated).

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that neither of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 16, 1896, (29 Stat., 321).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said G. G. Coins ever signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857, (5 Stat., 120), and August 23, 1842, (5 Stat., 515).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Billy Bailey and Acy Bailey as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article

3.

fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Acting Chairman.

  
Secretary.

  
Commissioner.

Mustoge, Indian Territory.

AUG 11 1902

Muskogee, Indian Territory, August 11, 1902.

Mansfield, McFurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 11th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Emily Smiley, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stat., 498), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Smiley and Amy Smiley as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

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You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

James H. [unclear]  
Acting Chairman.

COPY. M.C.R 1462

Muskegee, Indian Territory, August 11, 1902.

The Honorable,  
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Emily Smiley, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of August 11th, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

*James Dixby*

Acting Chairman.

Through the  
Commissioner of Indian Affairs.

1 enclosure.



COPY.

M.C.R. 1462

Muskogee, Indian Territory, August 11, 1902.

Emily Smiley,

Berwick, Louisiana.

Dear Madam:

You are hereby advised that on the 11th day of August, 1902 the Commission to the Five Civilized Tribes rendered a decision in the case of Emily Smiley, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Emily Smiley and Aoy Smiley as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

Emily Smiley-2

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*James Sirov.*

Acting Chairman.

Registered.

COPY

Land  
48772--1902.

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs,

Washington, Oct. 4, 1902.

The Honorable,  
The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated August 11, 1902, forwarding the record relative to the application of Emily Smiley, et al., for identification as Mississippi Choctaws claiming rights in the Choctaw lands under article fourteen of the treaty of 1830.

Emily Smiley applies for the identification of herself and her minor child Aoy Smiley.

August 11, 1902, the Commission held that the parties above named were not entitled to identification.

The record in the case shows that the principal applicant claims descent from her father G. G. Goins. The applicants are not of the full blood, and the records of this office do not show that the alleged ancestor, G. G. Goins, received a patent of lands under article 14 of the treaty of 1830, or that

he complied or attempted to comply with the provisions of the said article of the treaty; or that he applied to the commissions appointed under the acts of March 3, 1837, and August 23, 1842, for an adjudication of his rights, if any he had.

It is therefore respectfully recommended that the decision of the Commission be approved.

Very respectfully,  
Your obedient servant,

Signed A. C. Tonner,

Acting Commissioner

G.A.W.(S)

C O P Y

D. C. 18725-1902.

BAP.

DEPARTMENT OF THE INTERIOR.  
Washington.

ITD. 6105-1902.  
L.R.S.

October 11, 1902.

Commission to the Five Civilized Tribes,  
Muskegee, I.T.

Gentlemen:

August 11, 1902, you transmitted the record in matter of the application for identification of Emily Smiley and her minor child, Aoy Smiley, as Mississippi Choctaws.

The applicants trace their descent from one G. G. Goins, alleged to have been possessed of some Choctaw blood.

The record fails to show that either of the applicants was ever admitted or enrolled as a Choctaw citizen, or that G. G. Goins complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (58Stat., 180), and August 23, 1842 (58Stat., 513). You refused the application August 11, 1902.

The Acting Commissioner of Indian Affairs recommends approval of your decision. A Copy of his letter of October 3 is inclosed herewith.

-2-

Finding no reason to disturb your decision, it is  
hereby affirmed.

Respectfully,

(Signed) Thos Ryan  
Acting Secretary.  
RD.

1 inclosure.

COPY.

H.C.R. 1462.

Muskogee, Indian Territory October 20, 1902.

Emily Smiley,

Bernice, Louisiana.

Dear Madam:

You are hereby advised that on the 11th day of October 1902, the Secretary of the Interior, affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Emily Smiley, et al., of which decision you were advised by registered mail on the 11th day of August, 1902.

Respectfully,

(Signed)

*James D. Cox.*  
Acting Chairman.

COPY.

H.C.R. 1462.

Muskogee, Indian Territory October 20, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 11th day of October 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the case of Emily Smiley, et al., of which decision you were advised by mail on the 11th day of August, 1902.

Respectfully,

SIGNED


*William H. ...*  
Acting Chairman.

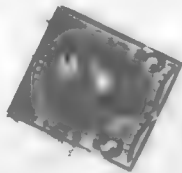


1462

DEPARTMENT OF THE INTERIOR,  
BUREAU OF INDIAN AFFAIRS,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
FILED

SEP 23 1902

  
ACTING CHAIRMAN



Department of the Interior.

Commission to the Five Civilized Tribes,

**MUSKOGEE, IND. TER.**

OFFICIAL BUSINESS

Penalty for private use, \$300.

1022

Emily Smiley,

Bernice,

La.

No. 1462

For Identification as a Mississippi Choctaw.

Date Feb. 27, 1901

Name Emily Smiley -

Age 25 - Blood  $\frac{1}{4}$

Post Office, Bernice, La.

Father: G. S. Goins, d

Mother: Mary Goins, d

Claims through father,

Husband

W. R. Smiley -

Children:

Acy (boy) 14 m.

Claims for pret  
and child

W. C. Rosten  
Stems.

Choctaw MCR 1463

Myrtle Sutterfield

MCR 1463

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T. FEBRUARY 27, 1901.

.....

NO. 1463.

In the matter of the application for identification as a Mississippi Choctaw of Myrtle Sudderfield, Myrtle Sudderfield being first duly sworn, testified as follows:

(Examination by the Commission)

- Q What is your name? A Myrtle Sudderfield.
- Q What is your age? A I don't know; about twenty-one.
- Q What is your post office address? A I don't know-- Allen.
- Q A - l l - e - n ? A I can't spell it.
- Q Indian Territory? A Yes sir.
- Q How long have you lived there? A I don't know
- Q Give me an idea; have you lived there a year? A Yes sir.
- Q Two years? A No sir.
- Q A year and a half? A About one year.
- Q Where did you live before you lived there? A Sand.
- Q S - a - n - d ? A Yes sir.
- Q Indian Territory? A Yes sir.
- Q How long did you live there? A I don't know how long.
- Q You just try to give me an idea how long now; one, two, three, four, five years? A About two years.
- Q Where did you live before that? A Gaddo.
- Q Indian Territory? A Yes sir.
- Q How long? A Three years.
- Q Where were you born? A In Illinois.
- Q What place in Illinois? A I don't remember.
- Q What is your father's name? A Christian.
- Q What is the full name? A I don't know.
- Q Christian, is that his first name or is it the name--- A He goes by the name of Al Christian.
- Q Is he living? A No sir.
- Q What is your mother's name? A Katherine.
- Q Katherine K A T H E R I N E ? A Yes sir.
- Q Is she living? A No sir.
- Q Through which one of these parents do you claim Choctaw blood? A My father's side.
- Q How much do you claim? A I don't know-- my father was a half.
- Q Your father was a half? A Yes sir.
- Q How much would you be? A I don't know.
- Q Couldn't you tell now, if your father was a half, how much you would be; would you be 1/4, 1/8, 1/16-- A I can't tell you.
- Q Did your father live in Indian territory? A Not that I know of.
- Q Was he ever recognized by any of the tribal authorities of the Choctaw Nation as a Choctaw Indian? A Not as I know of.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not as I know of.
- Q Have you ever made application for citizenship in the Choctaw Nation? A No sir.
- Q For enrollment? A No sir.
- Q Was application ever made on your behalf to this Commission for citizenship under the Act of Congress of June 10, 1897? A No sir

- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of either the Choctaw tribal authorities or of this Commission?
- A No sir, not that I know of.
- Q Is this the first application of any kind that you have ever made?
- A Yes sir.
- Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what law or treaty or treaties are you making this application? A Well, I don't know.
- Q Did you ever hear of the treaty of 1830? A Not as I know of.
- Q Did any one ever explain that treaty to you? A Not as I know of.
- Q Well, if they did you would know it, wouldn't you? A Yes sir.
- Q You never heard of article fourteen of the treaty of 1830?
- A Not as I know of.
- Q Is it the same as the treaty of 1820, or 1866 or--
- A I don't remember that treaty.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A I don't know.
- Q You know what I mean by ancestor- your grand-father, or kin-
- A I don't remember.
- Q You say you claim through your father? A Yes sir.
- Q And he claimed through whom? A Yes sir.
- Q He claimed through whom, his father or mother? A His mother.
- Q And she was a Choctaw Indian was she? A Yes sir.
- Q Did she live in Mississippi? A I don't know.
- Q You don't know whether she lived in Mississippi in 1830 or if she ever lived there? A No sir.
- Q Are you claiming through her? A Yes sir.
- Q How do you know? A By blood.
- Q And you don't know whether his father, or his mother or his father's mother ever lived in Mississippi at all? A No sir.
- Q Then how do you know? A I just claim it.
- Q Did you ever hear that you father ever lived in Mississippi?
- A I don't know.
- Q Then how do you know that you claim to be a Mississippi Choctaw; you never lived in Mississippi? A Not as I know of.
- Q Were you ever told that any of your kinfolks lived in Mississippi?
- A I don't remember.
- Q And you don't know whether your father's mother did or not?
- A I think she did; I don't remember; I have heard talk of it.
- Q Whom did you hear say that your father lived in Mississippi?
- A My mother.
- Q Then you claim to be a Mississippi Choctaw because your father's mother lived in Mississippi? A I have heard she did.
- Q Did she live there in 1830? A I don't remember.
- Q Do you know whether she ever complied with the provisions of article fourteen of the treaty of 1830?-- A I don't know.
- Q Did she tell the United States Indian Agent then living in Mississippi of her intention to remain there and take lands in Mississippi and become a recognized citizen of the United States? A
- A I don't remember nothing about it.
- Q Do you know whether she, or any of your ancestors came here from Mississippi in 1830 when the other Indians did? A No sir.
- Q Did you or any of your ancestors ever receive any benefits under article fourteen of the treaty of 1830. A Not as I remember.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Marion Sudderfield.

Myrtle Sudderfield---3

- Q Do you make any claim for him? A Yes sir.  
Q What do you claim for him? A Which, my man? No sir.  
Q Have you any children? A No sir.  
Q You are claiming for yourself alone? A Yes sir.  
Q Have you any documentary evidence which you wish to introduce in support of your claim? A No sir.  
Q Would you like time in which to file documentary evidence, marriage license and certificate?  
( On motion of counsel for applicant 30 days time is given from the date hereof, in which to file necessary documentary evidence.)  
Q Is there anything further that you want to say in support of your application? A No sir.

( By Att'y H. Linebaugh.)

- Q Mrs. Sudderfield, are you related to I.H. Christian? A Yes sir.  
Q What degree? A He is my uncle.  
Q Are you related to W.J. Kennedy? A I don't know.  
Q He is your brother-in-law? A Yes sir.  
Q Are you related to C. C. Waggoner? A I don't know.  
Q Are you related to G.V. Christian? A She is my sister.  
Q Mrs. Sudderfield, where was your father born? A I don't remember.  
Q I know you don't, but have you ever heard him say where he was born? A I don't remember; never heard tell of it?  
Q Did your father ever vote in Indian Territory? A Not as I know of.

The decision of the Commission in regard to the application which you make as a Mississippi Choctaw will be mailed to you at your present post-office address.

Henry G. Hains, being first duly sworn states that as stenographer to the Commission to the Five civilized tribes he reported in full all proceedings had in the above entitled cause and that the above and foregoing is a full, true and ~~correct~~ correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

Subscribed and sworn to before me this 28 day of February 1901.

Charles McSauer

Notary Public.

Lawhoge, Indian Territory, May 21, 1902.

Myrtle Sudderfield,

Allen, Indian Territory.

Dear Madam:

You are hereby advised that on the 15th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Jonas Harvey Christian, et al., embracing the following applications for identification as Mississippi Choctaws:

Jonas Harvey Christian, et al.,	N O R 3167
Eliza Waggoner, et al.,	N O R 55
G. H. Christian, et al.,	N O R 96
Pease Christian, et al.,	N O R 3043
Mary Elizabeth Kennedy, et al.,	N O R 4005
Myrtle Sudderfield,	N O R 1408

Said decision after a review of the evidence submitted concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1896, (30 Stats., 496) is as follows:

"Said Commission shall have authority to determine the identity of persons in whose claims rights to the Choctaw lands are claimed, and to receive and report to the Secretary of the Interior."



W 8-2

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Jonas Harvey Christian, Charles Wesley Christian, Thomas Milton Christian, Enos Lee Christian, Eliza Waggoner, Bertha May Belle Waggoner, Ollie Lee Waggoner, G. W. Christian, James V. Christian, Columbus Christian, John W. Christian, Charles Christian, Len B. Christian, Sarah G. Christian, Ray Christian, Peter Christian, Mary Elizabeth Christian, Mary Elizabeth Kennedy, Lizzie May Kennedy, Charles Early Pinckney Kennedy, Lethia Kennedy, Esty Melvin Kennedy and Myrtle Sadlerfield, as Choctaw Indians, entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such, should be refused, and it is so ordered.

It is the further opinion of the Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by Eliza Waggoner for the identification of her husband, Chas. Waggoner, and the application made by G. W. Christian for the identification of his wife, Elizabeth Christian, as intermarried Mississippi Choctaws, should therefore be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

1  
COPY M.C.R. 147.

Muskogee, Indian Territory, December 5, 1902.

Mertle Sudderfield,

Allen, Indian Territory.

Dear Madam:

You are hereby notified that on the 23rd day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Jonas Harvey Christian, et al., of which decision you were advised by registered mail on the 21st day of May, 1902.

The Commission is directed to advise you that this decision is subject to your inspection.

Respectfully,

Y. R. HEDD.

*[Signature]*  
Acting Chairman.

Muskogee, Indian Territory, February 28, 1903.

Myrtle Sudderfield,

Allen, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 23rd instant, in which you state "I received your letter stating that I was entitled to right in the Choctaw lands and I been expecting my blooded certificate. Please state to me what is the matter."

In reply to your letter you are informed that it appears from the records of the Commission that on May 21, 1902, the Commission refused your application for identification as a Mississippi Choctaw and on the same date you were notified by registered mail of the action of the Commission and of the forwarding of the record to the Secretary of the Interior.

On November 22, 1902, the Secretary of the Interior approved the decision of the Commission, and on December 5, 1902, you were notified of such departmental action. The Commission now considers this case as closed.

Respectfully,

Chairman.

*Lyell Sutterfield*

DECISION RENDERED: MAY 13 1902

NOV 22 1902

REFER TO M C R. 346

No. 1463

For Identification as a Mississippi Choctaw.

Date Feb. 27. 1901

Name Myrtle Sudderfield

Age 21 - Blood don't know father  $\frac{1}{2}$

Post Office, Allen, S.T.

Father; Al Christian, d

Mother: Katherine " d

Claims through father -

Husband

Marion Sudderfield.

Children:

R. L. Harris,  
Sons

Choctaw MCR 1464

Margaret E. Hale

See MCR 7

MCR 1464

FOR IDENTIFICATION AS  
A MISSISSIPPI CHOCTAW

*Margaret C. Hale et al.*

**REFUSED**

DECISION RENDERED. DEC 4<sup>th</sup> 1902  
NOTICE OF DECISION MAILED APPLICANT.

DEC 4 - 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

DEC 4 - 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

DEC 4 - 1902

RECORD FORWARDED DEPARTMENT.

DEC 20 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAR 10 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

MAR 21 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

MAR 21 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

MAR 21 1903

REFER TO M. C. R. 7

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

Aug. 1899

In the enrollment of Margaret E. Hale as a Choctaw; being sworn and examined by com'r McKennon she testifies as follows:

Q What is your name? A Margaret E. Hale.

Q How old are you? A Thirty.

Q Where have you been living? A I have been living in Texas until two years ago.

Q What time did you come to the Territory? A In August, 1897.

Q You were born and raised in Texas? A Yes sir.

Q And lived there all your life? A Yes; well, I have lived in the Territory, but my husband's business was in Texas, and we lived there until he died. My husband was a railroad man; wherever his business was I lived until he died.

Q You never resided in the Territory until two years ago?

A No, not permanently.

Q You are not on any of the rolls? Of the Choctaw Nation?

A I don't think I am.

Q Have you ever been? A Not that I know of.

Q Are your father and mother on the rolls of the Choctaw Nation here? A No; my father was a white man, and I couldn't say whether my mother was or not.

Q Was your mother ever enrolled here that you know of? A I think she was; I ain't sure.

Q When? A I couldn't tell; my mother has been dead quite a long while.

Q How long? A About fourteen years.

Q Where did she die? A In Texas.

Q How long had she been living in Texas? A As long as I can remember.



Margaret E. male #2)

(Com'r McKennon: She is not on the rolls in the Choctaw Nation.

Q What was her name? A Cynthia A. White; she is an own sister to Martha Beal.

Q Have you any children? A Yes sir, three.

Q What is the name of the oldest? A Beula, 14 years old, Ola, 12 years old, Floyd, 7 years old.

Com'r McKennon: As you are not on the rolls and your parents are not on the rolls in the Choctaw Nation, we have no authority to enroll you and your children, and the enrollment of yourself and children will be refused.

---  
Department of the Interior,  
Commission to the Five Civilized Tribes.

I hereby certify upon my official oath as  
stenographer to the named Commission, that this  
transcript is a true, full and correct translation of  
my stenographic notes.

*M. J. Green*

Department of the Interior,  
Commission to the Five Civilized Tribes,  
Colbert, I. T., June 12, 1900.

461

In the matter of the application of Margaret E. Hale for identification as a Mississippi Choctaw; being sworn and examined by Acting Chairman Pixby she testifies as follows:

- Q What is your name? A Margaret E. Hale.  
Q What is your age? A Thirty-one.  
Q What is your post-office address? A Durant.  
Q How long have you lived at Durant? A Since December 1893.  
Q Where did you live before that? A I lived in South McAlester before that.  
Q How long have you lived in the Indian Territory? A Since September 1897.  
Q Where did you live before you came to the Indian Territory?  
A I came from San Antonio there.  
Q How long had you lived in San Antonio? A About one year.  
Q Where did you live before that? A Louisiana.  
Q How long had you lived in Louisiana? A Six months.  
Q Where did you live before that? A We went from Kentucky to Louisiana.  
Q Were you born in Kentucky? A No sir, born in Texas.  
Q You lived in Louisiana, Indian Territory, Kentucky and Texas?  
A Yes sir, and Illinois and Dakota and Kansas.  
Q Did you ever live in Mississippi? A No sir, I never lived in Mississippi.  
Q What is the name of your father? A My father's name is George White.  
Q Is he living? A No sir.  
Q Was he a Choctaw Indian? A No sir, white man.  
Q What is the name of your mother? A Cynthia Ann White.  
Q Cynthia Ann Marlow before she was married.  
Q Is she living? A No sir, she is dead.  
Q Was she a Choctaw Indian? A Yes sir.  
Q What proportion of Choctaw Indian blood did she claim to have?  
A She claimed to have one-quarter.  
Q Was she ever recognized by the Choctaw Tribal authorities as being a Choctaw Indian? A She never was on the rolls.  
Q What proportion of Choctaw Indian blood do you claim to have?  
A One-eighth.  
Q Have you ever been recognized by the Tribal authorities?  
A I never have been enrolled; I have been recognized, but I have never been on the rolls.  
Q You mean you have been recognized by friends and acquaintances?  
A Yes sir.  
Q You have never been recognized by the Tribal authorities as a Choctaw Indian? A Well I have never paid permits.  
Q Your name has never been on the rolls? A No sir.  
Q You have never drawn any money? A No sir.  
Q Have you ever applied to the Choctaw authorities for enrollment?  
A Not to the Choctaw authorities.  
Q Did you apply to the Dawes Commission in 1896? A Yes sir.  
Q Do you know the title of the case in which your application was presented to the Dawes Commission? A I don't believe I do, because my husband was traveling and I was with him.  
Q Did your father apply to the Dawes Commission? A No sir, my brother did though.  
Q Do you think your application was made in that case? A Yes sir, that was my understanding; well, I know it was, that is what they written me.

Records examined: 1896 Citizenship Record, Doclet "C" page 291, Choctaw case No. George Lee White, et al vs Choctaw Nation, Original application filed September 8th 1896; answer of the Choctaw Nation filed; application denied by the Commission December 2nd, 1896; appealed to the United States Court, and the judgment of

the Commission was reversed as to George Lee White, Minnie Lee White, Claude Jackson White, Myrtle Estella White, George Thomas White, Jasper Marlow, Robert Crawford Marlow, Haley Margaret Marlow, Earnest Jackson Marlow, and Roy Marlow. Ten persons were admitted by the judgment. As to the others, the judgment of the Commission was sustained.

Q Did you apply for your children at the same time? A Yes sir. We were non-residents at that time, was the reason we wasn't enrolled.

Q You now wish to make application as a Mississippi Choctaw?

A I made application then as a Mississippi Choctaw.

Q you make application as a Mississippi Choctaw do you? A Yes sir

Q Under what treaty do you claim? A Under the treaty of 1830.

Q What article? A All of the articles.

Q Did you ever take advantage of the provisions of the article 14? A No sir.

Q Did any of your ancestors ever take advantage of the provisions of article 14? A Not to my knowledge.

Q Did you or any of your ancestors ever claim or receive any land as beneficiaries under the provisions of article 14 of the Treaty of 1830? A Not in Mississippi.

Q What was the name of your husband and the father of these children? A The father of two of the children was named Glover; the father of Beulah and Ola was John Glover.

Q Were you married to him under Choctaw law? A No sir.

Q Was he a white man? A Yes sir.

Q What is the name of your son Floyd? A Hale

Q Who was his father? A Alexander Hale.

Q Is he living? A No sir, he is dead.

The father of the first children is living; we were divorced.

Q Floyd is a white man too? A Floyd's father was a white man.

Q You are claiming citizenship as Mississippi Choctaws for your children? A Yes sir.

Q They live with you? A Yes sir. They do when they are not in school.

Q You send them outside of the Territory to school? A My daughter has lung trouble and I send her to San Antonio to school in the winter.

Q Is there any additional statement in regard to your case that you wish to make at this time? A Yes sir, my great grandfather was regularly enrolled as a Choctaw and my mother was a Choctaw; she died before she was enrolled; and my sisters are enrolled by the Council; and all enrolled except what you find in the record by the United States Court.

Q Have you any papers that you would like to file in this case?

A Yes sir.

(Papers offered and placed on file.)

This testimony and the papers which you have filed in this case will be forwarded to the Honorable Secretary of the Interior for his examination and consideration when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

The enrollment of yourself and your children is refused, for the reason that your names do not appear upon the tribal rolls of the Choctaw Nation, and neither does it appear from the testimony or the record that you have ever been recognized as Choctaw Indians by blood by the proper Tribal authorities of the Choctaw Nation, and for the additional reason that it appears from the record kept by this Commission, that you and your children made application to the Commission to the Five Civilized Tribes under the law of June 10th, 1896, and your application for admission as citizens of the Choctaw Nation by blood was denied, and upon an appeal being taken to the United States Court in the Indian Territory the judgment of the Commission as regards your application and that of your children was sustained. It is impossible from the testimony offered in this case to identify either you or your children as Miss-

Margaret H. Hale et al #3

Mississippi Choctaws within the meaning of the law.

N. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the foregoing case and that the above and foregoing is a true and correct transcript of his stenographic notes taken in said case.

M. D. Green

Subscribed and sworn to before me this 15 day of June 1900.

  
Notary Public Chairman.

Muskogee, Indian Territory, May 18, 1900.

Mr. Chester Howe,

625 F Street, N.W.,

Washington, D.C.,

Dear Sir:

The Commission is in receipt of the petition and affidavits in the case of Margaret E. Hale, et al. vs. the Choctaw Nation, forwarded by you to the Secretary of the Interior and the Commissioner of Indian Affairs, and by the Commissioner of Indian Affairs, and by the Commissioner of Indian Affairs transmitted to this Commission. The same are herewith returned to you for the reason that there is no record of Margaret E. Hale, or any of the parties interested, ever having appeared before the Commission as applicants for identification as Mississippi Choctaws.

The Commission cannot accept applications for identification as Mississippi Choctaws, except upon personal appearance of the applicants, when the party may, under oath, give sufficient evidence upon which the Commission can render a decision, and also for forwarding to the Secretary of the Interior when the final rolls of the Choctaw Nation are sent up to him for review. The petitioners may not appear at this office if they desire. The Commission, however, will be at Atoka, in the Choctaw Nation, from Monday June 4th to Friday June 8th, and at Colbert, in the Chickasaw Nation, from Monday

C.H. 2.

June 11th to Saturday June 16th, for the purpose of hearing applicants for enrollment in the Choctaw and Chickasaw Nations, and applications for identification as Mississippi Choctaws. On such personal appearance, the Commission will file any petitions which may be submitted, and any additional affidavits or written testimony which they may desire to file. You will please so advise the parties interested in this cause.

Yours truly,

Acting Chairman.

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

ALLISON L. AYLESWORTH,  
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 26, 1901.

Mr. C. H. Sawyer,  
Atoka, Indian Territory.

Dear Sir:

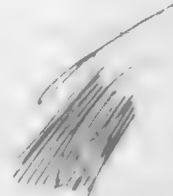
I enclose you herewith the original and carbon copies of testimony and judgment prepared in the matter of the application of Margaret E. Hale, et. al for identification as Mississippi Choctaws.

You will place the names of Mrs. Hale and her three children upon your next blank Mississippi Choctaw card as rejected and on the filing jacket note that judgment has been written on this date.

This testimony was found filed with the records in the matter of the application of Margaret E. Hale for enrollment of herself and children as Choctaws by blood, R 461.

Upon your Mississippi Choctaw card make a notation that application was made by Mrs. Hale for enrollment of herself and children as citizens by blood of the Choctaw nation, at Durant in August, 1899. Also inform this office of the number of the Mississippi Choctaw card upon which the names of Mrs. Hale and her children appear.

Yours truly,



Acting Chairman.

Enc 1

7-R-461

*Amel Feb 1, 1901  
a.B.*

1464

Muskogee, Indian Territory, April 16, 1901.

Bessie Glover,

Durant, Indian Territory,

Dear Madam:-

Receipt is hereby acknowledged of your letter of March 12, 1901, making inquiry relative to the status of the case of Margaret E. Hale as shown by the records of this Commission.

You are informed that the records of the Commission show that in August, 1899, Margaret E. Hale appeared before the Commission at Durant, Indian Territory, and there made application for the enrollment of herself and her three minor children, Bessie Glover, Ola Glover and Floyd Hale. The records further show that on June 12, 1900, Margaret E. Hale appeared before the Commission at Colbert, Indian Territory, and applied for the identification of herself and three children, Bessie, Ola and Floyd, as Mississippi Choctaws. The testimony shows that the children are Bessie and Ola Glover and Floyd Hale.

Petition of J. C. Pool, affidavit of Margaret E. Hale, petition of Margaret E. Hale and affidavits of Wm. H. Hill, George W. White and Andy Reed have been filed with the papers in the case. The records of the Commission show that the papers filed in the name of Margaret E. Hale when she appeared before the Commission at Durant, Indian Territory, in August, 1899, have been filed with the papers in the name of the applicant for her enrollment.



Enslah Clover

ification as a Mississippi Ghost.

When a decision is rendered by the Commission relative to the case referred to, a copy of the same, stating fully the reasons for any action which the Commission may take therein, will be mailed to you at your present postoffice address.

Yours truly,

Acting Chairman,

H.C.R. 1404

Muskogee, Indian Territory, April 16, 1901.

Mrs. Margaret Elsie Hale,

Durant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter to the Commission, dated April 4, 1901, asking why no action has been taken in the matter of your application for identification as Mississippi Choctaws made in behalf of yourself and your children, and stating that the papers in your case had not been forwarded to the Honorable Secretary of the Interior, Washington, D. C. for his consideration.

You also offer to present additional testimony in support of your application.

You are informed that your application for identification as Mississippi Choctaws for yourself and your children was made at Colbert, Indian Territory, June 12, 1900; that ten months have elapsed since your said application, giving you ample opportunity to offer additional testimony in your case should you have so desired; at the time of your said hearing at Colbert, Indian Territory you were given an opportunity to file documentary evidence, which was received by the Commission there at the time of said application, you were notified by the Commission that your application for yourself and your children would be refused, and that all the testimony and the papers filed in your case would be forwarded to the Honorable Secretary of the Interior, "when the rolls of the citizens of the Choctaw Nation are sent to him for his final approval."

On account of the fact above stated the Commission is reluctant to extend to you additional time in which to present further testi-

2 Mrs. Margaret E. Hale

mony ; but in view of the fact that the record in your case has not yet been forwarded to the Secretary of the Interior, any additional evidence you may desire to present will be received, provided the same be presented within fifteen days from the date hereof. Such evidence will be received for the purpose of filing with the other papers in your case to be forwarded, with the complete records, to the Honorable secretary of the Interior.

When final action is taken in your case by the Commission, you will be notified , in writing, at your present post-office address.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, April 26, 1901.

The Commission to the Five Civilized Tribes,  
Muskogee, Indian Territory,  
Gentlemen:

I am in receipt this morning of letter of Margaret Elsie Hale, #5501-1901. The records in this case show that on April 16, a letter was prepared in reply to this letter, #5501-1901, and sent to the office at Muskogee for mailing out, if deemed proper. I send you herewith a new copy of that letter, dated April 27, 1901, as I judge the other must have been mislaid.

On March 20, 1901 the following report was made to the central office, in reply to letter of Margaret K. Hale of March 19, 1901:

MCR 1464, Margaret E. Hale, et al.  
On June 12, 1900, Margaret E. Hale appeared before the Commission at Colbert, I.T. and applied for identification of herself and three children, Boulah, Ola and Floyd; the testimony shows that the children are Boulah and Ola Glover and Floyd Hale; judgment has been written in this case but has not been signed or mailed. The following documents have been filed in this case: Petition of J. O. Pool; affidavit of Margaret E. Hale; petition of Margaret E. Hale; affidavit of George L. White, affidavit of Missouri Mitchell and affidavit of Andy Beal. This is the case which was sent down by you February 26, 1901 to this office to be filed, in which the payers had been filed with her application as a Choctaw by blood.  
Atoka, March 20, 1901.

AB "

This report is made thus full so that in the event the letter inclosed herewith is not deemed a proper one to send out, you will be in possession of all the facts shown by our records, to aid

in preparing new letter. If changes are made in this letter, please  
make carbon copy for our files.

Yours truly,

Muskogee, Indian Territory, April 27, 1901.

Mrs. Margaret Elsie Hale,  
Durant, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter to the Commission, dated April 4, 1901, asking why no action has been taken in the matter of your application for identification as Mississippi Choctaws made in behalf of yourself and your children, and stating that the papers in your case had not been forwarded to the Honorable Secretary of the Interior, Washington, D.C. for his consideration. You also offer to present additional testimony in support of your application.

You are informed that your application for identification as Mississippi Choctaws for yourself and your children was made at Colbert, Indian Territory, June 12, 1900; that ten months have elapsed since your said application, giving you ample opportunity to offer additional testimony in your case should you have so desired; at the time of your said hearing at Colbert, Indian Territory, you were given an opportunity to file documentary evidence, which was received by the Commission there at the time of said application, you were notified by the Commission that your application for yourself and your children would be refused, and that all the testimony and the papers filed in your case would be forwarded to the Honorable Secretary of the Interior, "when the rolls of the citizens of the Choctaw Nation are sent to him for his final approval."

MEH 2

On account of the fact above stated the Commission is reluctant to extend to you additional time in which to present further testimony; but in view of the fact that the record in your case has not yet been forwarded to the Secretary of the Interior, any additional evidence you may desire to present will be received, provided the same be presented within fifteen days from the date hereof. Such evidence will be received for the purpose of filing with the other papers in your case to be forwarded, with the complete records, to the Honorable Secretary of the Interior.

When final action is taken in your case by the Commission, you will be notified, in writing, at your present post office address.

Yours truly,

Acting Chairman.

MC 1464

Muskogee, Indian Territory, May 20, 1901.

Post Master,

Durant, Indian Territory.

Dear Sir:

Enclosed please find a letter addressed to Beulah  
Glover, Durant, Indian Territory, which has been returned to  
this office. The Commission has recently received several  
communications from this party and from her mother, Margaret  
E. Hale, with reference to an application for identification as  
an Mississippi Choctaw. In each of these communications the  
parties have informed the Commission that their post office ad-  
dress was at Durant, Indian Territory.

The letter to Beulah Glover is enclosed you herewith,  
and the Commission will appreciate any effort you may make to  
see that the same reaches either Beulah Glover or Margaret E.  
Hale.

Yours truly,

Acting Chairman.

M.C.R.-1264.



Muskogee, Indian Territory, December 11, 1901.

Hon. John D. Benedict,

Superintendent of Schools in Indian Territory,

Muskogee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant, in which you desire to be informed if certain children named therein have been enrolled by this Commission as citizens of the Choctaw Nation, and if so, whether by order of United States Court or otherwise.

Replying to your inquiry, you are informed that it appears from our records that Rebecca A. Bond, 10 years of age, the daughter of George H. and Narcissa Bond, was listed for enrollment by this Commission as a citizen by blood of the Choctaw Nation, September 6, 1899, having been identified from the 1896 census roll of citizens of the Choctaw Nation as a resident of Tebucky County.

It further appears that Minnie Trant, 10 years of age and Mary Trant, 9 years of age, the daughters of Henry and Minnie Trant, were on September 11, 1899, listed for enrollment by this Commission as citizens by blood of the Choctaw Nation having been identified from the 1896 census roll of citizens of the Choctaw Nation as residents of Tebucky County.

John D. Benedict 2

We are unable to find any record of application ever having been made to this Commission for enrollment as citizens of the Choctaw Nation or for identification as Mississippi Choctaws of Minnie, Annie, Fena and Hennie Hayes, the children of Sarah Emily and William Washington Hayes.

Relative to the Beulah A. Glover of whom you inquire, our records show the following: That at Durant, Indian Territory, during the month of August, 1899, Margaret E. Hale made application to this Commission for the enrollment of herself and her three minor children, including among them Beulah Glover, 14 years of age, as citizens of the Choctaw Nation. The name of Beulah Glover was not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission but there was filed in her behalf with this Commission under the Act of Congress of June 10, 1896, an application for citizenship in the Choctaw Nation, which application was rejected by the Commission and the judgment of the Commission was sustained on appeal to the United States Court for the Central District of the Indian Territory.

On March 1, 1901, Margaret E. Hale again made application to the Commission for the identification of herself and her three minor children as Mississippi Choctaws.

No action has been taken by the Commission up to this time relative to the rights to identification as Mississippi Choctaws of these persons and the present status of Beulah Glover is that of

John D. Benedict 3

an applicant for identification as a Mississippi Choctaw whose  
rights have in no manner been determined.

Yours truly,

Commissioner in Charge.

T-4700

T-4690

CH C N 1464

Mustagee, Indian Territory, September 9, 1902.

Margaret Hale,  
Durant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 4th instant, in which you ask to be advised of the present status of your case.

In reply you are informed that it appears from the records of the Commission that you are an applicant for the identification of yourself and minor children as Mississippi Choctaws.

The Commission has not at this time rendered any opinion or decision relative to the right of yourself and children to be identified as Mississippi Choctaws, but it is probable that a decision will be rendered in the near future. Upon the rendition thereof you will be duly notified of the action 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, September 13, 1901.

Margaret E. Hale,  
Durant,  
Indian Territory.

Dear Madam:-

Receipt is hereby acknowledged of certified copy of the affidavit of Martha Deal, and certified copy of Bill #12 of the General Council of the Choctaw Nation, and affidavit of Belle Deal, which you offer for filing in support of your application for identification of yourself and your minor children as Mississippi Choctaws.

The same have been filed and made a part of the record in your case, and will receive consideration in the disposition of your application.

Yours truly,

H. G. 1406

COPY.

M. C. R. 1464

Muskogee, Indian Territory, December 4, 1902.

Margaret B. Hale,

Durant, Indian Territory.

Dear Madam:

You are hereby advised that on the 4th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James White, et al., embracing the following applications for identification as Mississippi Choctaws:

James White,	M. C. R. 7
Eula E. Stobaugh, et al.,	M. C. R. 3716
William C. Stobaugh,	M. C. R. 3717
Rosie L. Stobaugh,	M. C. R. 3718
Margaret B. Hale, et al.,	M. C. R. 1464

These applications were made under the provision of the Act of Congress of June 28, 1900, (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James White, Eula E. Stobaugh, Herman D. Stobaugh, George A. Stobaugh, Ida P. Stobaugh, Alva D. Stobaugh, William C. Stobaugh,

M E H. 2.

Rosia L. Stobangh, Margaret M. Hale, Beulah Glover, Ola Glover and Floyd Hale as Cheeta Indians entitled to rights in the Cheeta lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered. "

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded for review to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED,

Acting Chairman.

Registered.

M.C.R. 1466

COPY.

Muskogee, Indian Territory, March 21, 1903.

Margaret E. Hale,

Durant, Indian Territory.

Dear Madam:

You are hereby notified that on the 10th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James White, et al., of which decision you were advised by registered mail on the 4th day of December, 1902.

Respectfully,

(SIGNED).

*James Bixby.*

Chairman.



MEMORANDA.

Name Margaret E. Hale (31) June 12, 1900.  
 (Date) W. W. Whit, J. J.  
 Choctaw? Miss. County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_  
 Citizen by blood? yes. (1/8) Mother's citizenship Choe (1/4)  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day, \_\_\_\_\_  
 Wife's name, \_\_\_\_\_  
 Choctaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ No. \_\_\_\_\_  
 Chickasaw? \_\_\_\_\_ County \_\_\_\_\_ Year \_\_\_\_\_ Page \_\_\_\_\_  
 Citizen by blood? \_\_\_\_\_ Mother's citizenship \_\_\_\_\_  
 Intermarried citizen? \_\_\_\_\_  
 Married under what law? \_\_\_\_\_  
 License filed this day H

FOR IDENTIFICATION AS  
 A MISSISSIPPI CHOCTAW.

Names of children:

<u>Berulah</u>	County _____	Year _____	Page _____	No. _____
<u>Ola</u>	County _____	Year _____	Page _____	No. _____
<u>Floyd</u>	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____
_____	County _____	Year _____	Page _____	No. _____

George White, (father)  
Cynthia Anne White, (mother) (1/4)

Margaret E. Hale, Durant,  
Mar 19, 1901.

MCR 1464 Margaret E. Hale,  
et al.

On June 12, 1900, Margaret E. Hale appeared before the Commission at Colbert, I.T. and applied for identification of herself and three children Beulah, Ola and Floyd; the testimony shows that the children are Beulah and Ola Glover and Floyd Hale; judgment has been written in this case but has not been signed or mailed. The following documents have been filed in this case: Petition of J.O. Pool; affidavit of Margaret E. Hale; petition of Margaret E. Hale; affidavit of George L. White; affidavit of Missour Mitchell and affidavit of Andy Neal. This is the case which was sent down by you February 26, 1901 to this office to be filed, in which the papers had been filed with her application as a Choctaw by blood.

Atoka, March 20, 1901.

AB

No. 1464

**For Identification as a Mississippi Choctaw.**

*Date*

*Name*

*Age*

*Blood*

*Post Office,*

*Father:*

*Mother:*

*Claims through*

*Children:*

*This file made up  
from Choctaw R 491  
March 1 1911*

Choctaw MCR 1465

Mary J. Gould

See MCR 1431

MCR 1465

Mary J. Gould

REFUSED

DECISION RENDERED. JUL 29 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 30 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 29 1902

RECORDS FORWARDED DEPARTMENT.

JUL 29 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

SEP 24 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 7 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 2 1902

REFER TO M. C. R. / 43

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T. March 4, 1901.

In the matter of the application for identification as Mississippi Choctaws of Mary J. Gould for herself and on behalf of her minor children. Mary J. Gould being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Mary J. Gould.  
Q What is your age? A Forty-five years old, I think.  
Q What is your post-office address? A Weed, New Mexico.  
Q How long have you lived at Weed? A I have lived there sixteen years, haven't I?  
Q Where did you live before you removed to Weed? A In Texas.  
Q Where you born there? A No sir, I was born in Arkansas.  
Q What place in Arkansas? A I was small when my parents died and I don't remember.  
Q You never lived in Mississippi? A My parents died when I was young, so I don't remember.  
Q What is your father's name? A Rhodes.  
Q What is his full name? A Elisha J. Rhodes.  
Q Is he living? A No sir, he died when I was small.  
Q What is your mother's name? A Nancy Rhodes.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim your Choctaw blood?  
A. Through my father.  
Q How much do you claim? A A quarter.  
Q Was your father ever a resident of the Indian Territory? -- Did he ever live in Indian Territory? A Well, I don't remember.  
Q Is his name on any of the tribal rolls of the Choctaw Nation?  
A In Mississippi?  
Q No, I mean in the Indian Territory? A Well, I don't know.  
Q Do you know whether he ever lived in the Indian Territory?  
A Well, I don't know.  
Q Do you think he ever came to the Indian Territory?  
A I don't know, sir.  
Q Is your name on any of the tribal rolls of the Choctaw Nation? Can't you answer that? I mean in Indian Territory? A I don't know, sir.  
Q Have you ever been recognized as a citizen of the Choctaw Nation by the Choctaw tribal authorities?  
A Well, I came here to be identified as a Mississippi Choctaw--  
Q Well, in order that you may be identified as a Mississippi Choctaw, I ask you these questions which you will answer the best you can; if you don't know, you know, you can say so? A I don't know.  
Q Have you ever made application to the Choctaw tribal authorities before this, for citizenship in the Choctaw Nation? A No sir.  
Q Have you ever before made application for enrollment as a Choctaw?  
A No sir.  
Q Have you ever made application for citizenship or enrollment in the Choctaw Nation under Act of Congress of June 10, 1896? A No sir.  
Q Is this the first application of any kind that you have ever made?  
A Yes sir.  
Q You are now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty or treaties do you make this application?  
A The treaty of 1830.

- Q Do you claim under that whole treaty or any part of it? A
- A Well, I don't know.
- Q Did you ever have that treaty read to you? A No sir.
- Q Did you ever have it explained to you? A No sir, never did.
- Q What is the name of the ancestor who lived in Mississippi?
- A My father; Rhodes; Elisha J. Rhodes.
- Q Did he live in Mississippi in 1830, or do you know? A No sir, I couldn't tell you.
- Q Do you know whether his father or mother lived in Mississippi in 1830? A No sir.
- Q Or any of his ancestors? A No sir.
- Q How do you know that you are a Mississippi Choctaw?
- A My father and mother died when I was young and I never knew much about it;-- well, I am an heir of the Rhodes family.
- Q Well, has Rhodes, or the Rhodes family lived in Mississippi?
- A I think so, but I can't just remember.
- Q You don't know whether your father or any of your ancestors ever lived in Mississippi? A No sir; I don't know anything about them.
- Q What is the name of your ancestor--? A Rhodes.
- Q And do you mean by Rhodes, your father Elisha J. Rhodes? A Yes sir.
- Q You don't know whether he took advantage of article fourteen of that treaty, do you? A No sir.
- Q Do you know whether the ancestor under whom you now claim the right to be identified as a Mississippi Choctaw went within six months after the ratification of the treaty of 1830 and told the United States Indian Agent then living in Mississippi that he intended to remain in Mississippi and take up lands there and become a citizen of the United States? A No sir.
- Q Do you know whether these ancestors under whom you now claim the right to be identified came to the Indian Territory from Mississippi with the other Indians who removed from there to here at that time?
- A No sir, I don't.
- Q Do you know whether your ancestors ever received any benefits under article fourteen of the treaty of 1830? A No sir.
- Q Did any of your ancestors ever make claim or receive any land as beneficiaries under article fourteen of that treaty of 1830? A No sir.
- Q Do you know whether you claim under article fourteen, fifteen or nineteen of that treaty? A No sir.
- Q Do you know whether you claim under the supplement? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name. A Gould.
- Q His full name? A James Gould.
- Q Do you make any claim for him? A No sir.
- Q Have you any children under twenty-one years of age and unmarried?
- A Yes sir, I have six.
- Q When and where were you married to James Gould? A Texas, Bastrop County. Q When? A 9th day of November, 1876, I think it was, wasn't it?
- Q Have you your marriage license and certificate? A I havn't here.
- Q What is the name of the oldest child for whom you make application?
- A Thomas J.
- Q How old is he? A 19 years old.
- Q And the next? A John.
- Q How old is he? A He is 17.
- Q Next. A Elijah.
- Q How old? A 15.

3--- Mary J. Gould

- Q The next? A Robert.  
Q How old is Robert? A 12.  
Q Next? A Ammie; she's 8.  
Q Any others? A Ora Gould.  
Q O R A ? A Yes sir.  
Q Is that a boy? Yes sir.  
Q How old is he? A 6.  
Q Any others? A No sir.  
Q That makes six? A Yes sir.  
Q Your children over age and any married will make application in their own name. <sup>quid</sup> A Yes sir.  
Q James is the father of these children? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q You and he are living together as husband and wife? A Yes sir.  
Q The children are living with you? A Yes sir.  
Q Have you any documentary evidence you wish to introduce; you understand what is meant by documentary evidence? A No sir.  
Q I mean anything in writing, any affidavit or record of any kind in writing you would like to present and make a part of your claim?  
A No sir.  
Q Do you wish any time in which to file such documentary evidence?  
A Yes sir.

( Twenty days time from the date hereof is allowed the applicant in which to file documentary evidence of any kind which she may desire in support of her claim.)

Q Is there anything further that you want to say in support of your application? A No sir, I don't know that there is.

The decision of the Commission in regard to the application which you make for yourself and in behalf of your minor children for identification as Mississippi Choctaws will be mailed to you at your present post-office address.

o-----oOe-----oOo-----o

Henry G. Hains being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceeding had in the above entitled cause and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceeding on said date of March 4, 1901.

Henry G. Hains

Subscribed and sworn to before me this 1<sup>st</sup> day of March 1901.

Charles H. Sawyer

Notary Public.



No. 1465

For Identification as a Mississippi Choctaw.

*March*  
Date *Feb. 4. 1901*

Name *Mary J. Souled*

Age *45* - Blood *1/4*

Post Office, *Need. N. M.*

Father: *Eliha J. Rhoades, d*

Mother: *Nancy " d*

Claims through *father - -*

*Kennard*

*James Souled -*

Children:

~~James~~  
*Thomas J. - 19*  
*John - 17*  
*Elijah - 15*  
*Robert - 12*  
*Annie - 8*  
*Era - boy 6*

*for self and children*

*Henry G. Haine*  
*Attn.*

COPY.

Muskogee, Indian Territory, July 29, 1902.

Mary J. Gould,  
 Wood, New Mexico.

Dear Madam:

You are hereby advised that on the 29th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Martha E. Gibson, et al., embracing the following applications for identification as Mississippi Choctaws:

Martha E. Gibson, et al.,	M C R 1431
Benjamin F. Gibson, et al.,	" 1432
William P. Gibson,	" 1330
Aubrey J. Gibson,	" 1433
Milton J. Gibson, et al.,	" 1434
George B. Gibson,	" 1435
Aluna P. Temple,	" 1436
Ettie L. Roberts, et al.,	" 1437
Eula H. Stewart, et al.,	" 1438
John H. Rhoades, et al.,	" 1324
Lou H. Lake, et al.,	" 1325
Eva J. Rhoades,	" 1326
Parric L. McCleary, et al.,	" 1328
Ada Smith, et al.,	" 1327
Elisha J. Rhoades, et al.,	" 1329
Samuel H. Rhoades,	" 1333
Charley H. Rhoades, et al.,	" 1331
Jasper L. Rhoades, et al.,	" 1332
Elmira H. Gould, et al.,	" 1533
Nancy A. Chapman, et al.,	" 1534
Adella M. Gilliland,	" 1535
Melissa H. Baker, et al.,	" 1549
Mary J. Gould, et al.,	" 1465
William H. Rhoades, et al.,	" 1532
Margaret G. Sweet, et al.,	" 1371

These applications were made under the provisions of the Act of Congress of June 26, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under Article Fourteen of the Treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, Eighteen Hundred and Thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha E. Gibson, Andrew G. Gibson, Benjamin P. Gibson, Byron Gibson, Lucy Gibson, Edna Gibson, Ethel Gibson, Jasper Gibson, William P. Gibson, Aubrey J. Gibson, Milton J. Gibson, Nellie Gibson, George B. Gibson, Aluna P. Temple, Ettie L. Roberts, Celeste Roberts, Eula M. Stewart, Ozella Stewart, Oneta Stewart, John H. Rhoades, Etta M. Rhoades, Beulah B. Rhoades, Lou E. Lake, Leslie Lake, Mabel Lake, Addie Lake, Eva J. Rhoades, Fannie L. McCleary, Philip E. McCleary, Edith McCleary, Ada Smith, Frank Gould, Cran Smith, Elisha J. Rhoades, Laura Rhoades, Addie Rhoades, Trudie Rhoades, Louis Rhoades, Cecil Rhoades, Samuel R. Rhoades, Charley H. Rhoades, Minnie A. Rhoades, Septimus F. Rhoades, Emmit Rhoades, Luther Rhoades, Jasper L. Rhoades, William J. Rhoades, Nevle J. Rhoades, Annie M. Rhoades, Bessie B. Rhoades, Elmira E. Gould, William O. Gould, John B. Gould, Minnie J. Gould, Issey C. Gould, Emma E. Gould, Nettie Gould, Nancy A. Chapman, William T. Chapman, Annie M. Chapman, Ula M. Chapman, Martha A. Chapman, Ada M. Chapman, Adella M. Gililand, Melissa M. Baker, Sina F. Baker, Effie A. Baker, Crin Baker, Owen Baker, Mary J. Gould, Thomas J. Gould, John Gould, Elijah Gould, Robert Gould, Annie Gould, Ora Gould, William H. Rhoades, Josephus E. Rhoades, Margaret G. Sweet, Jasper H. Sweet, Lewis A. Sweet, Martha E. Sweet, Charles W. Sweet, Ethel M. Sweet, Florence N. Sweet, Lillian P. Sweet and Amanda Sweet as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said Article Fourteen of the Treaty of Eighteen Hundred and Thirty, and that the applications for their identification as such should be refused, and it is so ordered."

M. J. G., 3.

You are advised that the Commission on this  
subject is to be referred to the Secretary of the  
Board of Education as may be determined by him.

Yours truly,

(SIGNED).

*T. B. Needles.*

Commissioner in Charge.

Registered.

Muskogee, Indian Territory, October 7, 1902.

Mary J. Gould,

Wood, New Mexico.

Dear Madam:

You are hereby advised that on the 24th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Martha E. Gibson, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

(SIGNED)

*Fame Dixey,*

Acting Chairman.

Choctaw MCR 1466

William J. Moore

See MCR 3270

MCR 1466

REFUSED

*William J. Moore, et al*

DECISION RENDERED. DEC 29 1902

NOTICE OF DECISION MADE BY APPLICANT.

NOTICE OF REFUSAL OF LANDS  
FOR CHOCTAW AND CHICKASAW NATIONS

DEC 29 1902

RECORD FORWARDED TO DEPARTMENT.

JAN 3 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 13 1903

NOTICE OF ENVIRONMENTAL ACTION  
FORWARDED TO DEPARTMENT

JUL 14 1903

NOTICE OF ENVIRONMENTAL ACTION  
FORWARDED TO DEPARTMENT FOR CHOCTAW  
AND CHICKASAW NATIONS

JUL 14 1903

REFER TO M. C. R. 3270

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., March 4, 1900.

In the matter of application of William J. Moore for identification for himself and his minor child as Mississippi Choctaws.

William J. Moore, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A William J. Moore.  
Q What is your age? A Twenty four years.  
Q What is your post office address? A Durant.  
Q Indian Territory? A Yes sir.  
Q How long have you lived at Durant? A About two months.  
Q Where did you live before you lived there? A In Jackson County, Indian Territory.  
Q How long did you live in Jackson County? A Off and on six or seven years.  
Q How long have you lived in the Indian Territory continuously?  
A Six years I guess.  
Q Where did you come from to the territory? A Texas.  
Q Born in Texas? A Yes sir.  
Q What is your father's name? A William Moore.  
Q Is he living? A No sir.  
Q What is your mother's name? A Lucinda Moore.  
Q Is she living? A Yes sir.  
Q Through which one of your parents do you claim Choctaw blood?  
A My mother.  
Q About how much do you claim? A About one third or one quarter.  
Q Was your mother ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A I do not know.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application for enrollment or citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Have you ever made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.  
Q Have you ever made application for enrollment as a citizen of the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
Q Is this the first application you have ever made for enrollment or citizenship to any authority? A Yes sir.  
Q And you now make application to be identified as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty or treaties do you make this application? A I do not know.  
Q Under what law do you claim--you claim under what treaty? A Choctaw treaty.  
Q Choctaw treaty made when; do you know anything about the treaty?  
A No sir.



William J. Moore---2.

- Q Did you ever hear of the treaty of 1830? A No sir.
- Q Do you know what you claim under, which treaty or what article of the treaty? A No sir.
- Q Did you ever hear of article fourteen of the treaty of 1830? A No
- Q You do not know whether you claim under article 14, 15 or 19 of that treaty? A No sir.
- Q What was the name of your ancestor who lived in Mississippi in 1830? A Jim Moore.
- Q What kin was he to you? A My old man's daddy--my granddaddy.
- Q Was he a full blood? A Yes sir.
- Q Did he live in Mississippi in 1830? A I do not know.
- Q Did he ever live in Mississippi? A Yes sir.
- Q Did he die in Mississippi? A No, in the territory.
- Q Did his father or mother live in Mississippi? A I do not know.
- Q Do you know whether this ancestor under whom you claim the right to be identified as a Mississippi Choctaw, complied with the provisions of Article fourteen of the treaty of 1830? A No sir.
- Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that he desired to remain in Mississippi and take land there and become a citizen of the state? A I do not suppose he did by coming here.
- Q Do you know whether he came here with the other Indians in the years 1833 to 1837? A No sir, I do not.
- Q Do you know whether he claimed or received any land in Mississippi from the United States government under article fourteen of the treaty between the United States and the Choctaw Nation in 1830? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name A Maggie Moore.
- Q Do you make any claim for her? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A Yes sir, one child.
- Q What is the name? A Ruth.
- Q How old is Ruth? A About two years old.
- Q Maggie Moore is the mother of Ruth? A Yes sir.
- Q And you are the father? A Yes sir.
- Q And you and she are living together as a husband and wife? A Yes
- Q And the basis of this child's claim is the same as yours? A Yes
- Q Have you your marriage license with you? A No sir.
- Q Have you any documentary evidence that you want to file now with the Commission? A No sir.
- Q Would you like time in which to file same? A Yes sir.

On request of applicant, twenty days time from the date hereof is allowed in which to file such documentary evidence as he desires in support of this application; also marriage license and certificate or certified copy of same.

- Q Is there anything further you would like to say in support of your claim? A No sir, I believe not.

The decision of the Commission in regard to this application which you make on behalf of yourself and your minor

William J. Moore---5.

child for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. G. Risteen*

Subscribed and sworn to before me this 9 day of March 1901.

*Charles H. Sawyer*  
Notary Public.

Muskogee, Indian Territory, December 30, 1903.

William J. Moore,

Durant, Indian Territory.

Dear Sir:

You are hereby advised that on the 30th day of December, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Lucinda Moore, et al., embracing the following applications for identification as Mississippi Choctaws:

Lucinda Moore	M.O.R. 3270
Mag Rancy, et al.	M.O.R. 3271
Mattie White, et al.	M.O.R. 3272
James M. Moore, et al.	M.O.R. 3758
Mary J. Moore, et al.	M.O.R. 3110
Belle Beatty, et al.	M.O.R. 1209
Sarah Rancy, et al.	M.O.R. 3118
Bettie A. Bass, et al.	M.O.R. 3117
William J. Moore, et al.	M.O.R. 1466
Neomia Long	M.O.R. 3109

These applications were made under the provision of the act of Congress of June 23, 1903 (32 Stat., 495), which is as follows:

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

William J. Moore, —2

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Lucinda Moore, Mag Raney, William Raney, Laura Raney, James Raney, Walter Raney, Johnnie Raney, Cleveland Raney, Leonard Raney, Mattie White, Tommie White, James M. Moore, Rosalee Moore, William Porter Moore, Mary J. Moore, Roscoe Moore, Oscar K. Moore, Rayne Arthur Moore, Stirling Moore, Clayton Lancaster Moore, Nellie Moore, Oma Beatty, Sarah Raney, Montie Lucinda Raney, Willie Ann Raney, Ruthie Elizabeth Raney, Betty Lee Raney, Bettie A. Bass, Vollie Hardeman Bass, William J. Moore, Bush Moore and Neecia Long as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

*[Signature]*  
Commissioner in charge.

Registered.

COMMISSIONERS  
TAMM DIXBY,  
THOMAS B. NEEDLES,  
C. R. BREGKINRIDGE,  
W. E. STANLEY

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

M. C. R. 1466.

ALLISON L. AYLESWORTH  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, July 14, 1903.

William J. Moore,

Durant, Indian Territory.

Dear Sir:

You are hereby notified that on the 6th day of June, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Eucinda Moore, et al., of which decision you were advised by registered mail on the 20th day of December, 1902.

Respectfully,



Commissioner in Charge.

No. 1466

For Identification as a Mississippi Choctaw.

Date *Mich 4. 1901*

Name *William J. Moore*

Age *24*

Blood *1/4*

Post Office, *Levant. D. T.*

Father: *William Moore, d*

Mother *Lucinda " 1*

Claims through *Mother - -*

*wife -*

*Maggie Moore, -*

Children:

*Ruth - - 2*

*Claims for self  
Chief -*

*H. C. Risten*

*Agent*

1466

*File*

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE PUBLIC LANDS REG.  
**FILED**  
AUG 27 1903

DURANTINE  
JUL 16  
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1903  
RE.

General Office

Advising that the Board of Examiners has affirmed the Commission's decision



Department of the Interior

Commission to the Five Civilized Tribes  
MUSKOGEE, IND. FEB.  
OFFICIAL BUSINESS.

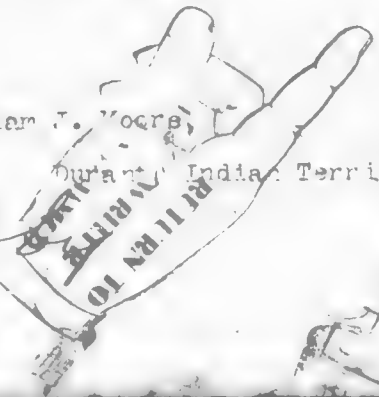


Penalty for private use, \$300.

William J. Moore,

Durant, Indian Territory

opened + not claimed



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REGISTERED  
FOR THE  
MUNICIPALITY OF

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R.M."

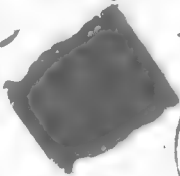
Department of the Interior.

Commission to the Five Civilized Tribes,  
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

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William J. Moore,

Durant, Indian Territory.

Choctaw MCR 1467

MCR 1467

Allie Hunt

See MCR 704

*Allie Hunt et al*

**REFUSED.**

DECISION MADE. **AUG 18 1902**

NOTICE OF DECISION MAILED APPLICANT.

**APR 21 1902**

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

**APR 21 1902**

RECORD FORWARDED DEPARTMENT.

**APR 21 1902**

ACTION APPROVED BY SECRETARY OF INTERIOR.

**MAY 2 1902**

NOTICE OF DEPARTMENTAL  
ACTION MAILED APPLICANT.

**MAY 10 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

**MAY 10 1902**

REFER TO M. C. R. *704*

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., March 4, 1901.

In the matter of the application of Allie Hunt for identification for herself and her minor child as Mississippi Choctaws.

Allie Hunt, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Allie Hunt.  
Q What is your age? A Nineteen.  
Q What is your post office address? A Ardmore.  
Q Indian Territory? A Yes sir.  
Q How long have you lived at Ardmore? A About seven months.  
Q Where did you live before you lived there? A In Mississippi.  
Q Did you come from Mississippi to Ardmore? A Yes sir.  
Q Were you born in Mississippi? A Yes, Pittsburg, Mississippi.  
Q What is your father's name? A Johnson Ross.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Ollie Ross.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood.  
A My mother.  
Q How much do you claim? A One sixteenth.  
Q So your mother's name on any of the tribal rolls? A I do not know.  
Q Has she ever been recognized as a citizen of the Choctaw Nation by the Choctaw tribal authorities? A Yes I think she has.  
Q I mean by act of council--by the tribal authorities; do you not mean that she has been recognized by the people around where she lived? A Yes, she has been recognized by them.  
Q That is what you mean when I asked you if she was recognized by the Choctaw tribal authorities? A Yes sir.  
Q You do not know whether she has been actually recognized by the Choctaw council? A I do not know as she has.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A Not as I know of.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No.  
Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
Q Have you ever made application to the Commission to the Five Civilized Tribes for citizenship or enrollment in the Choctaw Nation under the Act of Congress of June 10, 1896? A Not, until now.  
Q This is the first application you have ever made? A It is as I know of.  
Q You never made application before to either the United States or the Choctaw tribal authorities? A No sir.  
Q And no one ever made application for you? A Not as I know of.  
Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.

Allie Hunt-----3.

- Q Under what treaty or treaties do you make this claim? A 1830.  
Q Under the whole treaty or certain article? A Certain article.  
Q What article? A Fourteenth, I guess.  
Q Do you make application under article fifteen or nineteen? A Not as I know of.  
Q Do you understand what is provided in article fourteen of the treaty of 1830; do you know what article fourteen says--have it read to you? A I do not know; I may--I do not remember.  
Q What is the name of your ancestor who lived in Mississippi in 1830? A John A. Crass.  
Q Did he live in Mississippi in 1830? A Yes sir.  
Q Was he a full blood Choctaw Indian? A No sir.  
Q How much did he have? A I do not remember whether I ever heard him say.  
Q What relation was he to you? A My grandfather.  
Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A I do not, not as I know of.  
Q Do you know whether he came from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1833 to 1837? A I do not know.  
Q Do you know whether he ever complied in any way with the provisions of article fourteen of the treaty of 1830? A I do not.  
Q Did he ever claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I do not know.  
Q Have you or your ancestors ever received any benefits in the Indian Territory as Choctaw Indians? A No sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Odie Hunt.  
Q Do you make any claim for him? A No sir.  
Q Have you any children you wish to make application for? A I have one.  
Q What is its name? A Louis.  
Q How old is Louis? A Four months.  
Q Odie Hunt is the father of Louis? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q And you and your husband are living together as husband and wife? A Yes sir.  
Q And the child is living with you at your home? A Yes sir.  
Q Have you any documentary evidence you want to introduce now in support of your application?

On motion of counsel for applicant, twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of her application and application which she makes for her minor child.

- Q Is there anything further you would like to state in support of your claim that you can think of? A I do not know of anything.

The decision of the Commission in regard to this application which you make on behalf of yourself and your minor

Allie Hunt---3.

child for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 7 day of March, 1901.

*Charles Kesauer*  
Notary Public.

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

In the matter of the application of Allie Hunt for the identification of herself and her minor child, Louis Hunt, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that Allie Hunt appeared before the Commission at Atoka, Indian Territory, March 4th, 1901, and there made application for the identification of herself and her minor child, Louis Hunt, as Mississippi Choctaws. The provision of law vesting the Commission with 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 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Allie Hunt and her minor child, Louis Hunt, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

ACTING CHAIRMAN.

DATED AT MUSKOGEE, INDIAN TERRITORY

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1901.



Muskogee, Indian Territory, March 23, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 18, inclosing affidavits of R. G. Shaw and Ollie Ross to be filed in support of the claim of Allie Hunt et al. to identification as Mississippi Choctaws. The same have been duly filed with the other records in this case.

Yours truly,

Acting Chairman.

MC 1467

COPY.

Muskogee, Indian Territory, April 17, 1902.

Allie Hunt,  
Armore, Indian Territory.

Dear Madam:

You are hereby advised that on the 18th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Ollie Ross, et al., embracing the following applications for identification as Mississippi Chestnuts:

- Ollie Ross, et al., M C R 704
- Alice M. ... et al., M C R 1300
- Allie Hunt, et al., M C R 1467

Said decision, after a review of the evidence submitted, concludes as follows:

The authority vested in the Commission by the twenty-first section of the act of Congress of June 26, 1890, (26 Stat. 495), is as follows:

Said Commission shall have authority to determine the identity of the persons claiming rights in the lands ceded under article 8 of the treaty between the United States and the Creek Nation, one of the original treaty-making nations of the United States, and in the case of such persons, examine witnesses and produce all their own documentary records and make reports to the Secretary of the Interior.

It is the opinion of the Commission that the evidence in this case is insufficient to establish the identity of Ollie Ross, et al., as Mississippi Chestnuts, and that the same should be returned to the lands ceded to the Creek Nation, as provided for in the act of June 26, 1890.

A X 8

the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*[Handwritten signature]*

Acting Chairman.

Registered.

COMMISSIONERS  
HENRY L. DAVIS  
TAMM DIXON  
THOMAS B. HENNING  
C. R. BUCHHEITZER

ALLISON L. AYLESCROFT  
SECRETARY

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

47774

REFER IN REPLY TO THE FOLLOWING

W.C.R. 1467

Muskogee, Indian Territory, May 10, 1902.

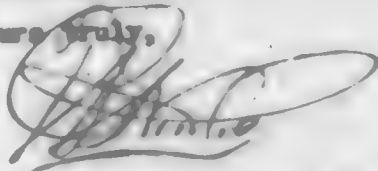
Allie Hunt,

Armore, Indian Territory.

Dear Madam:-

You are hereby advised that on the 2nd day of May, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Ollie Ross, et al., of which decision you were advised by registered mail on the 21st day of April, 1902.

Yours truly,



Commissioner in Charge

1467

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

MAY 31 1912

*[Handwritten Signature]*  
ACTING CHIEF



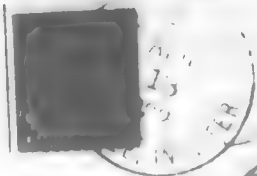
Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



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691

*[Faint, illegible handwritten scribbles]*

*Willie K. ...*

~~*[Illegible handwritten text]*~~

No. 1467

For Identification as a Mississippi Choctaw.

Date *Feb 4. 1901*

Name *Allie Hunt.*

Age *19* — Blood *1/16*

Post Office, *Ardmore. I.T.*

Father: *Johnson Ross I*

Mother: *Ollie Ross. I*

\* Claims through *mother*

*Husband —*

*Odie Hunt. —*

Children:

*Louis. Hunt — 4m.*

*Paris for self  
and child*

*H.C. Rosten.*

*Steno.*

14.57

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

FILED

JUN 3 1902



A handwritten signature in dark ink, appearing to be "W. P. ...".

ACTING CHAIRMAN



Department of the Interior.

Commissioner to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



*Allen Hunt*

*Lawrence*

*Ind. Ter.*

Choctaw MCR 1468

Robert E. Lee

MCR 1468

See MCR 2857

71468

REFUSED

*Robert C. Lee, et al*

2857

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskogee, I.T. March 14, 1902.

In the matter of the application of Robert E. Lee et al. for identification as Mississippi Choctaws, M.C.R. 1466

In the matter of the application of Fred Lee for identification as a Mississippi Choctaw, M.C.R. 1491

In the matter of the application of Vernile Lee for identification as a Mississippi Choctaw, M.C.R. 1492

In the matter of the application of Ida Calame for identification of herself and minor children as Mississippi Choctaws, M.C.R. 1487.

In the matter of the application of Molly Blacklidge for identification as a Mississippi Choctaw, M.C.R. 1489.

Testimony of Robert E. Lee in reference to the above:

Applicants represented by L.P.Hudson:

Robert E. Lee being sworn testified as follows:

Examination by the Commission:

Q What is your name- your full name? A Robert Edward.

Q What is your age? A Fifty four.

Q What is your post office address? A Wortham, Texas.

Q How long have you lived at Wortham? A Been there about thirty years.

Q Where were you born? A In Newton County, Mississippi.

Q How old were you when you left the State of Mississippi? A I was going on 17, I don't remember exactly.

Q Have you made application to be identified as a Mississippi Choctaw for yourself and your family? A Yes sir.

Q When did you make that application? A The fifth of last March; one year ago.

Q At what place? A Ateka.

Q Through whom do you claim your Choctaw blood? A I claim it through my father and mother both now. Since I have learned that my mother had the blood in her; I didn't know it at the time I made my application or it would have gone in on both sides then.

Q Your purpose in appearing before the Commission now is to offer additional testimony not only in your own application but in these other cases to show that you and they are descended not only from Jacob Lee but also from his wife? A Yes sir.

Q How much Choctaw blood did Jacob Lee have? A One fourth.

Q Is he living now or dead? A Dead.

- Q What was his wife's name? A Nancy.
- Q What was the maiden name? A Blakeley.
- Q How much Choctaw blood did she have? A She was a fourth.
- Q Was she born in Mississippi? A I don't know sir, whether she was born in Mississippi or not; she was married in Mississippi.
- Q Was she and your father, Jacob Lee married and living in Mississippi in 1830 and did they have a family of children, then? A Well, they might have had one in 1830: I can't say how many they had - I don't know.
- Q Do you know where in Mississippi Nancy Blakeley was born? A No sir, I don't know.
- Q Was Jacob Lee born in Mississippi born in Mississippi? A I don't think so; I think he was born in Alabama.
- Q What evidence have you that they were living in Mississippi in 1830 and had a family there? A Well, my father married there- and left there and moved to Texas.
- Q Yes, but in the year 1830? A Well, he settled there when he married-- on that place-- and my mother wasn't but near twenty when she married, I don't know exactly, somewhere along there, and they never did move any until they went to Texas, that's the reason I think they lived there.
- Q Can you give the names of your brothers and sisters, commencing with the oldest? A Yes sir.
- Q All right- A Her name was Clarissey.
- Q Is she living? A Yes, she was when I heard from her last.
- Q Has she made application for identification? A No sir, I think not.
- Q How do you spell that- A Clarissie.
- Q What was her other name? A Her name is Ross now.
- Q She has never been before the Commission? A No sir.
- Q Has she a family? A Yes she has four children; there's two of them been before the Commission.
- Q Give me the names of the children, commencing with the oldest.
- A Benjamin Ross; there's his name on the paper. The next is Anderson Ross.
- Q Was he been before the Commission? A Yes sir. The next is Nancy Ross; they are all married now- I don't know her man's name- I can't tell you- I never did see her man- I never met them.
- Q She has no children? A No sir, not that I know of.
- Q The name of the next? A Ivory.
- Q Ross? A Yes sir; I don't know whom she married.
- Q How old is Nancy, do you know? A No sir. I don't know the age of none of them.
- Q Was Nancy any children? A I think she has; I don't know anything about them; I haven't seen them since they married.
- Q Has Ivory children? A Yes, I think so.
- Q Do you know them? A No sir. Clarissie married Gibson first and has one child by him; his name is William Gibson- hasn't made application that I know of.
- Q Now give me the name of your next oldest brother or sister?
- A John Lee.
- Q Has he made application? A No sir; he is dead, but he has children.
- Q Have these children made application? A No sir, I don't think any one of them have; if they have I don't know.

- Q What was John Lee's wife's name? A Cyity (spells it).
- Q Is she dead? A No sir.
- Q Is she a white woman? A Yes sir.
- Q Now give me the names of their children A Well, I don't know the young ones the little ones; the oldest one is named Robert Lee.
- Q Do you know how old he is? A No sir.
- Q Has he made application? A No sir. The next is James Lee.
- Q Do you know how old he is? A No sir.
- Q The next? A Nancy Lee.
- Q Is that her name now? A No sir; her name is Nancy Adams.
- Q Any others? A There is some more but I don't know their names; I haven't seen them in ten years.
- Q Can you give their first names? A I think Emma is the next one.
- Q Any others? A No sir, I don't remember.
- Q Is Robert Lee married? A Yes sir.
- Q Do you know his wife's name? A I don't know.
- Q Have they any children? A Yes sir.
- Q Do you know the names of their children? A No sir.
- Q Is James Lee married? A Yes sir.
- Q Do you know his wife's name? A Polly.
- Q Do you know what her maiden name was? A Adams.
- Q Have they children? A Yessir.
- Q Do you know them? A No sir, I don't.
- Q You say Nancy Lee married an Adams; know his first name? A John.
- Q White man? A Yes sir.
- Q Have they any children? A Yes, but I don't know them.
- Q Emma Lee- you don't know whom she married? A No sir.
- Q Have they any children? A Yes, but I don't know them.
- Q Now, give the names of your next brother or sister. A James Lee; he had two boys that come to the court at Ateka; I don't know whether they went in or not; James is dead.
- Q What was his wife's name? A I have forgotten his name.
- Q Was she a white woman? A Yes sir.
- Q Are there any children of James- A I think four.
- Q Can you recall them? A I don't know only the oldest one; his name is Frank; I heard of him being at Atoka, but never knew whether they went in or not.
- Q Now, Frank Lee, is he married? A Yes, I think so.
- Q Can you tell his wife's name? A No, I just heard he was married.
- Q Don't know anything about the children? A No sir.
- Q Do you know any other children of James Lee? A I don't know but one girl's name; L-e-a-s-e-r.
- Q Is it Leason Lee? A Well, I don't know whether she is married or not; she was a girl the last time I heard of her; I can't say.
- Q Has she any children? A I can't say.
- Q Any other children of James Lee that you recall? A No sir; I don't remember.
- Q Now give the next oldest brother or sister-- A William Lee; he has been before the Commission.
- Q Married Henrietta? A Yes sir.
- Q Now are these the names of the children-- Nancy A. Lee? A Yes sir
- Q Mary Frederick B. Schmidt? A Yes sir.
- Q Fred B. Lee? A Yes sir.
- Q Jacob H. Lee? A Yes sir.
- Q Robert E. Lee? A Yes sir.

- William M. Lee? A Yes sir.  
Q Zorah E. Lee? A Yes sir.  
Q Dora E. Lee? A Yes sir.  
Q Granville H. Lee? A Yes sir.  
Q Are there any other children there? A None that I know of.  
Q These are all the children of William Lee and his wife, Henrietta?  
A Yes sir.  
Q Now the next brother or sister? A Elizabeth; she married Jordan first; you will find her son has been before the Commission, John Jordan. After he died she married Tom Oden, he had only one other.  
Q Give me the name of this other sister-- A She has been married three times.  
Q Is Mary Hilliard her present name? A Yes sir.  
Q Now give me her husband's name? A Roe Hilliard.  
Q This is her third husband? A Yes sir.  
Q Give me the name of her second husband? A Bob Luison.  
Q Is he dead? A Yes sir.  
Q Was he a white man? A Yes sir.  
Q Did this husband have any Indian blood? A No sir.  
Q Now the first husband? A His name was Pate, I don't know the first name.  
Q Now are there any children by this--- A I think Mary Hilliard has five by her present husband.  
Q Are any of them married? A No sir. None of the last husband's children aint married; the two first is married.  
Q Now give me the first oldest child of Mary Hilliard and her husband, Roe Hilliard? A Henry, I expect he is about 16 years old.  
Q Now the next? A I don't remember.  
Q The next? A I don't know their names  
Q Don't know any more? A No sir.  
Q Now give me the names of the children of the next husband? A Elizabeth Linson.  
Q How old is she, do you know? A About twenty two.  
Q Is she married? A Yes sir.  
Q What is her married name? A I don't know sir- I don't want to take too much time a-studying.  
Q Are there any more children? A One child- I don't know its name.  
Q Now, any more children of Mary Hilliard? A No sir.  
Q Didn't she and Pate have any? A Yes; Argen Pate.  
Q How old is Argen Pate? A About 25  
Q Has he been before the Commission? A No sir.  
Q Is he married? A Yes sir.  
Q What is his wife's name? A I don't know sir.  
Q Any children? A No sir; I think not; that is all of Mary Hilliard's children.  
Q Now give me the name of your next oldest brother or sister.  
A Elizabeth Oden; she was a Lee.  
Q White man? A Yes sir.  
Q Is he living? A No sir; both dead.  
Q If you will give me the children of Elizabeth Lee and Tom Oden--  
A The girl is named Lou Haskens- married Haskens- James Haskens-  
Q Is he living? A Yes sir.  
Q Is she living? A Yes sir.  
Q Is he a white man? A Yes sir.  
Q I mean by that has he any Choctaw blood? A He didn't claim it.

- Q Have they any children? A Yes sir.
- Q Can you give their names? A The oldest one is named Becky - Becky Haskens- no, she married Joe Thornton.
- Q A white man and living? A Yes sir.
- Q Any children of these two? A No sir.
- Q Now the next? A Minnie Haskens.
- Q Is she married? A No sir. Tom Haskens is another.
- Q How old is Minnie? A She is about eighteen I think.
- Q How old is Tom? A Tom's about thirteen I think.
- Q How old is Becky do you know? A About 21 or 22, I don't remember about that.
- Q Any other children? A Yes, Lee Haskens
- Q How old is Lee? A About twelve.
- Q Any others? A Vivian.
- Q A Girl? A Yes sir.
- Q How old is Vivian? A She is about seven.
- Q Any others? A There is a baby but I don't know what its name is; Jasper Oden is Jim Haskens' wife's brother: he has two children but I don't know their names; she is- he is a brother of Lou Oden.
- Q Is he married? A He is and his wife is dead; left two children- I don't know their names.
- Q Do you know the name of the wife who is dead? A Sallie Pate she was before he married her.
- Q Now, any other brothers and sisters of yours? A Mary Williamson.
- Q Mary Lee? A Yes, she married Bill Williamsen.
- Q Has he made application? A No sir, I think he is dead.
- Q Is she dead? A I think they are both dead but I am not certain. I don't know anything about them now five years ago- I don't know their names even, only one of them.
- Q Any other brothers or sisters of your? A Yes, Adaline Williams; he was a Lee and married G.W. Williams; she has made application, but she is dead.
- Q Here's Nancy A. Lee who married George W. Williams; you mean Nancy Adaline then instead of Adaline? A Yes, that's her full name.
- Q And their children were three? A Yes, minors;
- Q George Washington, Rhoda and Elisha A. Williams? A Yes, that's correct.
- Q Any other brothers and sisters? A Maggie Lee; married Isaac Gore
- Q One child? A No sir; she has three living.
- Q Three children living? A Yes; there has been one before the Commission; she has never been before the Commission.
- Q Will you give the names of the children? A William Gore-- she had four I believe-- and Shade Gore-- a boy-- he has been before the Commission, Shade has; Pline Gore- a girl--
- Q Any others? Albert- a boy-
- Q Any others? A Lela- that's all.
- Q How old is Pline? A About 26 I believe.
- Q Is she married? A Has been married.
- Q Well, her name is not Gore then is it? A That's so; Rogers is her name- that's my mistake-- she is dead or gone, they never did find him.
- Q Has he any children? A No sir.
- Q Albert Gore- is he married? A No sir.
- Q Is Lela married? A No sir.



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Q How have you any other brothers and sisters? A Well, Eaeline Lee married Aleck Blackledge.

Q How many more have you got? A I think there's about two more to put in.

Q Is he living or dead? A Dead.

Q Did he have any Choctaw blood? A No sir.

Q Is she living or dead? A Dead.

Q Will you give the names of the children--- A Aleck Blackledge is the name of the eldest boy; he has been before the Commission.

Q How old is he? A I think about twenty nine.

Q Is he living? A No sir; dead.

Q Was he married? A Yes sir.

Q When did he marry? A Crissy Woods.

Q Is she living? A No sir; dead.

Q Did they have any children? A They have got three.

Q Can you give their names? A Ellen Blackledge; she is nine.

Q The next? A Lee Blackledge.

Q The next? A Leonard Blackledge.

Q Did you say Aleck C. Blackledge had been before the Commission and made application for himself and his three children? A Yes sir.

Q How the other child-- A Ida Blackledge.

Q How old is she? A Twenty seven.

Q When did she marry? A Frank Calano.

Q He is a white man? A Yes sir.

Q Living? A Yes sir.

Q Any children? A Three.

Q Give me those as quickly as you can? A Della, Bessie and Nora.

Q How old is Della? A Seven.

Q Bessie? A Three.

Q Nora? A One.

Q Any others? A This girl here, Wolly Blackledge.

Q Is she married? A No sir.

Q She has applied has she? A Yes sir.

Q And also Ida? A Yes sir.

Q Any others? Any of your brothers and sisters? A Yes; George Washington Lee; he has been before the Commission; I don't remember his children's names; married Mary Spence.

Q Is that all the relatives of yours? A I have one brother who appeared under the name of Jacob C. Lee; he has been before the court- you will find him on the record there.

Q When did he marry? A Cynthia Raynor.

Q Is he living now? A Yes sir.

Q Can you give his children? A Yes, I think so.

Q Let me read them to you and see if they are correct; Hannie Lee- Yes sir.

Q Who married John W. Wood? A Yes sir.

Q Claudia Lee? A Yes sir.

Q Who married Lucy Murray? A Yes sir.

Q Ethel Lee who married Joe Sharer? A Yes sir.

Q William Lee, sixteen? A Yes sir.

Q Roy Lee, fourteen? A Yes sir.

Q Jessie Lee, ten? A Yes sir; Jessie D. - a girl.

Q Jacob V. Lee, seven? A Yes sir.

Q Clara Bell Lee, two? A Yes sir; that's all.

- Q How did Fannie Lee who married John W. Woods have any children?  
QA Yes sir.
- Q Remember their names? A No sir.
- Q Did Claudia Lee who married Lucy Wurrey have any children? A Had one.
- Q Remember the name? A No sir.
- Q Do you know if any of the others had children who are married?  
Q No sir; one of them got one child- Ethel Sherrer-- I don't know the child's name; its a little one.
- Q Have you any other relatives whose names you want to give now?  
A I think that's all.
- Q Does that complete the list? A That completes the list of our folks.
- Q That completes the list of the Lee family descendants of Nancy Blakeley who married Jacob Lee-- A Yes sir.
- Q Now, Mr. Lee, you have given all of the family connections and kin to the best of your ability, have you? A Yes sir.
- Q All of these who claim through Jacob Lee and his wife, Nancy Blakeley? A Yes sir.
- Q And all of these children claiming through the same common stock claim through both sides, Jacob Lee and his wife, Nancy Blakeley?  
A Yes sir.
- Q Now have you any knowledge, or any record, evidence of the fact that Nancy Blakeley live in Mississippi in 1830 and had children there? A Why, I don't know exactly what time they moved there; they went there about--- I heard my father say that he was living there one time and my mother married him on that place we moved from to Texas.
- Q Do you know whether Nancy Blakeley claimed Indian blood through her father or mother? Or both? A Why, I never learned.
- Q Did she or any of your ancestors on Nancy Blakeleys' side own any improvements on land in Mississippi or Alabama in 1830? A Yes sir.
- Q What improvements? A I have learned they lived there in Mississippi at that time.
- Q Is that in 1830? A Yes sir.
- Q What evidence have you that Nancy Blakeley owned improvements on land in Mississippi at that time? A Well, I have no evidence that she owned any.
- Q Did any of your Choctaw ancestors on the Nancy Blakeley side go to the United States Indian agent, Col. Ward, and tell him, within six months after the ratification of the treaty of 1830, that they wanted to stay in Mississippi, take land there and become citizens of the United States? A I have learned that my grandfather Blakeley did.
- Q How is he related to Nancy Blakeley? A Was her father.
- Q Well, can you give his name? A John Blakeley.
- Q Do you know whether he lived in Mississippi in 1830? A Yes; I have been told that he did.
- Q Well, are you claiming that Jacob Lee and his wife Nancy, whose name was Blakeley, both lived in Mississippi and complied with the provisions of article fourteen at that time, or are you claiming through John Blakeley the father of Nancy? A I think they both lived there in Mississippi at that time.
- Q Both John Blakeley and his daughter? A Yes sir; of course I don't know exactly what time my father and mother married, but they lived right there on that place until we moved to Texas.
- Q Did any of the Choctaw ancestors on the side of Nancy Blakeley go from that old Choctaw Nation to the Choctaw Nation, Indian Ter-

ritory, with other Indians between 1833 to 1838? A I don't know sir.  
Q Did any of your Choctaw ancestors on Nancy Blakeley's side own any land in Mississippi or Alabama or claim any there under article fourteen of the treaty of 1830 or under any other article of that treaty or under the supplement to it? A I think my grandfather did.  
Q You mean John Blakeley? A No; yes sir.  
Q What evidence have you of that fact? A Well, it has been proven by different people; I have been told that they did.  
Q Can you give the names of any of the people that have stated that John Blakeley owned land in Mississippi under the treaty of 1830? A Why, Mr. Laird; I brought him before the court.  
Q Did any of your Choctaw ancestors to your knowledge go before either of the Commissions- the Commission of 1837 or that of 1842- and claim benefits as Choctaw Indians under article fourteen of the treaty of 1830? A Not that I knew of.  
Q Did any of your Choctaw ancestors ever receive any scrip from the Government as Choctaw Indians which entitled them to select land in either Mississippi, Alabama, Louisiana, or Arkansas, to take the place of land which had been taken from them in Mississippi by the Government? A I learned from other parties that my grandfather received scrip, but I don't know in what way.  
Q Did they ever select land under that scrip or certificate? A He got land.  
Q Did he get that land in 37 or 1842? A I think he got it in 1830.  
Q Well, he could not have gotten it under that scrip then for it was issued under act of Congress approved August 23 1842. A I am not certain about it.

( Here L.P.Hudson, attorney for applicants, calls attention to the records on file in this case showing that John Blakeley Sr., received the S.W.1/4 of the S.E.1/4 of Section 24, Township 6 Range 6 in Newton County, Mississippi; receipt No. 7635, Choctaw scrip ~~EX 534~~ C; also the E.W. 1/4 of the S.E.1/4 of Section 34 Township 6 Range 6, in the same County; that a portion this land was located one and a half miles West of Hickory in Newton County Mississippi by him.)

Q What evidence have you, Mr. Lee, that this man, John Blakeley Sr. was an ancestor of yours? A He was my mother's father.  
Q How do you identify him as the John Blakeley through whom you claim the right to be identified as a Mississippi Choctaw? A Well, he got it through his wife-  
Q How do you identify John B. Blakeley Sr. who received this allotment as your relative? A I have been told that by different people; I proved that by Mr. Laird before the Court.  
Q That is the same John Blakeley Sr. then in reference to whom you have had testimony presented before the Commission? A Yes sir.

Witness excused and J.V.Lee called and sworn testifies:

Examination by L.P.Hudson, attorney:

Q State your name? A J.V.Lee.  
Q Give your name in full. A Jesse Vernile Lee.

Q Are you a son of R E Lee who has just been on the stand? A I am.  
Q Do you want the testimony in your case to be considered with his?  
A Yes sir.

Witness excused and Fred Lee called and sworn testified:

By L.P.Hudson, attorney.

Q State your name? A Fred Lee.  
Q You have appeared before the Commission before this? A Yes sir.  
Q How are you related to R.E.Lee who has just been on the stand?  
A Son.  
Q And do you want the testimony in your case to be considered with  
the testimony in his case? A Yes sir.

Witness excused and Molly Blackledge called and sworn testified

By L.P.Hudson:

Q State your name to the Commission? A Molly Blackledge.  
Q How are you related to R.E.Lee who has just been on the stand?  
A My mother was his sister.  
Q When he is your uncle? A Yes sir.  
Q You have appeared before the Commission prior to this time, have  
you? A Yes sir.  
Q And do you want the testimony in your case considered with tes-  
timony in his? A Yes sir.

Witness excused and Ida Galano called and sworn testified:

By L.P.Hudson:

Q State your name? A Ida Galano  
Q How are you related to R.E.Lee who has just been on the stand?  
A He is my uncle.  
Q State how that comes? A My mother was his sister.  
Q You have appeared before the Commission prior to this time, have  
you? A Yes sir.  
Q Do you want the testimony in your case considered with his case  
in making up the record? A Yes sir.  
Q What's all.

Witness excused.

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Henry G. Hains being sworn on his oath stated that as stated

grapher to the Commission to the Five Civilized Tribes he reported the above proceedings on March 14, 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry S. Hains.

Subscribed and sworn to before me this 15th day of March, 1902.

*Charles M. [Signature]*  
Notary Public.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., March 5, 1901.

In the matter of the application of Robert E. Lee for identification for himself and his minor children as Mississippi Choctaws.

Robert E. Lee, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Robert E. Lee.  
Q What is your age? A Fifty three.  
Q What is your post office address? A Wortham.  
Q Texas? A Yes sir.  
Q How long have you lived there? A I have lived there about thirty years.  
Q Where did you live before you lived there? A Lived about fifty miles from there a few years, and the balance of the time in Mississippi.  
Q What part of Mississippi? A Newton County.  
Q Born there? A Yes sir.  
Q Moved from there to Texas? A Yes sir.  
Q What is your father's name? A Jacob Lee.  
Q What is your mother's name? A Nancy Lee.  
Q Is your father living? A No sir.  
Q Your mother? A She is dead.  
Q Through which parent do you claim Choctaw blood? A My father.  
Q How much? A One quarter.  
Q Did your father ever live in the Indian Territory? A No sir.  
Q Is his name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Is yours? A No sir.  
Q Have you ever made application for enrollment or citizenship to the Choctaw tribal authorities? A No sir.  
Q Did you ever make application to the Dawes Commission for enrollment in the Choctaw Nation under the act of Congress of June 10, 1896?  
A No sir.  
Q Did you ever make application to the Dawes Commission for citizenship in the Choctaw Nation? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No sir.  
Q This is the first application of any kind you have ever made?  
A Yes sir.  
Q You are now making application to be identified as a Mississippi Choctaw? A Yes sir.  
Q Are you making this application under any certain treaty or treaties? A Yes, treaty of 1830.  
Q Under the whole treaty or a certain part of it? A Fourteenth article.

Robert E. Lee---2.

- Q Not under the whole treaty? A No sir.
- Q What are the provisions of article fourteen? A It provides for the Choctaw tribe I suppose.
- Q Do you know what provisions that article contained, or what conditions were imposed upon the Choctaw Indians who took advantage of that article? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A I claim through my grandfather, Jacob Lee.
- Q Did he live in Mississippi in 1830? A Yes sir.
- Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi and take land there? A I do not know.
- Q Did he come from Mississippi to the Indian Territory when the other Indians came here in the years 1833 and 1837? A No sir.
- Q Do you know why he did not come? A No sir.
- Q Do you know whether he ever claimed or received any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A Not that I ever heard.
- Q Have you or any of your ancestors ever received any benefits in the Indian Territory as Choctaw citizens? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Huldy C.
- Q Do you make any application for her? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.
- Q What is the name of the eldest? A Remah.
- Q Boy or girl? A Girl.
- Q How old is Remah? A 18.
- Q The next? A Ruth.
- Q How old is Ruth? A Sixteen.
- Q The next? A Robert.
- Q How old is Robert? A Fourteen.
- Q The next? A Bessie.
- Q How old? A Thirteen.
- Q The next? A Stella.
- Q How old is Stella? A Twelve.
- Q Any others? A That is all.
- Q Is huldy C. Lee the mother of these children? A Yes sir.
- Q And you are the father? A Yes sir.
- Q And you and she are living together as husband and wife? A Yes.
- Q And these children are all living with you at your home? A Yes.
- Q And the basis of their claim is the same as yours? A Yes sir.
- Q Is there anything further you want to state in regard to your application? A No sir.
- Q Have you any documentary evidence or marriage license and certificate that you want to introduce now? A No sir.
- Q Do you wish time in which to file same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file such documentary evidence as he desires in support of this application for himself and his minor children; also marriage license and certificate or certified copy of same.

The decision of the commission in regard to this application which you make in your own behalf and on behalf of these

Robert E. Lee---3.

Minor children for identification as Mississippi Choctaws  
will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath  
states: That as stenographer to the Commission to the Five Civilized  
Tribes he reported in full all proceedings had in the above entitled  
cause on March 5, 1901, and that the above and foregoing is a full  
true and correct transcript of his stenographic notes of said cause  
on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 9 day of March 1901.

*Charles H. Sawyer*

Notary Public.



Muskogee, Indian Territory, March 15, 1901.

Messrs. Hudson & Arnold,

Arkmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 9, inclosing affidavits of R. E. Laird and E. E. Laird and marriage license between Robert Lee and Miss H. G. Bounds, to be filed with the application of Robert H. Lee et al. for identification as Mississippi Choctaws.

Marriage certificate between J. A. Jordan and Julia Farmer, and certified copies of affidavits of E. E. Laird and R. E. Laird, to be filed in support of the claim of John A. Jordan et al for identification as Mississippi Choctaws.

Also certified copies of affidavits of N. B. Laird and R. E. Laird to be filed with the claim of Martha Evans et al for identification as Mississippi Choctaws. The papers have been duly filed with the other records in these cases.

Yours truly,

Acting Chairman.

MC 1468  
MC 1469  
MC 1481

Muskogee, Indian Territory, April 24, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of April 19,  
inclosing affidavits for filing in support of the following applica-  
tions for identification as Mississippi Choctaws:

1468, Robert R. Lee, et al.

1527, James Atkins, et al.

The same have been duly filed and made a part of the records in these  
cases.

Yours truly,

Kuskogee, Indian Territory, May 31, 1901.

Mr. E. H. Wynn,

Prospect, Texas,

Dear Sir:

The Commission is in receipt of your letter of May 27, in which you ask how persons may obtain rights in the Indian Territory. You also ask if a man can appear for his wife who is an invalid, and state that your wife is a niece of Jake and Robert Lee who have just proved their rights.

In reply to your letter, you are advised that the records of the Commission show that on March 5, 1901, Robert E. Lee, of Wortham, Texas, fifty three years old, son of Jacob and Nancy Lee, appeared before the Commission at Atoka, Indian Territory, and applied for the identification of himself and five minor children. On March 14, 1901, Jacob C. Lee, of Wortham, Texas, fifty years old, son of Jacob and Nancy Lee, appeared before the Commission at Atoka, Indian Territory, and applied for identification of himself and five children as Mississippi Choctaws. No decision has been rendered by the Commission in either of these cases.

The rules of the Commission require that each applicant must appear for himself, at which time he will be examined and a record made of his case. You could not be permitted to appear in behalf of your wife, unless she is totally and permanently disabled;

E.H.W. 2

in which case, it would be necessary for you to furnish the certificate of a physician to such permanent disability.

Applicants for identification as Mississippi Choctaws, who might be identified by the Commission, would then, under the act of May 31, 1900, be entitled to appear before the Commission as applicants for enrollment as citizens of the Choctaw Nation. This act provides as follows relative to Mississippi Choctaws:

"That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have the right, at any time prior to the approval of the final rolls of the Choctaws and Chickasaws by the Secretary of the Interior, to make settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be enrolled by the said United States Commission, and by the Secretary of the Interior as Choctaws entitled to allotment."

The lands of the Choctaw-Chickasaw country will be allotted in accordance with the treaty of April 23, 1897, which is as follows:

"That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of said tribes so as to give each member of these tribes so far as possible a fair and equal share thereof, considering the character and fertility of the soil and the location and value of the lands."

Article fourteen of the treaty of 1830, under which applicants for identification as Mississippi Choctaws now claim provides that persons who claim under this article shall not lose the privilege of Choctaw citizens, if they ever remove to the Indian Territory, but shall not be entitled to any portion of the Choctaw annuities.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, September 16, 1901.

Mr. R. E. Lee,  
Wortham,  
Texas.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 7th, in which you state that you appeared before the Commission at Atoka, on March 5th, and applied for identification as a Mississippi Choctaw, at which time you filed four affidavits. You ask to be advised how many more have been received for filing in your case, and if any more will be necessary.

In reply to your letter you are advised that it appears from our records that on March 5th, 1901, Robert E. Lee appeared before the Commission at Atoka, Indian Territory, and applied for identification as a Mississippi Choctaw for himself and five minor children. The following evidence has been filed in this case:

On March 15th, 1901, there were offered for filing the affidavits of E. E. Laird and B. E. Laird, and marriage license and certificate between Robert Lee and Miss R. C. Rounds. On April 13th, 1901 the affidavit of H. C. Grice was offered for filing in support of your application, and on July 9th, 1901, the affidavit of M. F. Grice was offered for filing and made a part of the record in this

R. E. L., #2.

case. It does not appear from our records that any evidence was offered for filing by you on March 5th, when you applied for identification as a Mississippi Choctaw. In your testimony at that time this question was asked you: "Have you any documentary evidence or marriage license and certificate that you want to introduce now?" and you answered "No, sir."

If you wish to offer any further evidence in support of your application, either the oral testimony of witnesses, their depositions or affidavits, or any documentary evidence, you will be permitted to do so, and the same will be made a part of the record in your case.

Yours truly,

M. G. 1468.

M. C. R. 1468.

Muskogee, Indian Territory, December 4, 1902.

R. E. Lee,

Wortham, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th ultimo, in which you ask to be advised if more proof is needed in your case. You state that you gave additional testimony in your case showing that you possessed Choctaw blood "from the Blakeley side."

In reply, you are informed that it appears from the records of the Commission that you are an applicant for the identification of yourself and minor children as Mississippi Choctaws, and that your case has been consolidated with that of Temple McAllester and certain other persons, applicants to this Commission for identification as Mississippi Choctaws, claiming descent from one, Elizabeth Blakeley, nee Smith.

No opinion or decision has yet been reached in this case, but the Commission is now considering the several applications included therein and it is probable a decision will be rendered in the near future.

RELS

The several applicants will be duly notified of the action of the Commission, and of the forwarding of the record to the Secretary of the Interior for review.

Respectfully,

Acting Chairman.



COMMISSIONERS

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

ALLISON L. AYLESWORTH,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1468

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Robert E. Lee,  
Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R 2857
Robert E. Lee, et al.,	M C R 1468
Melissa Boyd,	M C R 1485
Ethel Sherrer,	M C R 1486
Fred Lee,	M C R 1491
Vernile Lee,	M C R 1492
Jacob C. Lee, et al.,	M C R 1515
Nannie Wood, et al.,	M C R 1516
Claudia Murray, et al.,	M C R 1517
George W. Lee, et al.,	M C R 1518
Shade Gore,	M C R 1519
Nancy A. Williams, et al.,	M C R 1743
Hiram Blakeley, et al.,	M C R 2541
William Lee, et al.,	M C R 2559
Jacob H. Lee,	M C R 2694
Nancy A. Schmidt, et al.,	M C R 2695
Fred B. Lee,	M C R 2696
Lillian Thomas, et al.,	M C R 2853
Margie Adams, et al.,	M C R 2854
Oral Boyd, et al.,	M C R 2855
William D. Williamson, et al.,	M C R 2856
Arcada DuBose, et al.,	M C R 2858
Albert Edward Boyd,	M C R 2859
Olive Smith, et al.,	M C R 2888
William Cary DuBose,	M C R 2889
J. Dale Adams,	M C R 2898
William L. Blakley,	M C R 2890
Sarah M. Adams, et al.,	M C R 2901
Merlin C. Adams, et al.,	M C R 2902
Thomas B. Ross, et al.,	M C R 2903
Arthur A. Ross, et al.,	M C R 2904
Mattie Forsythe, et al.,	M C R 2997
Maria Gipson, et al.,	M C R 3139
Lawrence L. Boyd, et al.,	M C R 3154
Joseph K. Boyd, et al.,	M C R 3155
Nora B. Hilley,	M C R 3156
William F. Walker,	M C R 3157
John Owens,	M C R 3158

William J. Adams,	M C R	3854
Cynthia Adams Hill, et al.,	M C R	3863
William M. Blakeley, et al.,	M C R	4148
Ida Culame, et al.,	M C R	1487
Mollie Blacklidge,	M C R	1489
Aleck Blacklidge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollentine, et al.,	M C R	5063
John T. Vollentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, Lillian Thomas, Josie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, Leila N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arenda DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Curlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Byrmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mallie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blacklidge, Alock Blacklidge, Ellen Blacklidge, Leo Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Leo Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollandine, Alice A. Vollandine, Edgar O. Vollandine, Mattie L. Vollandine, Ernest E. Vollandine, John T. Vollandine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyd Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ladio William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jauita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as inter-married Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Registered.

Acting Chairman.

H.C.N. 1400

COPY.

Muskogee, Indian Territory, July 13, 1903.

Robert E. Lee,

Wortham, Texas.

Dear Sir:

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. Needles.*

Commissioner in Charge.

MCR 1468

Muskogee, Indian Territory, December 6, 1906.

Robert E. Lee,  
Wortham, Texas.

Dear Sir :--

You are hereby advised that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

Acting Commissioner.

REFER TO M. C. R. 499

James Overstreet  
et al

Consolidated Case

James Overstreet <sup>Dead</sup>  
 wife  
 Fannie Overstreet <sup>Dead</sup>  
 ne Blakely  
 or Bakney  
 "Mississippi Choctaw"  
 Agency

James Overstreet 61/8  
 wife  
 1<sup>st</sup> Mary C. Overstreet <sup>Dead</sup>  
 2<sup>d</sup> Martha Jane Overstreet

mlb R  
 554  
 John F Overstreet 34/8  
 wife  
 1<sup>st</sup> Francis Overstreet <sup>Dead</sup>  
 2<sup>d</sup> Addie Overstreet  
 (claim for wife)

James F Overstreet <sup>Dead</sup>  
 wife  
 1<sup>st</sup> Maggie Overstreet <sup>Dead</sup>  
 2<sup>d</sup> Rebecca Overstreet  
 (claim J.W.)

mlb R  
 503  
 William H. Overstreet 29/8

mlb R  
 505  
 Cornelius Overstreet 25/8

mlb R  
 506  
 Riley Overstreet 23/8  
 wife

Ida Nora Overstreet  
 claim for wife

mlb R  
 H49  
 Ellen Nora Overstreet 20

" Ella May Overstreet 17

" Viola Overstreet 15

" Birdie Lily Overstreet 9

mlb R  
 555  
 Myrtle Overstreet 11  
 Mary C. Overstreet 9  
 Emma V. Overstreet 7  
 John W. Overstreet 4  
 Julius Overstreet 2

mlb R  
 501  
 Cora Overstreet 11  
 " Olivia Estelle Overstreet 4  
 " James Ernest Overstreet 3

Jane Corstreet dau  
 wife  
 Fannie Corstreet  
 ne Blakely D. ad  
 or Batteney  
 Mississipp. Chrdm.

ml 10  
 ml 10  
 Thomas J. Corstreet 59 1/2  
 wife  
 Penelope R. Corstreet  
 dau for wife

ml 10  
 ml 10  
 John A. Corstreet 26 1/8  
 wife  
 Nora A. Corstreet  
 sum for wife

ml 10  
 ml 69 1/2  
 Emma Corstreet 24 1/16  
 married  
 Charles H. Simpson

ml 10  
 ml 69 1/2  
 Roy Simpson 2 1/2  
 " Ella Simpson 2 1/2  
 " Homa Simpson 2 1/2

ml 10  
 ml 50 1/2  
 Bell Corstreet 22 1/8  
 married  
 William J. Rafe  
 plant for husband

ml 10  
 ml 50 1/2  
 Juanita Rafe 3  
 " Gerli Irving Rafe 19 m

ml 10  
 ml 50 1/2  
 Minnie Corstreet 20  
 " Clare Corstreet 18  
 " Mattie Corstreet 14  
 " Mattie Corstreet 12  
 " Wilmoth Corstreet 9  
 " Coleman Corstreet 6



No. 1468

For Identification as a Mississippi Choctaw.

Date *Feb 5. 1901*

Name *Robert E. Lee.*

Age *53* Blood *1/4*

Post Office, *Wortham, Texas*

Father: *Jacob Lee d*

Mother: *Nancy " d.*

Claims through *father*  
*wife*

*Wuldy C. Lee -*

Children:

*Rennah (girl) 18*

*Ruth - 16*

*Robert 14*

*Bessie 13*

*Stella 12*

*for self &*  
*children*

*H. C. Ristien*  
*Stems*

@hoetaw MCR 1469

John Jordan

MCR 1469

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I.T. August 1, 1901.

In the matter of the application of William L. Blakley for identification as a Mississippi Choctaw, heard at Atoka, Indian Territory, July 9, M.C. 2890.

In the matter of the application of Mattie Forsythe et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 20, 1901, M.C. 2997.

In the matter of the application of Melissa Boyd for identification as a Mississippi Choctaw, heard at Atoka, Indian Territory, March 7, 1901, M.C. 1486.

In the matter of the application of Thomas B. Ross et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 10, 1901, M.C. 2903.

In the matter of the application of Arthur A. Ross et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory July 10, 1901, M.C. 2904.

In the matter of the application of Olive Smith et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 9, 1901, M.C. 2888.

In the matter of the application of Sarah M. Adams et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 10, 1901, M.C. 2901.

In the matter of the application of Merlin C. Adams et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 10, 1901, M.C. 2902.

In the matter of the application of J. Dale Adams for identification as a Mississippi Choctaw, heard at Atoka, Indian Territory, July 10, 1901, M.C. 2898.

In the matter of the application of Tempie McAllister et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 8, 1901, M.C. 2857.

In the matter of the application of Albert Edward Boyd for identification as a Mississippi Choctaw, heard at Atoka, Indian Territory, July 8, 1901, M.C. 2859.

In the matter of the application of Amada Dubose et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 8, 1901, M. C. 2854.

In the matter of the application of [redacted] et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 8, 1901, M.C. 2855.

In the matter of the application of William D. Williamson et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 8, 1901, M.C. 2856.

In the matter of the application of Morris Adams et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 8, 1901, M.C. 2857.

In the matter of the application of Lillian Thomas et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, July 8, 1901, M.C. 2858.

In the matter of the application of Maria Gibson et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, August 1, 1901, M.C. 3139.

In the matter of the application of Joseph K. Boyd et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, August 2, 1901, M.C. 3155.

In the matter of the application of Lawrence L. Boyd et al, for identification as Mississippi Choctaws, heard at Atoka, Indian Territory, August 2, 1901, M.C. 3156.

In the matter of the application of Nora B. Hilley for identification as Mississippi Choctaw, heard at Atoka, Indian Territory, August 2, 1901, M.C. 3158.

August 2, 1901, M. C. 3159.

In the matter of the application of [redacted] for identification as Mississippi Choctaw, heard at Atoka, Indian Territory, August 2, 1901, M.C. 3160.

In the matter of the application of [redacted] for identification as Mississippi Choctaw, heard at Atoka, Indian Territory, August 2, 1901, M.C. 3161.

- Q What is your name? A Williamson.
- Q What is your first name? A Elizabeth.
- Q How old are you? A I will be eighty-one years old in a few days.
- Q What is your post-office address? A Dawson.
- Q Texas? A Yes; Texas.
- Q What nationality do you claim to be? A I claim to be Indian.
- Q What kind of Indian? A Choctaw.
- Q How much Choctaw blood do you claim to have? A Well my grandfather married a Mississippian Choctaw and my grandmother was a daughter, she was my mother. She married a man by the name of Blakley.
- Q You mean that this white man and your grandmother had a daughter and that daughter was your mother? A Yes.
- Q And it was your mother who married a Blakley? A Yes.
- Q How much Choctaw blood did your mother claim to have? A She was a one-half.
- Q Are you a recognized Choctaw Indian, a member of the Choctaw Tribe of Indians in the Indian Territory? A Yes I reckon so.
- Q A recognized member of the Choctaw Tribe, here in the Territory? A I don't know, I live in the Territory now.
- Q Did you ever live in this Indian Territory? A Yes when I was little.
- Q Did you ever live in this Choctaw Nation in the Indian Territory? A Never here, I did not. I lived in Newton County Mississippi.
- Q Then you are not a recognized member of the Choctaw Tribe of Indians in the Indian Territory? A Not in this Territory. I was before.
- Q Where were you a recognized member of the Choctaw Tribe of Indians? A I don't know whether I was or not.
- Q Where were you a recognized Choctaw Indian? A Yes.
- Q Where? A In Mississippi, in Newton County.
- Q Are you an applicant for identification as a Mississippi Choctaw? A Yes.
- Q Do you want to make application for identification as a Mississippi Choctaw? A No, just for my children and grandchildren.
- Q You want to give your testimony in the cases of your children and grandchildren? A Yes.
- Q Are you acquainted with William L. Blakley, Mattie Forgythe, Melissa Boyd, Thomas B. Ross, Arthur A. Ross, Olive Smith, Sarah M. Adams, George C. Adams, J. Dale Adams, David M. Adams, Albert Adams, John Adams, William Adams, John Adams, John K. Adams, William F. Adams, Mary B. Hilkey and John Adams? A Yes.
- Q Are you related to them? A Yes-- He is my son William D. Williamson.
- Q Are you related to all of them? A Yes they are my children and my sister's children, or my grandchild or my sister's grandchild. They are all my children.
- Q Is any of them a white man? A Yes, they are all white men.
- Q How long have you lived in Dawson? A About fifty years.

MISSISSIPPI CHOCTAW  
 IDENTIFICATION CASES  
 1898

Q Where did you live before you lived in Texas? A In Mississippi, in Newton County.

Q Where were you born? A In Mississippi.

Q You say you are eighty-one years old? A Yes I will be now in three or four days.

Q You were born about the year 1820 then? A Yes I reckon so - I don't know.

Q Were you living in Mississippi in eighteen hundred and thirty? A Yes.

Q How old were you when you moved away from Mississippi? A I was about forty to fifty years.

Q You say you lived in Texas five years? A Yes.

Q How old were you when you left Mississippi? A I was born in 1820 you can count it.

Q About how old were you? (By Attorney; was it before the War) A Yes I was in Texas during the War.

Q Were you married when you left Mississippi? A Yes.

Q Then you were living in Mississippi in eighteen hundred and thirty? A Yes.

Q That was when you were about ten years old? A I was living in Mississippi when I was married.

Q About how old were you when you were married? A Eighteen going on twenty.

Q Do you remember when the treaty was made between the United States and the Choctaw Indians called the treaty of Dancing Rabbit Creek? A Yes I ought to.

Q What do you remember it? A Not in my memory.

Q Do you remember when the men went down there in Mississippi to find out which of the Indians were entitled to land under the fourteenth article of the treaty of 1830? A I do not know about that.

Q What do you say your mother's name was? A Smith.

Q What was her given name? A Elizabeth, before and was married. She married a man by the name of my father.

Q Your mother then was married before the year eighteen hundred and thirty? A I forget.

Q Will you say that you were born in 1820, then your mother must have been married in 1830, as you would have been ten years old at that time? A I don't know I forget now.

By Attorney Telle.

Q She had been married about ten years then? A Yes.

By the Court.

Q Do you know whether Elizabeth Smith was married with the other...

Q ... A Yes.

Q ... of your ...

Q ... A Yes.

- Q Do you know whether Elizabeth Blakley went to the Indian Agent there in Mississippi within six months after the treaty was ratified and told him that she wanted to stay there and become a citizen of the United States? A I don't know, I was small then and my memory is not now.
- Q Do you know whether Elizabeth Blakley your mother owned any land in Mississippi? A No I do not.
- Q Where were they living in Mississippi when you remember them? A In Newton County.
- Q Did they own the land they lived on? A I don't know whether they did or not. The Choctaws were all living there then, that is the most of them.
- Q Do you remember whether your mother Elizabeth Blakley or your father John Blakley ever sold any land there in Mississippi? A No I do not.
- Q And they lived in Newton County? A Yes Newton County Mississippi.
- Q Did your mother speak Choctaw? A Yes and I could almost as good as they could.
- Q You can speak Choctaw now can you? A Yes I have not forgot all of it. I have forgot some of it.

Examination by Attorney A. Telle.

- Q I want to ask you, your mother's name was Elizabeth Blakley and your father's name John Blakley? A Yes.
- Q Can you tell me the names of the other children of their's? --What was their names please? --A Their names or mine?
- Q No their-- Give me the names of your brother's and sister's? A John, Fannie, Nancy, Mary, Nellie and William Blakley and my name comes in their, Elizabeth--now have you Rhoda Blakley.
- Q Now the next Rhoda? A Russell Blakley, Albany Blakley, Temple Blakley, James Blakley, Mathera Blakley and Sarah Ann Blakley.

Witness Excused.

Hulda Jane Barrington being called as a witness testified as follows, being first duly sworn.

- Q What is your name? A Barrington, H. J.
- Q What does that H. stand for? A It stands for Hulda Jane, put it all together and it makes a name.
- Q What is your age? A I will be seventy-four the last day of August, the 30th day.
- Q Where do you live? A Live in Hill County.
- Q What is your post-office address? A Hubbard City.
- Q Texas? A Yes.
- Q How long have you lived in Texas? A Ever since the war broke out.
- Q Were you born in Mississippi? A No.
- Q Where were you born? A In Tennessee.
- Q How old were you when you left Tennessee? A Ten years old.
- Q Where did you go from Tennessee? A I went to Alabama.
- Q How long did you live in Alabama? A Well I don't know exactly.
- Q Where did you move to from Alabama? A Went to Mississippi.
- Q When did you come here? A I came here when you went to Mississippi? A Oh well I just can't tell you that.

- Q About how old? I reckon about fifteen.
- Q How do you know that? A That is a nationality?
- Q Yes? Well I don't really know what you want.
- Q Are you a white woman? A Yes I pass for one.
- Q You don't make any claim to Indian blood? A No I don't make any claim to Indian blood.
- Q The names of the children? A William B. Blackley, Lottie Fergyle, William Boyd, Thomas B. Ross, Arthur A. Ross, Live Smith, Sarah M. Adams, Merlin C. Adams, J. Dale Adams, Tempie McAllister, Albert Edward Boyd, Arcelia Robose, Oral Boyd, William D. Williamson, Margie Adams, Lillian Thomas, Maria Gibson, Joseph W. Boyd, Lawrence L. Boyd, William F. Walker, Nora B. Willey and John Owens? A Yes.
- Q You know all of them? A Yes.
- Q Are you related to them in any way? A Not at all.
- Q What relation are they to each other if any? A Which one?
- Q All of these people, are they related to each other in any way? A Yes.
- Q Do you know how? A Yes.
- Q Well state as well as you can how? A Why Sarah and Tempie are sisters and Nora Willey is her daughter.
- Q Well are these others related to each other in any way? A Well these boys are their children or grandchildren. They are related every one.
- Q All of them come originally from the same ancestor? A Yes.
- Q Where you acquainted with that ancestor? A Yes.
- Q What was the name of that ancestor? A Blackley.
- Q What was the maiden name? A Elizabeth.
- Q Then these people who have applied here for identification as Mississippi Choctaws are the children and grandchildren and great grandchildren of Elizabeth Blackley? A Yes.
- Q She was a Choctaw Indian? A Well they called her that or she looked like ~~such~~ it.
- Q Did she look like a full blood? A Well not a full blood, they all said she was half.
- Q Was she recognized by the Indians there in Mississippi as an Indian? A I reckon so, I don't know, I didn't live right close to 'er but they were there a heap.
- Q They associated with her as they did among themselves? A I don't know if the did that or not but they was there.
- Q You were not living in Mississippi at the time this treaty was made? A No I heard them talking about it.
- Q After you moved to Mississippi? A Yes.
- Q Were you living in Mississippi between the years 1838 and 1846? A I don't remember, I just can't recollect any certain time or what date it was to save my life.
- Q You think you were about fifteen when you went to Mississippi? A Yes.
- Q And you were born about eighteen twenty-seven? A Yes.
- Q And you went to Mississippi when you were about fifteen years old? A Yes.
- Q Then you must have gone to Mississippi about the year 1842, or about that time? A I guess so.
- Q Do you remember anything about when those Commissioners were sent down by the United States to Mississippi to find out which of the Indians were entitled to land in Mississippi? A I don't know anything about it but I heard for ever and ever about it.
- Q You don't know then whether Elizabeth Blackley or her husband went to the so called commissioners and tried to get land there in Mississippi? A No I do not know.



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Q Do you know whether Elizabeth Blakley owned any land in Mississippi? A I don't know, they lived on a home and called it theirs but how they got it I don't know.

Examination by Attorney A. Telle.

- Q I will ask you Mrs. Barrington if you were at Elizabeth Blakley's house very often? A Yes.
- Q And were well acquainted with her? A I was well acquainted with her.
- Q Did you see any other Choctaws around where she lived? A Why I seen them knocking around there.
- Q And common report had it that she was one of the Choctaws? A Yes.
- Q Do you remember where Elizabeth Blakley died? A Yes.
- Q Where did she die? A In Mississippi.
- Q Were you present at her burial? A Yes.
- Q What was her appearance? A Well she was a dark haired and dark complected, eyes black, heavy set.
- Q Do you know whether she spoke the Choctaw language? A She would not unless she was talking to some of them.
- Q She could talk to the other Choctaws that came to her? A Yes she could.
- Q Do you know Mrs. Elizabeth Williamson the lady that was a witness in this case? A Yes.
- Q Do you know her to be a descendant from Elizabeth Blakley? A Yes.
- Q You knew the whole family, every since you went to Mississippi and every branch of it that came from that common origin? A Yes I did.

Witness excused.

G. Rosenwinkel being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings had in the above entitled cases and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cases, heard at Atoka, Indian Territory, on August 1, 1901.

*G. Rosenwinkel*

Subscribed and sworn to before me this 27 day of September 1901.

*Charles H. Sawyer*  
Notary Public.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., March 8, 1901.

In the matter of the application of John Jordan for identification for himself and his minor children as Mississippi Cheestaws.

John Jordan, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A John Jordan.  
Q What is your age? A Thirty seven.  
Q What is your post office address? A Cersicana, Texas.  
Q How long have you lived at Cersicana? A Nineteen years.  
Q Where did you live before you lived there? A Leon County, Texas  
Q Always lived in Texas? A Ever since I was four years old.  
Q Where were you born? A Mississippi.  
Q And removed to Texas when you were four years old? A Yes sir.  
Q What is your father's name? A John Jordan.  
Q Is he living? A No sir.  
Q What is your mother's name? A Elizabeth.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Cheestaw blood?  
A My mother.  
Q How much do you claim? A One sixteenth.  
Q Did your mother ever live in the Indian Territory? A No sir.  
Q Was she ever recognized by the Cheestaw tribal authorities as a Cheestaw Indian? A No sir, not that I know of.  
Q Have you ever made application to the Cheestaw tribal authorities for enrollment? A No sir.  
Q Is your name on any of the tribal rolls of the Cheestaw Nation?  
A No sir.  
Q Have you ever made application to the Cheestaw tribal authorities for citizenship in the Cheestaw Nation? A No sir.  
Q Have you ever made application for either enrollment or citizenship in the Cheestaw Nation to the Dawes Commission under the Act of Congress of June 10, 1897? A No sir.  
Q Have you ever been admitted to citizenship in the Cheestaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Cheestaw tribal authorities or the Dawes Commission? A No sir.  
Q Is this the first application you have ever made? A Yes sir.  
Q You are now making application to be identified as a Mississippi Cheestaw? A Yes sir.  
Q Under what law or treaty? A Treaty of '30.  
Q That treaty was between whom? A I do not know.  
Q Was the United States a party to it? A I guess so.  
Q What do you think about that, whether the United States was a party to it? A I think it was.  
Q And where were the Cheestaw Indians living who made that treaty at the time it was made? A In Mississippi.  
Q Do you claim under the whole treaty or only under part of it?  
A Under part of it.

John Jordan---2.

- Q What part? A Fourteen article.  
Q Under the fifteenth and nineteenth articles too? A No sir.  
Q Under the supplement? A I do not know anything about that.  
Q What is the name of your ancestor who lived in Mississippi in 1830  
A Jacob Lee.  
Q Was he a full blood Cheetaw Indian? A No sir, one half.  
Q Did he live in Mississippi in 1830. A Yes sir.  
Q Did he within six months after the ratification of the treaty of  
1830 tell the United States Indian Agent then living in Mississippi  
that he intended to stay in Mississippi, and take land there and be-  
come a citizen of the state of Mississippi? A Not that I know of.  
Q Did he within a short time after that treaty was ratified, say  
in 1833 or 1837, remove to the Indian Territory with the other  
Cheetaw Indians? A No sir.  
Q Do you know why he did not? A No sir.  
Q Did he ever received any benefits under article fourteen of the  
treaty of 1830? A No sir.  
Q Did he ever receive or claim any land in Mississippi as a benefi-  
ciary under article fourteen of the treaty of 1830? A Not that I  
know of.  
Q Are you married? A Yes sir.  
Q What is your wife's name? A Bula Jordan.  
Q Do you make any claim for her? A No sir.  
Q Have you any children under twenty one years of age and unmarried  
that you want to make application for? A Yes sir.  
Q What is the name of the eldest? A Elmer.  
Q How old is Elmer? A Eight.  
Q The next? A Austin.  
Q How old? A Six.  
Q The next? A Robert.  
Q How old is Robert? A Five.  
Q The next? A Joseph B.  
Q How old is he? A Three.  
Q And the next? A Effie M.  
Q How old is Effie? A One year.  
Q Is Bula Jordan the mother of these children? A Yes sir.  
Q And you are the father? A Yes sir.  
Q Are you and she are living together as husband and wife? A Yes.  
Q And the children are all living with you at your home? A Yes sir.  
Q Have you any documentary evidence that you want to introduce now  
in support of this application? A No sir.  
Q Do you wish time to introduce same? A Yes sir.

Twenty days time from the date hereof is allowed applicant  
in which to file documentary evidence in support of this  
application which he makes on his own behalf and for his  
minor children for identification as Mississippi Cheetaws;  
also marriage license and certificate or certified copy of  
same.

- Q Is there anything further that you wish to state? A No sir.

The decision of the Commission in regard to this application  
which you make for identification for yourself and your minor child-  
ren as Mississippi Cheetaws, will be mailed to you at your present  
post office address.

N. C. Risteen, having been first duly sworn, upon his oath

John Jordan--3.

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 5th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Kistner*  
Subscribed and sworn to before me this 9 day of March 1901.

*Charles H. Sawyer*  
Notary Public.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Melissa Boyd for identification as a Mississippi Choctaw.

Melissa Boyd having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q Q What is your name? A Melissa Boyd.  
 Q What is your age? A Twenty four.  
 Q What is your post office address? A Board, Texas.  
 Q How long have you lived at Board? A One year.  
 Q Where did you live before you lived at Board A Wortham  
 Q Texas? A Yes sir.  
 Q Born in Texas? A Yes sir.  
 Q And always lived there? A Yes sir.  
 Q What is your father's name? A Robert Lee  
 Q Is he living or dead? A Living.  
 Q What is your mother's name? A Kate Lee  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One sixteenth.  
 Q Was your father ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A If it is I do not know anything of it.  
 Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen of that nation? A No sir.  
 Q Have you ever made application for either citizenship or enrollment in the Choctaw Nation to the Daves Commission acting under the Act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Daves Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application of any kind you have ever made?  
 A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties do you make this application? A 1830  
 Q Under the whole treaty of 1830? A No.  
 Q Do you claim under any particular article of the treaty of 1830?  
 A Article fourteen.  
 Q Do you not claim under article fifteen or nineteen? A No sir.  
 Q What do you claim under the supplement of the treaty--do you claim anything under that? A Yes sir.  
 Q What do you claim under the supplement of the treaty? A I claim to be a sixteenth.  
 Q You claim to be one sixteenth Choctaw Indian under the supplement of the treaty of 1830? A Yes sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830  
 A Jacob Lee.

Melissa Boyd---2.

- Q Was he a full blood Chectaw? A No sir.  
Q What part did he have? A One quarter.  
Q What kin was he to you? A Grandfather.  
Q Did he live in Mississippi in 1830? A Yes sir.  
Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.  
Q Do you know whether he during the years 1835 and 1837 came to the Indian Territory from Mississippi when the other Indians came here? A I do not think he did.  
Q Do you know whether he ever complied with any of the provisions of article fourteen of the treaty of 1830? A I do not know as he did.  
Q Did he ever or did any of your ancestors ever receive any benefits under article fourteen of the treaty of 1830? A I thi nk not.  
Q Did he or any of your ancestors ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not think he did.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Ed Boyd.  
Q Are you making any claim for him? A No, just for myself.  
Q You have no children you want to make application for? A No sir  
Q Have you any documentary evidence that you want to introduce now and make a part of your application? A No sir.  
Q Would you like time in which to prepare documentary evidence? A Yes

On motion of counsel for applicant, twenty days time from the date hereof is allowed in this case in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to state in support of your application that you can think of? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Chectaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 11 day of March 1901.

*Charles W. Sawyer*

Notary Public.

H C R  
1400

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskegee, I. T., July 1st, 1902.

Additional  
Testimony.

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In the matter of the consolidated Mississippi Choctaw case of Tumpie McAllister et al., H C R 2897, applicants for identification as Mississippi Choctaws.

ADDITIONAL TESTIMONY of John A. Jordan, who being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A John A. Jordan.  
Q How old are you Mr. Jordan? A Soon be thirty-nine years old.  
Q What is your post office address? A Kiowa, Indian Territory.  
Q How long have you lived there? A I haven't been there but a short while---fifteen days.  
Q Where did you live before that? A Corsicana, Texas.  
Q Are you the John Jordan who appeared before the Commission at Atoka, Indian Territory, on the 5th day of March, 1901, and made application for identification as a Mississippi Choctaw?  
A Yes sir.  
Q For what purpose do you appear before the Commission at this time Mr. Jordan? A To make a statement on my grandmother's side, or my mother's side; what I have learned recently that my mother was a quarter Choctaw and my grandmother was half.  
Q Her mother's mother? A Yes sir.  
Q What was your mother's mother's name? A Nancy Lee.  
Q Her maiden name? A Blakely.  
Q Through which one of her parents did she get her Choctaw blood?  
A From her mother.  
Q What was her name? A Smith.  
Q Her given name? A Betsey I think was her name.  
Q Elizabeth? A My mother?  
Q No, your mother's grandmother? A My mother's grandmother?  
Q This Smith woman--was she called Betsey or Elizabeth? A Maybe it was.  
Q Known by both names? A That's what they say; so I have been told.  
Q What further statement do you want to make in reference to this matter? A That's all I want to make.  
Q What relation are you to William Lee who appeared before the Commission to-day? A Nephew.  
Q Your mother and William Lee were full brother and sister?  
A Brother and sister, yes sir.  
Q You know nothing more with reference to the compliance on the part of your ancestors with the provisions of article 14 of the treaty of Dancing Rabbit Creek than what is disclosed in your testimony given in March, 1901, do you? A No sir.

72.

- Q And none of your mother's people, so far as you know, ever received any benefits under article fourteen of the treaty of Dancing Rabbit Creek? A No sir, that's further back than I know.

Special reference is hereby made to consolidated Mississippian Choctaw case N C R 2287; also to the testimony in N C R 2289, William Lee et al.

- Q You desire to have your case consolidated with the Temple McAllister and the other cases of persons having the same common Choctaw ancestor as you have, do you? A Yes sir.
- Q Anything further you want to say in reference to this matter? A No sir.

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Albert G. McMillan, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 1st day of July, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. McMillan*

Subscribed and sworn to before me this 14 day of July, 1902.

*L. V. Emerson*  
Notary Public.



COMMISSIONERS:  
HENRY L. DAWES,  
TAMM BERRY,  
THOMAS S. NEEDLES,  
C. R. BARNHARTERS.

ALLISON L. AYLESWORTH,  
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 15, 1901.

Messrs Hudson & Arnold,  
Ardmore, Indian Territory,  
Gentlemen:

The Commission is in receipt of your letter of March 9, inclosing affidavits of R. S. Laird and E. E. Laird and marriage license between Robert Lee and Miss H. C. Bounds, to be filed with the application of Robert E. Lee et al. for identification as Mississippi Choctaws.

Marriage certificate between J. A. Jordan and Lulu Farmer, and certified copies of affidavits of E. E. Laird and R. S. Laird, to be filed in support of the claim of John A. Jordan et al for identification as Mississippi Choctaws.

Also certified copies of affidavits of E. E. Laird and R. S. Laird to be filed with the claim of Martha Evans et al for identification as Mississippi Choctaws. The papers have been duly filed with the other records in these cases.

Yours truly,

Acting Chairman.

MC 1468  
MC 1469  
MC 1481

COMMISSIONERS

HENRY L. DAVIS,  
TANS BIRDY,  
THOMAS S. NEEDLES,  
C. R. BUSHNIRTOL.

ALLISON L. AYLEWORTH,  
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1469.

Muskogee, Indian Territory, January 28, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

John Jordan,

Corsicana, Texas.

You are hereby advised that on the 28rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1748
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olus Smith, et al.,	M C R	2858
William Cary DuBose,	M C R	2859
J. Dale Adams,	M C R	2858
William L. Barkley,	M C R	2859
Sarah M. Adams, et al.,	M C R	2891
Medlin C. Adams, et al.,	M C R	2892
Thomas B. Ross, et al.,	M C R	2893
Arthur A. Ross, et al.,	M C R	2904
Mattie Forsythe, et al.,	M C R	2997
Maria Gipsen, et al.,	M C R	3189
Lawrence L. Boyd, et al.,	M C R	3154
Joseph K. Boyd, et al.,	M C R	3155
Nora B. Hilley,	M C R	3156
William F. Walker,	M C R	3157
John Owens,	M C R	3158

William J. Adams,	M C R	3854
Cynthia Adams Hill, et al.,	M C R	3863
William M. Blakeley, et al.,	M C R	4146
Ida Calame, et al.,	M C R	1487
Mollie Blacklidge,	M C R	1489
Aleck Blacklidge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollentine, et al.,	M C R	5063
John T. Vollentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, Lillian Thomas, Josie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, Leila N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mullia Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada E. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bossie Calame, Nora Calame, Mollie Blacklidge, Aleck Blacklidge, Ellen Blacklidge, Lee Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Enma May Overstreet, John W. Overstreet, Julius Overstreet, Enma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet, for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

*James D. Kirby*

Registered.

Acting Chairman.

M.C.R. 1400.

COPY.

Waskiege, Indian Territory, July 13, 1903.

John Jordan,

Corpuscular, Texas.

Dear Sir:

You are hereby notified that on the 30th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tempie McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,



MOH 1409

Wahkago, Indian Territory, December 6, 1906.

John Jordan,  
Corsicana, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

Acting Commissioner.

No. 1469

For Identification as a Mississippi Choctaw.

Date Feb, 5, 1901

Name John Jordan

Age 37 Blood 1/16

Post Office Coahoma, Tenn

Father: John Jordan d

Mother: Elizabeth .. d

Claims through Mother

Wife:

Bella Jordan

Children:

Elmer. boy 8

Austin 6

Robert 5

Joseph B. 3

Effie M. 1

for self & children

H Christie

No. *1000*  
of the *1000* Series.

Date **JUL 1 1902**

Name

Age

Blood

Post-Office

Father:

Mother:

Claims through

*Adm'l testimony  
of John A.  
Jordan taken  
at Muscogee  
87*

Children:





Choctaw MCK 1470

George W. Wilder

MCK 1470

George W. Wilder Esq.

**REFUSED.**

DECISION RENDERED: AUG - 9 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG -9 1902

NOTICE OF DECISION FOR ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG -9 1902

RECORD FORWARDED DEPARTMENT.

AUG -9 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 23 1902

NOTICE OF DEPARTMENTAL  
ACTION MAILED APPLICANT.

NOV -7 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED TO ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

NOV -7 1902

C.O.W.

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

\*\*\*\*\*

In the matter of the application of George V. Wilder, et al., for identification as Mississippi Choctaws, H & R 1470.

List of papers forwarded to the Secretary of the Interior with the record in this above case, together with the page occupied by each in said record.

	Page
Original application of George V. Wilder, et al., for identification as Mississippi Choctaws.	1
In parts affidavit of E. L. Gilliam.	4
In parts affidavit of Mrs. V. A. Allison.	5
Certified copy of the marriage record between G. V. Wilder and Miss C. F. Jones.	6
Final decision of the Commission in the case of George V. Wilder, et al., for identification as Mississippi Choctaws, H & R 1470.	7

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 5, 1901.

In the matter of the application of George W. Wilder for identification for himself and his minor children as Mississippi Choctaws.

George W. Wilder having been first duly sworn, upon his oath testifies as follows:

- Examination by the Commission-
- Q What is your name? A George W. Wilder.  
 Q What is your age? A Thirty nine.  
 Q What is your post office address? A Wortham Texas.  
 Q How long have you lived at Wortham? A Thirty one years.  
 Q Where did you live before you lived there? A Alabama.  
 Q Born in Alabama? A Yes sir.  
 Q Where in Alabama? A Madison County.  
 Q Ever lived in Mississippi? A No sir.  
 Q You removed from Alabama to Texas? A Yes sir.  
 Q What is your father's name? A George W. Wilder.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Mary Wilder.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One eighth.  
 Q Did your mother ever live in Indian Territory? A No sir.  
 Q Is her name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Is yours? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Were you ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the Act of Congress of June 10, 1897? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made for either enrollment or citizenship to the United States authorities or the Choctaw tribal authorities? A Yes sir.  
 Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty? A 1830.  
 Q Do you claim anything under the treaty of Dancing Rabbit Creek?  
 A I do not know anything about that.  
 Q Do you claim under the whole treaty of 1830 or under a certain part of it? A Part of it.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Arter Markham.

George W. Wilder---2.

- Q What part of the treaty of 1830 do you claim under? A Article fourteen.
- Q Did you ever have that article explained to you? A I think so.
- Q What kin was Arter Markham, this ancestor who lived in Mississippi in 1830, to you? A Great grandfather.
- Q On your mother's side? A Yes sir.
- Q Was he a full blood? A Three-quarters.
- Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi, Colonel Ward, that he intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Do you know whether he removed to the Indian Territory with the other Choctaw Indians in the years 1835 and 1837? A I do not know.
- Q Did he or any of your ancestors ever claim land in Mississippi under the treaty of 1830? A No sir.
- Q Have you or your ancestors ever received any benefits in the Indian Territory as Choctaw Indians? A No sir, not that I know of.
- Q You never did? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Sera P. Wilder.
- Q Do you make any claim for her? A No sir.
- Q When and where were you married? A Freestone County, Texas, March 1857.
- Q What day of the month? A First day of March.
- Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A Yes sir.
- Q What is the name of the eldest? A Lillie B.
- Q The age? A Eleven.
- Q Next? A Nellie A.
- Q How old is Nellie? A Nine.
- Q The next? A George R.
- Q How old? A Seven.
- Q The next? A Clara M.
- Q How old is Clara? A Four.
- Q The next? A James A.
- Q How old? A One year.
- Q Is that all? A Yes sir.
- Q Is Sera P. Wilder the mother of these children? A Yes sir.
- Q And you are the father? A Yes, I suppose so.
- Q And you and she are living together as husband and wife? A Yes.
- Q And these children are living with you? A Yes sir.
- Q Now you say that you wish to introduce now in support of your application? A No sir.

On motion of counsel for applicant, twenty days time from the date hereof is granted in which to file documentary evidence in support of application for himself and his minor children; also marriage license and certificate or certified copy of same.

- Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this application which you have for introduction for yourself and your minor children as Mississippi citizens, will be mailed to

George W. Wilder--3.

you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath stated that as stenographer to the Commission to the Five Civilized Tribes he attended in 1891 all proceedings had in the above entitled case on the 2nd day of March, 1891, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said case on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 9<sup>th</sup> day of March 1901.

*Charles H. Sawyer*  
Notary Public.

G. W. W.  
J. R. W.

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

In the matter of the application of George W. Wilder, et al., for identification as Mississippi Choctaws, N O R 1470.

DECISION

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by George W. Wilder for himself and his five minor children, Lillie B., Nellie A., George B., Clara H., and James A. Wilder, under the following provision of the act of Congress approved June 23, 1898, (30 Stat., 476):

Any person who shall have been included in the census of 1890 as a Choctaw, Chickasaw, Creek, Seminole, or Yuchi, and who shall have been born in the State of Mississippi, and who shall report to the Secretary of the Interior,

It also appears that all of said applicants claim rights in the Choctaw lands under article 14 of the treaty between the United States and the Choctaw nation, concluded September twenty-seventh, eighteen hundred and thirty, which is part of the same document as the Act of Congress, or of his wife, or



Markham (nee Frank), the former of whom is alleged to have been a three fourths blood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty, and the latter of whom is alleged to have been possessed of some Choctaw blood (degree thereof not stated).

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1890, (26 Stat., 821).

It does not appear from the testimony and evidence offered in support of said application or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of article fourteen of the Treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Arter Markham, or Rachel Markham (nee Frank), or an ancestor less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissioners authorized to adjudicate such claims by the acts of Congress approved March 3, 1857, (10 Stat., 120), and August 22, 1858, (11 Stat., 622).

2.

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of George W. Wilder, Lillie D. Wilder, Nellie A. Wilder, George E. Wilder, Clara M. Wilder, and James A. Wilder as Cheateau Indians entitled to rights in the Cheateau lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
Acting Chairman.

  
Commissioner.

  
Commissioner.

Muskogee, Indian Territory.

AUG 9 1902

Muskogee, Indian Territory, March 15, 1901.

Messrs. Hudson & Arnold,

Ardmore, Indian Territory.

Dear Sirs:

The Commission is in receipt of your letter of March 8, 1901, and has received a certified copy of your carriage license and certificate of title for the year 1901. The same has been duly filed with the Commission at Muskogee, Indian Territory. The same has also been filed with the County Clerk at Ardmore, Indian Territory. The same has also been filed with the County Clerk at Muskogee, Indian Territory. The same has also been filed with the County Clerk at Muskogee, Indian Territory.

Very truly,  
Your obedient servant,  
Commissioner of the Muskogee Indian Territory.

Muskogee, Indian Territory, April 4, 1901

Mr. George W. Wilder,  
Vertham, Texas.

Dear Sir:-

Receipt is hereby acknowledged of your letter of March 18, 1901, asking for information concerning your enrollment. You are informed that the records of this Commission show that on March 8, 1901, George W. Wilder appeared before the Commission at its office in Atoka and applied for the identification of himself and five minor children as Mississippi Choctaws. No decision has been rendered in this case, as yet.

You desire to know whether it will be safe for a person who has been identified by the Commission and made application for identification as a Mississippi Choctaw, to move to the Indian Territory, and to take up his abode there and to take up his abode there. You are informed that the Commission has undertaken to advise you.

Yours truly,

Muskogee, Indian Territory, April 11, 1901.

Mr. George W. Wilder,  
 Wortham, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 13, 1901, in which you state that you have appeared before the Commission for identification as a Mississippi Choctaw Indian and you ask to be advised as to whether or not it will be safe for you to remove to the Territory and select land for the purpose of filing thereon as an allotment.

You are informed that the records of the Commission show that on March 5, 1901, George W. Wilder appeared before the Commissioner at Muskogee, Indian Territory, and applied for the identification of himself and five minor children as Mississippi Choctaws. No records have yet been rendered in your case. It will be safe for you to remove to the Territory and select land for the purpose of filing thereon as an allotment. It is recommended that you should be furnished with a copy of the records of the Commission for the purpose of identifying yourself and your children as Mississippi Choctaws. It is also recommended that you should be furnished with a copy of the records of the Commission for the purpose of identifying yourself and your children as Mississippi Choctaws. It is also recommended that you should be furnished with a copy of the records of the Commission for the purpose of identifying yourself and your children as Mississippi Choctaws.

Muskogee, Indian Territory, January 2, 1902.

George V. Wilder,  
Wortham, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 29, 1901, in which you state that you made application for yourself and your children on March 5, 1901, and that you have as yet heard nothing from your application.

In reply to your letter you are advised that no decision has yet been reached or opinion rendered relative to the rights of yourself and your children as Mississippi Choctaws. When such a decision is reached you will be fully advised of the action taken by the Commission. If you wish to offer any additional testimony in support of your application the Commission will hear the testimony of your witnesses as may present themselves at its office at Muskogee, Indian Territory; if your witnesses live in Mississippi they may be heard at the office of the Commission at Kershaw, Mississippi, from January 15 to February 15, 1902. If you are unable to secure the personal attendance of witnesses because of illness or other reasons which, under the rules of the Commission, would constitute an inability, their depositions shall be considered, when taken

O.W.V. 2

accordance with the rules and regulations governing the taking of depositions in support of applications for identification as Mississippi Choctaws, a copy of which is herewith inclosed for your information.

Yours truly,

Commissioner in Charge.

1470

Rules for taking depositions.

COPY.

M.C.R 1470

Muskogee, Indian Territory, August 9th, 1902.

7

The Honorable,  
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of George W. Wilder, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of August 9th, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

*Tamo Dixby*

Acting Chairman.

Through the  
Commissioner of Indian Affairs.  
1 enclosure.



COPY.

Muskogee, Indian Territory, August 9, 1902.

Mansfield, McKurray & Cornish,

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

Gentlemen:

You are hereby advised that on the 9th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of George F. Wilder, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

"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-first, one thousand and thirty, and all other acts relating to the same, and the Secretary of the

Said decision concluded as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of George W. Wilder, Willie B. Wilder, A. A. Wilder, George R. Wilder, Charles B. Wilder, and others as Choctaw Indians entitled to lands in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

X, MAM & C-2

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

*Tams Bixby.*  
Acting Chairman.

COPY.

Muskogee, Indian Territory, August 9th, 1902.

George W. Wilder,  
Wortham, Texas.

Dear Sir:

You are hereby advised that on the 9th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of George W. Wilder, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1899 (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of George W. Wilder, Lillie D. Wilder, Nellie A. Wilder, George R. Wilder, Clara M. Wilder, and James A. Wilder as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of September twenty-seventh, 1830, and that the application for their identification should be refused, and it is so ordered."

George F. Wilder-2

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

*James Dixby.*  
Acting Chairman.

Registered.

D.C. No. 20100

- Copy -

CR

DEPARTMENT OF THE INTERIOR.

Washington, October 23, 1902 .

ITD 6374-1902.

L.R.S.

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

Gentlemen:

Your Commission transmitted, August 9, 1902, the record in the matter of the application of George W. Wilder for the identification of himself and his five minor children, Lillie D., Nellie A., George R., Clara V., and James A. Wilder, as Mississippi Choctaws; together with your decision of the same date refusing to enroll the applicants.

The principal applicant claims to be descended from Arter Markham, an alleged three-fourths blood Choctaw Indian, who was the husband of one Rachel Markham (nee Franks), who is alleged to have possessed some Choctaw blood.

The record fails to show that any one of the applicants was ever duly admitted to citizenship in the Choctaw Nation, or that the alleged ancestors, above named, ever complied or attempted to comply with the provisions of article 17, section 3 of the treaty of September 27, 1830, or with the act of March 3, 1837 (5 Stat., 1202) and article 17, section 3 of the treaty of July 19, 1846 (10 Stat., 1038).

- 2 -

After carefully reviewing the whole case, the Department approves your action and your decision is affirmed.

A copy of the report of the Acting Commissioner is inclosed herewith.

Respectfully,

E. A. HITCHCOCK,

Secretary.

ED

1 inclosure.

-Copy-

Page  
402-1902.

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs.

Washington, October 15, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted, herewith, the record and proceedings had before the Commission to the Five Civilized Tribes in the Mississippi Choctaw case of George W. Wilder, et al., in which he makes application for the identification of himself and his minor children as Choctaw Indians entitled to rights in the lands of the Choctaw Nation under the provisions of the 14th article of the treaty of 1830.

On August 9, 1902, said commission rendered a decision in said case finding that the evidence is insufficient to determine the identity of the applicant and his minor children as Choctaw Indians entitled to rights in said Choctaw lands under the provisions of said treaty and that he is not entitled for their identification to the lands of said Nation.

ancestors ever complied or attempted to comply with the provisions of said article 13 or received a patent for land thereunder.

The applicant alleges that Arter Markham and Rachel Markham nee Franks were ancestors through whom he claims his Choctaw blood, but an examination of the office records does not show that any of said ancestors ever received a patent for land under the provisions of said article 14 or complied or attempted to comply with the provisions thereof.

The record evidence does show that none of the applicants herein are Choctaw Indians of the full blood, and the office therefore concludes that said decision by the Commission refusing to identify these applicants as Choctaw Indians is correct, and recommends that the same be approved and affirmed by the Department.

Very respectfully,

Your obedient servant,

C. Tenner,

Acting Commissioner.

(W.C.P.)

P.



M.C.R. 1470

COPY.

Muskogee, Indian Territory, November 7, 1902.

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

Gentlemen:

You are hereby advised that on the 23rd day of October, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application for identification as Mississippi Choctaw of the several persons included in the application of George W. Wilder, et al., of which decision you were duly advised by mail on the 9th day of August, 1902.

Respectfully,

(SIGNED)

*James D. [unclear]*  
Acting Chairman.

H.C.R. 1470

COPY.

Muskogee, Indian Territory, November 7, 1902.

George W. Wilder,

Wortham, Texas.

Dear Sir:

You are hereby advised that on the 23rd day of October, 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the application for identification as Mississippi Choctaw of the several persons included in the application of George W. Wilder, et al., of which decision you were duly advised by registered mail on the 9th day of August, 1902.

Respectfully,

(SIGNED)

James D. Dineen.

Assistant Commissioner.

No. 1470

For Identification as a Mississippi Choctaw.

Date *Mich 5, 1901*

Name *George W. Wilder*

Age *39* - Blood *1/8*

Post Office, *Woutham, Texas,*

Father: *Geo. W. Wilder, d*

Mother: *Mary " d*

Claims through *mother*

*Wife.*  
*Cora P. Wilder, -*

Children:

*Lillie W. " 11*

*Nellie G. 9*

*George R. 7*

*Clara M. 4*

*James E. A. 1*

*for self &*

*children*

George W. Vicker, Wortham  
and George W. Vicker  
et al.

Our records show that on  
March 10, 1901, George W.  
Vicker, Wortham, and  
George W. Vicker, et al.  
were arrested at  
Wortham, Texas. A  
decision has been rendered  
in the case.

This letter was  
sent at this office and  
from sender.

Atoka, March 10, 1901.

AB

Choctaw MCR 1471

Hattie E. Whalen

MCR 1471

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 8, 1901.

In the matter of the application of Cynthia J. Cox which she makes on behalf of her minor children, for identification as Mississippian Chestaws.

Cynthia J. Cox, having been first duly sworn, upon her oath testified as follows:

- Examination by the Commission-
- Q What is your name? A Cynthia J. Cox.
- Q What is your age? A Forty four.
- Q What is your post office address? A Spiro, Indian Territory.
- Q How long have you lived at Spiro? A Three years.
- Q Where did you live before you lived there? A I lived around in the country near Spiro for the last fifteen years.
- Q Where were you born? A Georgia.
- Q When and where? A Asbill County 1857.
- Q When you removed from Georgia where did you go? A To Arkansas.
- Q And from Arkansas to the Indian Territory? A Yes sir.
- Q And have been living here since? A Yes sir.
- Q Are you making application for yourself? A No sir.
- Q Are you a white woman? A Yes sir.
- Q You are making application for what children? A My children.
- Q Under age and unmarried? A I have one that is of age.
- Q You make application for these under age? A Yes, I have two under age.
- Q What is your father's name--the one who is the father of these children? A Samuel Whalen
- Q Is he dead? A Yes sir.
- Q Is he the father of the children for whom you are making application? A Yes sir.
- Q What are the names of these children, the eldest? A Hattie R. Whalen.
- Q How old is she? A Nineteen.
- Q And the next? A Samuel R. Whalen
- Q How old is Samuel? A Sixteen.
- Q These are the only two minor children you have whose father is Samuel Whalen? A Yes sir.
- Q What was Samuel Whalen's father's name? A Napoleon.
- Q He is dead? A Yes sir.
- Q And his mother's name? A I do not know.
- Q You say these children claim through their father, Samuel Whalen? A Yes sir.
- Q Through whom did he claim his Chestaw blood? A His father.
- Q Have these children always lived in Indian Territory? A Yes sir, except two years I think they lived in the state, near Hackett city, Arkansas.
- Q Was Samuel Whalen ever recognized by the Chestaw tribal authorities as a member of the tribe? A I do not know whether he was or not. I know that such was his name, but he claimed Chestaw.
- Q Was he ever on any of the tribal rolls of the Chestaw Nation? A I do not know.

Cynthia J. Cox--2.

- Q Do you know whether he ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A Yes, he made it, but I do not know whether it was in this country or not.
- Q Has application ever been made before for Hattie N. and Samuel N. Whalen for citizenship in the Choctaw Nation? A No sir.
- Q This is the first application for them? A Yes sir.
- Q No application made to the Dawes Commission for them? A Application was put in; their grandfather made application for them, but they never have been enrolled.
- Q Your attorney now says that no application was made for them? A May be I was wrong.
- Q Do you want your testimony to be that no application was made for them? A Yes sir.
- Q Is this the first application that has been made for them? A Yes sir.
- Q They were never admitted to citizenship by judgment of the United States Court in Indian Territory? A No sir.
- Q You are now making application for these children for identification as Mississippi Choctaws? A Yes sir.
- Q They are living with you at your home? A Yes sir.
- Q And you are taking care of them? A Yes sir.
- Q And there is nobody to make application for them unless you do? A No sir.
- Q Do you wish to have them identified as Mississippi Choctaws? A Yes sir.
- Q Under what treaty? A Fourteen--No, 1830.
- Q Under what article? A Fourteenth.
- Q Do you know what that article provides; do you know what it says? A I do not know that I ever read it, but from my understanding is I understand it that way, but never did read it.
- Q What is the name of your ancestor who lived in Mississippi in 1830? I mean the ancestor of these children? A I really do not know.
- Q Through whom do they claim their Choctaw blood? A Their grandfather.
- Q Did he live in Mississippi in 1830? A I do not know.
- Q Do you know whether any of their ancestors lived in Mississippi? A No, I do not know any of them.
- Q What do you know about these children having a right to be identified as Mississippi Choctaws? A Their grandfather claims to be Mississippi Choctaw.
- Q Hattie N. Whalen? A Yes sir.
- Q Claims to be Mississippi Choctaw? A Yes sir.
- Q What do you know about him having lived in Mississippi? A I do not know anything about that.
- Q What do you know about him claiming to have lived in Mississippi? A I do not know, but he claims to have a right as a Mississippi Choctaw.
- Q He could not be a Mississippi Choctaw unless he or some of his ancestors lived in Mississippi? A I guess his mother did, but I do not know her name.
- Q You guess that Hattie N.'s mother lived in Mississippi? A I do not know that she did; I do not know anything about that.
- Q But it is on the proposition that she or some of his ancestors did live in Mississippi that you are making this application? A Some of his ancestors.
- Q Do you know whether any of his ancestors told the United States

Cynthia J. Cox--3.

Indian Agent who lived in Mississippi in 1830 that they intended to stay in Mississippi and take land there and become citizens of the United States? A No sir.

Q Do you know whether Napoleon Whalen or any of his ancestors ever claimed any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I do not know.

Q Do you know whether Napoleon Whalen or any of his ancestors who may have lived in Mississippi ever complied with the provisions of article fourteen of that treaty? A No sir, I do not know. I know they claimed to be Mississippi Choctaws and have ever since I knew anything about the family, and claimed it through their father and he through his father.

Q Are these two children now living with you at your home? A One of them is here at McAlister with me, Yes sir.

Q You have always supported them? A Yes sir.

Q You say you have another son whose father is the same as the father of these children? A Yes sir.

Q What is his name? A James Virgil.

Q He will have to make application for himself? A Yes sir.

Q Samuel Whalen is his father? A Yes sir.

Q And these three children are all you have by Samuel Whalen? A Yes

Q Have you any documentary evidence you want to introduce now in support of this application? A No.

On motion of counsel for applicant, twenty days time from the date hereof is granted in which to file documentary evidence in support of this application.

Q How much Choctaw blood do you claim for these children? A Sixteenth

Q Is there anything further you want to say in support of this claim? A No, I suppose not.

The decision of this Commission in regard to this application which you make on behalf of these children for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 3th day of March, 1881, and that the above and foregoing is a full, true and correct transcript and stenographic record of said cause on said date.

Subscribed and sworn to before me this 9 day of March 1881.

*Charles K. Sawyer*

Notary Public



COPY.

H.C.R. 1471

Muskogee, Indian Territory, October 18, 1902.

Hattie E. Whalen,

Spire, Indian Territory.

Dear Madam:-

You are hereby advised that on the 15th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary E. Tate, et al., embracing the following applications for identification as Chickasaw

Cherokee:

Mary E. Tate, et al.,	H.C.R. 216
Robert E. Whaley (or Whalen)	H.C.R. 207
Mandy B. Nicholas,	H.C.R. 217
James L. Whalen, et al.,	H.C.R. 220
Hattie E. Whalen, et al.,	H.C.R. 1471

These applications were made under the provision of the act of Congress of June 25, 1896 (30 Stat. 493) which is as follows:

"Said Commission shall have authority to determine the identity of persons claiming rights in the Cherokee lands under articles fourteen of the treaty between the United States and the Cherokee Nation, concluded September twenty-second, 1835, signed, amended and ratified to that end and may admit to the same any persons who were or were not members of the Cherokee Nation and make report to the Secretary of the Interior."

Said decision concludes as follows:

It is therefore the opinion of the Commission that the Cherokee lands under articles fourteen of the treaty between the United States and the Cherokee Nation, concluded September twenty-second, 1835, signed, amended and ratified to that end and may admit to the same any persons who were or were not members of the Cherokee Nation and make report to the Secretary of the Interior."

Hattie B. Whalen... 2

Tate, Kate Tate, Ruby H. Tate, Robert H. Whaley (or Whalen),  
James H. Whalen, James L. Whalen, James R. Whalen, Rosie P.  
Whalen, Thomas A. Whalen, Mary E. Whalen and Samuel H. Whalen  
as parties entitled to rights in the Choctaw lands  
under the provisions of said article fourteen of the treaty of  
October 3, 1830, and that the applications for  
such confirmation as such should be refused, and it is so  
ordered.

You are further advised that you will be allowed fifteen  
days from the date hereof within which to file arguments in this  
office, and that at the expiration of said time the papers in the  
case, together with such arguments, will be forwarded for review  
to the Secretary of the Interior through the Commissioner of Indian  
Affairs.

Respectfully,

(SIGNED)

*T. B. Needles.*  
Commissioner in Charge

Registered.

COPY.

M.C.R. 1471

Muskogee, Indian Territory, February 26, 1908.

Mattie E. Whalen,

Spire, Indian Territory.

Dear Madam:

You are hereby notified that on the 14th day of February, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mary E. Tate, et al., of which decision you were advised by registered mail on the 13th day of October, 1902.

Respectfully,

(SIGNED)

*James Bixby.*

Chairman.

NOTICE OF DEPARTMENTAL ACTION  
FOR WAIVED APPLICANT.

No. 1471

For Identification as a Mississippi Choctaw.

Date Mich 5. 1901

Name Cynthia J. Goff (white)

Age 44 Blood

Post Office, Spira, I. T.

Father: Napoleon Whalen, master of Samuel Whalen

Mother: ———— Whalen Whalen

Claims through for children

through their father.

Samuel Whalen (d)

only claims this his father.

Children: Napoleon Whalen —

Battie C. Whalen '16 19

Samuel E. — '16 16

For children through

their father

Samuel Whalen

Choctaw MCR 1472

Emma E. Woodward

See MCR 1413

MCR 1472

REFUSED

DECISION RENDERED. AUG 7 1902

NOTICE OF DECISION MAILED APPLICANT.

AUG -7 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

AUG -7 1902

RECORD FORWARDED DEPARTMENT.

AUG -7 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OCT 20 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

NOV 7 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

NOV 7 1902

REFER TO M. C. R. 1443

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., March 8, 1901.

In the matter of the application of Emma H. Woodward for identification for herself and her minor child as Mississippi Choctaws.

Emma H. Woodward, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Emma H. Woodward.
- Q What is your age? A Twenty-five.
- Q What is your post office address? A Ada.
- Q Indian Territory? A Yes sir.
- Q How long have you lived at Ada? A Moved there since Christmas.
- Q Where did you live before that? A Celestine, Indian Territory.
- Q How long did you live at Celestine? A Near therefor seven years.
- Q Where before that? A Texas.
- Q How long did you live in Texas? A Born and raised there.
- Q What is your father's name? A William J. Huff.
- Q Living? A Yes sir.
- Q What is your mother's name? A Amanda Huff.
- Q Is she living? A She is living at Celestine.
- Q Through which one do you claim Choctaw blood? A My mother.
- Q How much do you claim? A I claim one-eighth.
- Q Has your mother ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A I declare I could not tell you.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in the Choctaw Nation for citizenship or enrollment under the Act of Congress of 1899? A No sir.
- Q Have you ever been admitted to citizenship or enrollment by the Department of the Interior under the Choctaw Tribal authorities of the Department of the Interior? A No sir.
- Q Is this the first application of any kind you have made to the Choctaw tribal authorities? A Yes sir.
- Q Have you ever made application to be identified as a Choctaw Indian? A No sir.
- Q Under any of the articles of the treaty? A No sir.
- Q Do you claim under the 11th or 12th articles of the treaty? A No sir.
- Q Do you claim under the 13th article of the treaty? A No sir.
- Q Do you know what the 11th, 12th or 13th articles of the treaty are? A No sir.



Bama B. Woodward---2.

- Q Do you know whether any of your ancestors ever complied with the provisions of article fourteen? A I believe they did.
- Q Did they claim any land or hold any land in Mississippi under that article? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Caldwell.
- Q Are you claiming through your mother's mother? A Yes sir.
- Q What is her first name? A I do not know.
- Q Did she live in Mississippi in 1830? A I could not tell you. She died there.
- Q Do you know whether she within six months after the ratification of the treaty of 1830 told the United States Indian agent then living in Mississippi that she intended to stay in Mississippi and take land there and become a citizen of the United States. A No sir, I guess not, I could not tell you.
- Q Do you know whether any of your ancestors ever complied with the provisions of article fourteen? A I could not answer that.
- Q Do you know whether she came from Mississippi to the Indian Territory when the other Indians came here--were removed here by the United States government? A No sir, I do not think she did.
- Q Do you know why she did not come? A No sir.
- Q Have you any documentary evidence that you are lineally descended from a Mississippi Choctaw? A Only what my mother told me.
- Q Only oral evidence and what has been told you, tradition in the family? A Yes sir, I have always heard my mother talk this.
- Q Have you any positive proof of any kind that your ancestor ever did comply with all of the provisions of article fourteen of the treaty of 1830? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Louis Woodward.
- Q Do you make any claim for him? A No sir.
- Q Have you children under age and unmarried that you wish to make application for? A Guy H. Woodward.
- Q How old? A 2 years.
- Q Have you any other children? A No sir.
- Q Louis Woodward is the father of this child? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q And you are all living together at home? A Yes sir.
- Q And the basis of this child's claim is same as yours? A Yes sir.
- Q Have you any documentary evidence that you want to introduce now? A No sir.

On motion of counsel for applicant, twenty days time from the date hereof is granted in which to file documentary evidence in support of this application; also marriage license and certificate if she desires to do so.

- Q Have you anything further you want to state? A No sir.

The decision of the Commission in regard to this application which you made on behalf of yourself and your minor child for identification as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Briston, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes

**Wm. B. Veetward---J.**

he reported in full all proceedings had in the above entitled cause on the 8th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this *7th* day of March 1901.

*Charles Mesamer*  
Notary Public.

Arkmore, Indian Territory, March 26, 1901.

Messrs Hudson & Arnold,

Arkmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 15, inclosing the following papers for filing:

Petition of Emma Woodward to be filed in support of her application for identification as a Mississippi Choctaw.

Petition of Benjamin G. Huff, and marriage license and certificate between Ben G. Huff and Nellie N. McFarly, to be filed in support of the application of Benjamin G. Huff for the identification of himself and his minor children as Mississippi Choctaws.

The papers have been duly filed with the other records in these two cases.

Yours truly,

COPY.

Muskogee, Indian Territory, August 7, 1902.

Esme H. Woodward,  
Ada, Indian Territory,

Dear Madam:

You are hereby advised that on the 7th day of August, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Amanda Huff, et al., embracing the following applications for identification as Mississippi Choctaws:

Amanda Huff, et al.,	H.C.R.	1445
Benjamin G. Huff, et al.,	"	1473
Esme H. Woodward, et al.,	"	1472

These applications were made under the provision of the act of Congress of June 26, 1898 (30 Stats., 496) which is as follows:

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

Said decision concludes as follows:

It is therefore the opinion of this Commission that the evidence tends to establish the identity of Amanda Huff, Benjamin G. Huff, Esme H. Woodward, et al., as Choctaw Indians entitled to rights in the Choctaw lands under

Given at my residence by me

John B. [unclear]

(SIGNED)

John B. [unclear]  
[unclear] Chairman

Witnesses

No. 1472

For Identification as a Mississippi Choctaw.

Date Mich 5. 1901

Name Emma E. Woodward

Age 25 - Blood 1/16

Post Office, Ada. I. T.

Father: Willis J. Knuff. I.

Mother: Amanda " L.

Claims through Mother. -

Husband  
Louis Woodard -

Children:

Guy K. - " 2

for self and  
child -

H. C. P. -

Choctaw MCR 1473

Benjamin G. Huff

See MCR 1443

MCR 1473

*Benjamin G. Buff*

**REFUSED**

DECISION RENDERED. **AUG 7 1902**

NOTICE OF DECISION MAILED APPLICANT:

**AUG -7 1902**

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

**AUG -7 1902**

RECORD FORWARDED DEPARTMENT.

**AUG -7 1902**

ACTION APPROVED BY SECRETARY OF INTERIOR:

**ULY 20 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

**NOV 7 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

**NOV 7 1902**

REFER TO M. C. R. 1443



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 5, 1901.

In the matter of the application of Benjamin G. Huff for identification for himself and his minor child as Mississippi Choctaws.

Benjamin G. Huff, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Benjamin G. Huff.  
 Q What is your age? A Twenty nine.  
 Q What is your post office address? A Ada, at present.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived there? A Just moved there from Celestine  
 Q How long did you live at Celestine? A Over four years.  
 Q Where before that? A Close to McAlester--have been in the territory seven years.  
 Q Where did you live before you came to the territory? A Texas.  
 Q Born there? A Yes sir.  
 Q What is your father's name? A Willis J. Huff.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Amanda E. Huff.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Has your mother ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Have you ever made application to the Texas Commission under the Act of Congress of June 16, 1896, for citizenship or enrollment in the Choctaw Nation? A No sir.  
 Q Have you ever made application to either the United States authorities or the Choctaw tribal authorities for either enrollment or citizenship? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory or from the decision of either the Choctaw tribal authorities or the Texas Commission? A No sir.  
 Q Is this the first application you have ever made of any kind?  
 A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty? A 1830.  
 Q What article? A First.  
 Q Do you not claim under a treaty of fifteen or sixteen? A No sir.  
 Q What is the name of your mother when she lived in Mississippi in 1830? A Catherine.  
 Q What was her first name? A I could not tell you.

Benjamin G. Huff---2.

- Q Did she live there in 1830? A I do not know.  
Q Do you know whether she took advantage of the provisions of article fourteen of the treaty of 1830? A I do not know.  
Q Do you know what the provisions of the fourteenth article of the treaty of 1830 are? A I do not.  
Q Do you know whether she within six months after the ratification of the treaty of 1830, told the United States Indian Agent then living in Mississippi, Colonel Ward, that she intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A No sir.  
Q Do you know whether she came to the Indian Territory in the years 1835 or 1837 when the other Indians came here from Mississippi? A I have been told that she did not come.  
Q Do you know whether she or any of your ancestors ever complied with the provisions of article fourteen of the treaty of 1830? A No sir.  
Q Did she or any of your ancestors claim any land in Mississippi under that article? A No sir.  
Q Have you ever received any benefits in Indian Territory as Choctaw Indian? A No sir.  
Q Are you married? A Yes sir.  
Q What is your wife's name? A Mollie P. Huff.  
Q When were you married to her? A Fifth day of October, 1899.  
Q Where were you married? A McAlester  
Q Indian Territory? A Yes sir.  
Q Under the laws of the United States? A Yes sir.  
Q Have you any children you want to make application for? A Yes sir, one.  
Q What is the name? A Hazel, six months old.  
Q Boy or girl? A Girl.  
Q Mollie P. Huff is the mother of this child? A Yes sir.  
Q And you are the father? A Yes sir.  
Q And you and she are living together as husband and wife? A Yes  
Q And this child is living with you? A Yes sir.  
Q Have you any documentary evidence or marriage license that you want to introduce now. A No sir.

Twenty days time from the date hereof is granted in which applicant may file documentary evidence in support of this application; a copy marriage license and certificate or certified copy thereof.

- Q Is there anything further you would like to say? A No sir.

The decision of the Commission in regard to this application which you may see in the office of the Commissioner of Indian Affairs at Washington, D. C. will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, deposes and says that he is a citizen of the State of Mississippi and that he is a full free and competent witness in all respects and that he is a full free and competent witness in all respects and that he is a full free and competent witness in all respects.

Subscribed and sworn to before me this 11th day of October, 1899.

Lawrence, Indian Territory, June 22, 1912.

MISSOURI TERRITORY

The undersigned is in receipt of your letter of June 10, 1912, regarding the application for a license to marry.

Testimony of John Woodard to be filed in support of her application for a license to marry as a Mississippi Choctaw.

Witnesses, J. H. H. and F. McGary, to be filed in support of the application of the undersigned for the license to marry of herself and her children, as provided by law.

The papers for the license to marry are attached hereto in this case.

Very truly,  
Your obedient servant,  
J. H. H.

H.C.N. 2070

COPY.

Medicine, Indian Territory, August 9, 1900.

Benjamin G. Hoff,  
Mn., Indian Territory.

Dear Sir:

You are hereby advised that on the 7th day of August, 1900, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Annie Hoff, et al., concerning the following applications for identification as Muskogean Cherokees:

Annie Hoff, et al.,	H.C.N. 2068
Benjamin G. Hoff, et al.,	• 2070
Sam H. Woodard, et al.,	• 2070

These applications were made under the provision of the act of Congress of June 22, 1900 (32 Stat., 400) which is as follows:

Said Commission shall have authority to determine the identity of persons claiming descent from the Cherokee, Chickasaw, Creek, Seminole and Choctaw Tribes, and to issue patents, annuities, and other benefits to which they are entitled, and to report to the Secretary of the Interior.

Said decision concludes as follows:

It is therefore the opinion of this Commission that the

202

The provisions of said article fourteen of the Treaty of eight  
and twenty and thirty and that the applications for their  
naturalization as such should be refused, and it is so ordered."

You are further advised that the Commission has on this  
date forwarded the record in this case to the Secretary of the Ins  
ular for review and you will be informed in due time of such sub  
sequent action as may be taken by him.

Yours truly,

(SIGNED)

*James D. ...*  
Acting Chairman

Respectfully,

U.S. 113

COMMISSIONERS  
HENRY L. DAWES.  
TAMM DIXBY.  
THOMAS B. NEEDLES.  
C. R. DRECKINRIDGE

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

REFER IN REPLY TO THE FOLLOWING  
**M.C.R. 1473.**

ALLISON L. AYLESWORTH,  
SECRETARY


ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES  **Muskogee, Indian Territory, November 7, 1902.**

**Benjamin C. Huff,**  
**Ada, Indian Territory.**

**DEAR SIR:**

You are hereby advised that on the 20th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Amanda Huff, et al., of which decision you were advised by registered mail on the 7th day of August, 1902.

**Respectfully,**

  
**Acting Chairman.**

AD  
DEC  
1902

MUSKOGEE, IND. T.  
NOV 9  
12:00 PM

Benjamin G. Huff,  
Ada, Indian Territory.

1473

*File*

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

**FILED**

DEC 10 1902



ACTING CHAIRMAN



No. 1473

For Identification as a Mississippi Choctaw.

Date *Feb 5, 1901*

Name *Benjamin B. Huff*

Age *27* Blood *1/16*

Post Office, *Ada, I. T.*

Father: *Willis D. Huff. I*

Mother: *Amanda E. " I*

Claims through *Mother*

*wife*

*Mollie F. Huff. -*

Children:

*Escal (boy) - 6m*

*For self and  
Chiee -*

*Not for wife -*

*Not for...*

Chocoma MCD 1974

Mary A. Ford

By Mary A. Ford, 1974

MAR 14 1974

*Nancy A. Ford*

REFUSED.

DECISION RENDERED. MAY 13 1902

MAY 17 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

MAY 17 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 17 1902

U.S. DEPARTMENT OF THE INTERIOR

MAY 17 1902

JUL 19 1902

JUL 26 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED TO ATTORNEY FOR CHOCTAW

JUL 28 1902

REFER TO M. C. R. 1418-1475-1477-  
1478-1479-

Department of the Interior.  
Commission to the Five Civilized Tribes.

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In the matter of the application of Mary A. Ford et al.,  
for identification as Mississippi Choctaws, consolidating the ap-  
plications of

Mary A. Ford et al.,	H.C.R.	1474
Irene B. Copeland et al.,	"	1475
Mary A. Haddock et al.,	"	1476
George L. Ford,	"	1477
Robert B. L. Ford,	"	1478
Sarah A. Haddock,	"	1479.

List of papers forwarded to the Secretary of the  
Interior with the record in the above  
case, together with the page  
occupied by each in  
said record.

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Consolidated  
Case  
of  
Mary A. Ford  
et al.

7/11/11

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 6, 1901.

#1474.

In the matter of the application of Mary A. Ford for identification for herself and her minor children as Mississippi Choctaws. Mary A. Ford being first duly sworn testified as follows:

Examination by the Commission:

- Q Your name is Mary A. Ford? A Yes sir.  
Q What is your age? A Going on forty-five years old.  
Q What is your post-office address? A Kemp, I.T.  
Q C ) A ) A No sir, K E M P .  
Q How long have you lived in Kemp? A Well, I have been living this last time I moved there---I moved there in December--no, it was on the second day of November.  
Q Where did you live before that? A Kemp in Grayson County, Texas.  
Q How long did you live there? A Well, I lived there a year; 12 months  
Q Where did you live before that? A Kemp, I.T.  
Q Where were you born? A Arkansas, Denton County.  
Q Where did you move from that place to? A I came to Texas.  
Q How long did you live in Texas; ever since? A Yes sir.  
Q Never lived in Mississippi? A No sir.  
Q What is your father's name? A Joseph Freeman.  
Q Is he living or dead? A He is dead.  
Q What is your mother's name? A Hannah.  
Q Is she living? A She is dead.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A 1/4  
Q Did your mother ever live in Indian Territory? A No sir.  
Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A I don't know whether she was or not.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Did you ever make application to the Dawes Commission for enrollment as a citizen of the Choctaw Nation? A No sir.  
Q Did you ever make application for enrollment to the Commission to the Five Civilized Tribes by virtue of the Act of Congress of June 10, 1896? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of either the United States authorities or the Choctaw tribal authorities?  
A I don't understand that.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of the United States authorities or the Choctaw tribal authorities?  
A No sir.  
Q Is this the first application that you ever made either to the United States authorities or to the Choctaw tribal authorities for enrollment or citizenship? A Yes sir.  
Q Are you now making application to be identified as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty are you making this application?  
A Well, I don't know; I don't understand.

Mary A. Ford --

- Q You understand that if you come here to make application for identification you come here under some law or treaty;--there must be some law or treaty that authorizes you, isn't there? A The Choctaw.
- Q Did you ever hear of the treaty of 1830? A Yes sir, but I don't understand it.
- Q Are you claiming under the treaty of 1830? A Yes sir.
- Q Are you claiming under the whole treaty or article fourteen of that treaty? A Well, I don't understand what you mean now.
- Q Do you know anything about article fourteen of the treaty of 1830? A No sir.
- Q You never heard of the provisions of article fourteen of the treaty of 1830? A If I did I never paid any attention.
- Q What is the name of your ancestor who lived in Mississippi? A Vinson Simms.
- Q What relation was he to you? A Grand-father on my mother's side.
- Q Did he live in Mississippi in 1830? A Yes sir.
- Q Do you know whether he within six months after the ratification of the treaty of 1830 signified his intention to the United States Indian Agent then living in Mississippi of remaining in Mississippi and taking up lands and becoming a citizen of the United States? A No sir, I don't know nothing about it.
- Q Have you any documentary evidence in support of that fact? A No sir.
- Q You say no? A No sir.
- Q Do you know whether your ancestor removed from Mississippi to the Indian Territory when the other Choctaw Indians came here in the years 1833 and 1837? A No sir, I don't know it.
- Q Do you know whether this ancestor under whom you now claim or any of your ancestors ever claimed or received any lands in Mississippi or Indian Territory as beneficiaries under article fourteen of the treaty of 1830? A No sir, I don't know.
- Q Do you know whether this ancestor or any of your ancestors ever complied in any manner with the provisions of that article? A No sir, I don't know.
- Q Have you ever received any benefits --? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Abner Ford.
- Q Do you make any claim for him? A No sir, not at all; he is a white man.
- Q Have you any children under 21 and unmarried for whom you wish to make claim? A Yes sir; got two.
- Q What is the name of the eldest? A Mattie R.
- Q How old is she? A 13 years.
- Q What is the name of the other? A John L.
- Q How old is John? A He is going on 11.
- Q Are these all the children? A That is all I have only what's grown men and women.
- Q Is Abner Ford the father of these children? A Yes sir.
- Q You are the mother? A Yes sir.
- Q You and he are living together as husband and wife? A Yes sir.
- Q The children are living with you at your home? A Yes sir.
- Q The basis of their claim is the same as yours? A Yes sir.
- Q Have you any documentary evidence that you want to present now in support of your claim? Do you know what I mean by documentary evidence? A No sir.
- Q By documentary evidence I mean any evidence in writing in the shape of affidavits or records of court or of the family bible, or anything that is written or printed or properly sworn to? A No sir, I ain't got none.



Mary A. Ford-----3

Q Do you wish any time in which to file such evidence?  
A Wish any time? Q Yes. A Well, I don't understand that.  
Q Well, you know now what I mean by documentary evidence-I have just explained it to you, and you need such evidence now; do you want me to give you a little time in which to do so? A Yes sir.  
Q You would like about 20 days?  
A I don't know I live a good piece, and what I have to do I would like to do now.

( Twenty days time is allowed the applicant from this date in which to file any necessary papers she may desire to file within that time.)

Q Is there anything further -? A I don't know; that's all.

(Witness recalled)

Q? Are you acquainted with Irene B. Copeland?  
A Yes sir; she is my daughter.  
Q She has been before the Commission? A Yes sir.  
Q She made an application for identification as a Mississippi Choctaw on Feb. 13, 1901, didn't she? A Yes sir.  
Q She claims her right to identification through you doesn't she?  
A Yes sir.  
Q The basis of her claim is the same as yours, is it not; that is, she claims through you? A Yes sir.

The decision of the Commission in regard to this application which you make at this time for yourself and your minor children for identification as Mississippi Choctaws will be mailed to you at your present post-office address.

Henry G. Hains being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled case on the 6th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

Subscribed and sworn to before me at

March 1901.

Charles H. ...

W.B.  
C. W.  
W. O. B.

Department of the Interior.  
Commission to the Five Civilized Tribes.

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In the matter of the application of Mary A. Ford et al.,  
for identification as Mississippian Chestnut, consolidating the  
applications of

Mary A. Ford et al.,	H.C.N. 1474
Levin F. Campbell et al.,	" 1475
Mary A. Haddock et al.,	" 1476
George L. Ford,	" 1477
Robert H. L. Ford,	" 1478
Sarah A. Haddock,	" 1479.

DECISION.

The record in the above consolidated case shows that there  
were, originally, six applications, made separately by the parties  
named, at the times and places herein set forth, to-wit:

In the matter of the application of Mary A. Ford for the  
identification of herself and her two minor children, Nettie R.

and John L. Ford, at Muskogee,  
Territory, March 6, 1901.

In the matter of the application of Levin F. Campbell for  
the identification of himself and his three minor children, George  
L. Ford, Robert H. L. Ford, and Sarah A. Haddock, at Muskogee,  
Territory, March 6, 1901.

In the matter of the application of Mary A. Ford et al.  
for identification of herself and her five minor children, two of

Adm. Foster, George and John Haddock, as Mississippi Choctaws, taken at Atoka, Indian Territory, March 8, 1901.

In the matter of the application of George L. Ford for the identification of himself as a Mississippi Choctaw, taken at Atoka, Indian Territory, March 8, 1901.

In the matter of the application of Robert H. L. Ford for the identification of himself as a Mississippi Choctaw, taken at Atoka, Indian Territory, March 8, 1901.

In the matter of the application of Sarah A. Haddock for the identification of herself as a Mississippi Choctaw, taken at Atoka, Indian Territory, March 8, 1901.

In accordance with Departmental instructions of June 10, 1901, and July 25, 1901, the Commission to the Five Civilized Tribes has consolidated these several applications into the consolidated case of Mary A. Ford et al., the applicants claiming descent from the same common ancestor, and while these several applications have been so consolidated and are to be considered together as a whole, yet, in view of the varied proceedings had in each, it will be necessary to consider them in a measure, separately.

Taking them in the order above named, we find that the consolidated case of Mary A. Ford et al., taken at Atoka, Indian Territory, March 8, 1901, the said Mary A. Ford claims descent from the common ancestor, James Ford, who was taken at Atoka, Indian Territory, March 8, 1901, and who is claimed to be the common ancestor of the said Mary A. Ford and her husband, George L. Ford, taken at Atoka, Indian Territory, March 8, 1901, and who is claimed to be the common ancestor of the said Robert H. L. Ford, taken at Atoka, Indian Territory, March 8, 1901, and who is claimed to be the common ancestor of the said Sarah A. Haddock, taken at Atoka, Indian Territory, March 8, 1901.

made between the United States government and the Chectaw tribe of Indians, concluded September 27, 1830, and known as the treaty of "Dancing Rabbit Creek." The principal applicant claims descent from Hannah Freeman, an alleged Chectaw, degree of blood not given, and Joseph Freeman, blood not given, who are the parents of this applicant.

The record in this case further shows that the principal applicant, Mary A. Ford, and her two minor children for whom application is made, have never been enrolled by the tribal authorities of the Chectaw Nation as citizens of that tribe, nor are their names found upon any of the tribal rolls of the Chectaw Nation in the possession of the Commission, nor have they ever been admitted to Chectaw citizenship by a duly constituted court or committee of the Chectaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the Act of Congress of June 10, 1836, (29 Stat., 521).

The evidence offered in support of this application, aside from the oral statement of the principal applicant, embraced certified copies of the ex parte affidavits of Simon Anderson (B) and James Anderson (C). In her oral statement the principal applicant stated that she was born in Arkansas in about the year 1840, and that for about four months prior to making her original application she had been a resident of Indian Territory, and claimed to be an one-fourth blood Chectaw. She attempts to trace her alleged Chectaw descent through her mother to her grandfather, Vinson (D), who she claims lived in Oklahoma in 1830, but there is nothing in her testimony which

would tend to show that any of her alleged Choctaw ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830. By the ex parte affidavits of Simon Anderson (S) and Annada Anderson (S) it is attempted to be shown that affiants knew Mary Ann Ford, nee Freeman, presumably the principal applicant herein, and knew her mother, Hannah Freeman, nee Sims, and her grandfather, Vinson Sims, and that all of these persons are known and recognized by their neighbors and acquaintances as Choctaw Indians, but there is nothing in any of these affidavits which would tend to show that any of the alleged Choctaw ancestors of the principal applicant were ever recognized by the Choctaw tribal authorities in Mississippi as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830.

The next in order of the above applications is that of Irene B. Copeland et al., and the record therein shows that on February 15, 1904, the said Irene B. Copeland appeared before the Commission at Atoka, Indian Territory, and there made personal application for the identification of herself and her three minor children, namely, the said Irene B. Copeland, as Choctaw Indians, claiming to be the issue of Choctaw Indians who resided in Mississippi in 1830, and were advantaged by the provisions of article fourteen of the treaty made between the United States government and the Choctaw tribe of Indians, commonly known as the treaty of "Duck Creek," made on October 27, 1830, and known as the treaty of "Duck Creek." The principal applicant claims descent from Mary Ann Ford, an al-

leged Cheotaw, degree of blood not given, and Abner Ford, blood not given, who are the parents of this applicant.

The record in this case further shows that the principal applicant, Irene B. Copeland, and her three minor children for whom application is made, have never been enrolled by the tribal authorities of the Cheotaw Nation as citizens of that tribe, nor are their names found upon any of the tribal rolls of the Cheotaw Nation in the possession of the Commission, nor have they ever been admitted to Cheotaw citizenship by a duly constituted court or committee of the Cheotaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress of June 10, 1896, (29 Stat., 381).

The evidence offered in support of this application, aside from the oral statement of the principal applicant, embraces the ex parte affidavits of Amanda Anderson and Simon Anderson. By the oral statement of the principal applicant it is attempted to be shown that she was born in the state of Texas about the year 1867, and that for about fifteen years prior to making her original application she had been a resident of Indian Territory, and claims to be an one-eighth blood Cheotaw. She claims to trace her ancestry to Isaac Anderson, who she claims was a full blood Cheotaw and lived in Muskogee, Oklahoma, but there is no record of him in Muskogee. She would like to show that any of her ancestors had ever been recognized by the Cheotaw Nation as members of the Cheotaw Nation, but she has never been recognized as a member of the Cheotaw Nation in any way, and she has never been admitted to citizenship by the Cheotaw Nation.

article fourteen of the treaty of 1830. By the ex parte affidavits of Amanda Anderson and Simon Anderson it is attempted to be shown that they knew Irene Copeland, presumably the principal applicant herein, and her mother, Mary Ann Ford, and knew her grandmother, Hannah Freeman, and her great-grandfather, Vincent Sims, all of whom were recognized by their neighbors and acquaintances as Choctaw Indians. There is nothing in either of these affidavits which would tend to show that any of the alleged Choctaw ancestors of the principal applicant were ever recognized by the Choctaw tribal authorities in Mississippi as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830.

**NOTE:**-There is a discrepancy between the oral statement of the principal applicant and the ex parte affidavits filed herein as to the first name of the principal applicant, inasmuch as in the former it appears as Irene and in the latter as Irena, but no doubt is entertained that both refer to one and the same person and that the former is the correct spelling.

**NOTE:**-There is a discrepancy between the oral statement of the principal applicant in this case and the oral statement of her mother, the principal applicant in this group of consolidated cases, as to the name of the alleged Choctaw grandfather of the latter, inasmuch as in the former statement it is given as Vincent Sims and in the latter statement as William Sims, but no doubt is entertained that both refer to one and the same person, and that the latter name being that given by the land grant commission, is the correct one.

**NOTE:**-In the ex parte affidavits filed in this case, copies of which are filed in all the other cases in this group, the family name, first, or last of the principal applicant, inasmuch as it appears in the affidavits, is given as Copeland, but the correct spelling is given in the oral statements made by principal applicants in this group.

The next in order of the above applications is the

A. Haddock et al., and the record therein shows that on March 5, 1901, the said Mary A. Haddock appeared before the Commission at Atoka, Indian Territory, and there made personal application for the identification of herself and her five minor children, Mary A., Ada, Jennie, George and John Haddock, as Mississippi Choctaws, claiming to be descendants of Choctaw Indians who resided in Mississippi in 1830, and took advantage of the provisions of article fourteen of the treaty made between the United States government and the Choctaw tribe of Indians, concluded September 27, 1830, and known as the treaty of "Dancing Rabbit Creek." The principal applicant claims descent from Mary A. Ford, an alleged Choctaw, degree of blood not given, and Abner Ford, blood not given, who are the parents of this applicant.

The record in this case further shows that the principal applicant, Mary A. Haddock, and her five minor children for whom application is made, have never been enrolled by the tribal authorities of the Choctaw Nation as citizens of that tribe, nor are their names found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission, nor have they ever been admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a judge of the United States Court in Indian Territory, under the provisions of the act of Congress of June 10, 1900, (31 Stat., 581).

The evidence herein is derived from the records, and from the oral statements of the principal applicant, and from the files of the Commission and the United States Court in Indian Territory, and from the oral statements of the principal applicant.



and it is attempted to be shown that she was born in Texas in about the year 1830, and that for about fourteen years prior to making her original application she had been a resident of Indian Territory, and claims to be an one-eighth blood Choctaw. She attempts to trace her alleged Choctaw descent through her mother to her grandfather, Vinson Sims, who she claims lived in Mississippi in 1830, but there is nothing in her testimony which would tend to show that any of her alleged Choctaw ancestors were ever recognized by the Choctaw tribal authorities in Mississippi as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830. In the ex parte affidavits of Stann Anderson (2) and Amada Anderson (2) it is attempted to be shown that affidavits have been made by Mary Ann Ford, presumably the mother of the principal applicant herein, and have Hannah Freeman and Vinson Sims, respectively the grandfather and great-grandfather of the principal applicant, and that all these persons were considered by their neighbors and acquaintances as Choctaw Indians, but there is nothing in any of these affidavits which would tend to show that any of the alleged Choctaw ancestors of the principal applicant were ever recognized by the Choctaw tribal authorities as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830. It is further attempted to be shown that the principal applicant is a descendant of the Choctaw Indians, and that she is entitled to the benefits of the Choctaw Laws, and to the same extent as if she were a Choctaw Indian, but there is nothing in any of these affidavits which would tend to show that any of the alleged Choctaw ancestors of the principal applicant were ever recognized by the Choctaw tribal authorities as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830.

1901, said birth affidavits was filed with and made a part of the original record in the case of Mary A. Haddock et al.

The next in order of the above applications is that of George L. Ford, and the record therein shows that on March 9, 1901, the said George L. Ford appeared before the Commission at Acoma, Indian Territory, and there made personal application for the identification of himself as a Muskogee Cheater, claiming to be a descendant of Cheater Indians who resided in Mississippi in 1800, and took advantage of the provisions of article fourteen of the treaty made between the United States government and the Cheater tribe of Indians, concluded September 27, 1800, and known as the treaty of "Tansing Rabbit Creek." The applicant claims descent from Mary A. Ford, an alleged Cheater, degree of blood not given, and Sam Ford, blood not given, who are the parents of this applicant.

The record in this case further shows that the applicant, George L. Ford, has never been enrolled by the tribal authorities of the Cheater Nation as a citizen of that tribe, nor is his name found upon any of the tribal rolls of the Cheater Nation in the possession of the Commission, nor has he ever been admitted to Cheater citizenship by a duly constituted court or authority of the Cheater Nation, or by the Commission or any other authority, or by a court of any Territory, State or Indian Territory, nor has the government of the Cheater Nation on July 20, 1904, had any record, etc.

The evidence offered in support of the application, with the oral statement of the applicant, is hereby rejected by the Commission on the part of the Cheater Nation and the United States

son (2). By the oral statement of the applicant it is attempted to be shown that he was born in Texas about the year 1871, and that for about five years prior to making his original application he had been a resident of Indian Territory, and claims to be an one-eighth blood Choctaw. He attempts to trace his alleged Choctaw descent through his mother to his ancestor, Vinson Sims, relationship not given, who he claims once lived in Mississippi, but the applicant does not know when he so lived, and there is nothing in his testimony which would tend to show that any of his alleged Choctaw ancestors were ever recognized by the Choctaw tribal authorities in Mississippi as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830.

By the ex parte affidavits of Simon Anderson (2) and Amanda Anderson (2) it is attempted to be shown that affiants know Mary Ann Ford, presumably the mother of the applicant herein, and know Harrah Freeman and Vinson Sims, respectively the grandfather and great grandfather of the applicant herein, and that all these persons were known and recognized by their neighbors and acquaintances as Choctaw Indians, but there is nothing in any of these affidavits which would tend to show that any of the alleged Choctaw ancestors of the applicant were ever recognized by the Choctaw tribal authorities in Mississippi as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830.

The same in order of the above proceedings, a record of Robert E. L. Ford, and the record of the same, made on March 4, 1881, the said Robert E. L. Ford applying for citizenship

at Muskogee, Indian Territory, and there made personal application for the identification of himself as a Mississippi Choctaw, claiming to be a descendant of Choctaw Indians who resided in Mississippi in 1830, and took advantage of the provisions of article fourteen of the treaty made between the United States government and the Choctaw tribe of Indians, concluded September 27, 1830, and known as the treaty of "Tombigbee River." The applicant claims descent from Mary A. Ford, an alleged Choctaw, daughter of blood not given, and Abner Ford, blood not given, who are the parents of this applicant.

The record in this case further shows that the applicant, Robert E. L. Ford, has never been enrolled by the tribal authorities of the Choctaw Nation as a citizen of that tribe, nor is his name found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission, nor has he ever been admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress of June 30, 1896, (29 Stat., 321).

The following is a copy of the report of this application, with

the evidence thereon, as submitted to the Commission, and the

report of the Commission thereon, as submitted to the Secretary of the

Interior, and the report of the Secretary of the Interior thereon,

as submitted to the President of the United States, and the

report of the President thereon, as submitted to the Senate of the

United States, and the report of the Senate thereon, as submitted

to the President of the United States, and the report of the

of Chectaw descent through his mother to his ancestor, Vinsen Sims, relationship not given, who he claims was a full blood Chectaw and lived in Mississippi in 1830, but there is nothing in his testimony which would tend to show that any of his alleged Chectaw ancestors were ever recognized by the Chectaw tribal authorities in Mississippi as members of the Chectaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830. By the ex parte affidavits of Amos Anderson (2) and Simon Anderson (2) it is attempted to be shown that affiants knew Mary Ann Ford, presumably the mother of the principal applicant herein, and knew Hannah Freeman and Vinsen Sims, respectively the grandmother and great-grandfather of the applicant, and that all these persons were regarded by their neighbors and acquaintances as Chectaw Indians, but there is nothing in any of these affidavits which would tend to show that any of the alleged Chectaw ancestors of the applicant were ever recognized by the Chectaw tribal authorities in Mississippi as members of the Chectaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830.

The last in order of the above applications is that of Sarah A. Hedcock, and the record therein shows that on March 2, 1901, the said Sarah A. Hedcock appeared before the Commission at Atoka, Indian Territory, and there made personal application for the identification of herself as a Chectaw Indian, claiming to be a descendant of Chectaw Indians who were recognized in 1830, and took advantage of the provisions of article fourteen of the treaty made between the United States government and the

Chectaw tribe of Indians, concluded September 27, 1860, and known as the Treaty of "Raising Rabbit Creek." The applicant claims descent from Mary A. Ford, an alleged Chectaw, degree of blood not given, and Amos Ford, blood not given, who are the parents of this applicant.

The record in this case further shows that the applicant, Sarah A. Haddock, has never been enrolled by the tribal authorities of the Chectaw Nation as a citizen of that tribe, nor is her name found upon any of the tribal rolls of the Chectaw Nation in the possession of the Commission, nor has she ever been admitted to Chectaw citizenship by a duly constituted court or committee of the Chectaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress of June 10, 1896, (29 Stat., 321).

The evidence offered in support of this application, aside from the oral statement of the applicant, embraces copies of the ex parte affidavits of Amanda Anderson (2) and Simon Anderson (2). By the oral statement of the applicant it is attempted to be shown that she was born in Texas in about the year 1854, and for about eight years prior to making her original application she had been a resident in Indian Territory, and claims to be an one-eighth blood Chectaw. She attempts to show her alleged Chectaw descent through her mother to her grandfather, Vinson James, who she claims was a full blood Chectaw, and she says that it follows that she is a one-eighth blood Chectaw. She also claims to be a one-eighth blood Chectaw through her father to her grandfather, Amos Ford, who she claims was a full blood Chectaw. She also claims to be a one-eighth blood Chectaw through her mother to her grandfather, Amos Ford, who she claims was a full blood Chectaw. She also claims to be a one-eighth blood Chectaw through her father to her grandfather, Amos Ford, who she claims was a full blood Chectaw. She also claims to be a one-eighth blood Chectaw through her mother to her grandfather, Amos Ford, who she claims was a full blood Chectaw.

1991 as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830. By the ex parte affidavits of Simon Anderson (2) and Annada Anderson (2) it is attempted to be shown that affiants knew Mary Ann Ford, presumably the mother of the applicant herein, and knew Hannah Freeman and Vinson Sims, respectively the grandmother and great-grandfather of the applicant, and that all these persons were regarded by their neighbors and acquaintances as Choctaw Indians, but there is nothing in any of these affidavits which would tend to show that any of the alleged Choctaw ancestors of the applicant were ever recognized by the Choctaw tribal authorities in Mississippi as members of the Choctaw tribe of Indians in that state, or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830. The record in this case further shows that on January 31, 1902, there was filed with the Commission to the Five Civilized Tribes a birth affidavit of Myrtle Allie Haddock, wherein it was alleged that she said Myrtle Allie Haddock was born to Sarah A. Haddock and Richard Haddock on October 27, 1901; said birth affidavit was filed with and made a part of the original record in the case of Sarah A. Haddock.

There is a discrepancy between the oral statement of the affiant and the written affidavit filed herein on the date of the hearing. It is stated that Sarah A. Haddock was born on October 27, 1901, but by reference to the original record in the case of Sarah A. Haddock it appears to judge that the correct statement is that she was born on October 27, 1901.

The Commission, in view of the fact that the applicants herein have had sufficient time in which to present their testimony,

considers these cases as closed, and the evidence offered in support thereof, embraces the oral testimony of the several principal applicants given at the making of their original applications, and the ex parte affidavits filed by them. By the evidence so submitted it is attempted to be shown that the applicants herein derive their Choctaw blood from Hannah Freeman, nee Sims, and Vinson Sims, respectively the mother and grandfather of the principal applicant in this group of consolidated cases. In order that these applicants may be identified as Mississippi Choctaws it is incumbent upon them to show that they are descendants of a recognized Choctaw Indian who lived in the old Choctaw Nation in the states of Mississippi and Alabama in 1830, and complied or attempted to comply with the provisions of article fourteen of the treaty of 1830 as the head of a family, or who was then the child of a recognized Choctaw head of a family who complied for said child, or who was complied for as an orphan child of a recognized Choctaw Indian, and this the evidence entirely fails to establish. It appears from the evidence herein that the said Vinson Sims was living in Mississippi in 1830, but it does not appear whether or not the said Hannah Freeman, nee Sims, was then living, although it seems probable that she was, inasmuch as her daughter, the principal applicant in this group of consolidated cases, was born to her in the year 1846. It is impossible to determine, however, from the evidence submitted herein, whether either of these alleged Choctaw ancestors of the applicants herein were, in 1830, recognized Choctaw Indians, and which of them, if either, complied or attempted to comply with the provisions of article fourteen of the treaty of 1830, and the only theory that can be made out of the re-



records in the possession of the Commission of those persons who complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek, is for the names of the said principal applicant's mother and grandfather, and it does not appear from said records that any persons bearing said names ever signified their intention to Colonel Wm. Ward, Indian Agent, Choctaw Agency, to comply with the provisions of article fourteen, or presented their claims as beneficiaries under said article, to either of the Commissions duly authorized by the acts of Congress of March 3, 1837, and August 23, 1848, for the adjudication of such claims.

The authority vested in the Commission by the first section of the act of Congress of June 23, 1838, (30 Stats., 495) is as follows:

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Mary A. Ford, Mattie E. Ford, John E. Ford, Irene E. Copeland, Gracie V. Copeland, Rachel P. Copeland, Lonie A. Copeland, Mary A. Haddock, Mary A. Haddock (Jr.), Ada Haddock, Jennie Haddock, George Haddock, John Haddock, William C. Haddock, George L. Ford, Robert M. L. Ford, Sarah A. Haddock and others, Alice Haddock, as Choctaw Indians entitled to shares in the Choctaw lands under the provisions of law above quoted, and that the application for their shares

tion on each should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

CHAS. H. ...

*[Handwritten signature]*

... ..

*[Handwritten signature]*

... ..

Muskogee, Indian Territory.

MAY 13 1902

Muskogee, Indian Territory, May 17, 1902.

J.P. Hudson,

Attorney-at-Law,

Muskogee, Indian Territory.

Dear Sir:-

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Ford, et al., embracing the following applications for identification as Mississippi Choctaws:

- |                           |              |
|---------------------------|--------------|
| Mary A. Ford, et al.,     | M.C.R. 1474; |
| James B. Ford, et al.,    | M.C.R. 1475; |
| Robert E. Ford, et al.,   | M.C.R. 1476; |
| Charles L. Ford,          | M.C.R. 1477; |
| Robert E. L. Ford,        | M.C.R. 1478; |
| Sarah A. Haddock, et al., | M.C.R. 1479. |

Said decision, after a review of the evidence submitted, concluded as follows:

"The authority vested in the Commission by the 21st Section of the Act of Congress of June 20, 1896, (30 Stats., 495),

is as follows:

"This Commission shall have authority to de-

L. P. H., 8.

report to, to the Secretary of the Interior.

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Mary A. Ford, Mattie B. Ford, John L. Ford, Irene B. Copeland, Gracie V. Copeland, Rachel P. Copeland, Zonie A. Copeland, Mary A. Haddock, Mary A. Haddock, (Jr.) Ada Haddock, Jesse Haddock, George Haddock, John Haddock, William C. Haddock, George L. Ford, Robert E. L. Ford, Sarah A. Haddock and Myrtle Alice Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Muskegee, Indian Territory, May 17, 1908.

Mary A. Ford,

Kemp, Indian Territory.

Dear Madam:-

You are hereby advised that on the 13th day of May, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Ford, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Ford, et al.,	M.C.R. 1474;
Irene B. Copeland, et al.,	M.C.R. 1416;
Mary A. Haddock, et al.,	M.C.R. 1475;
George L. Ford,	M.C.R. 1477;
Robert E. L. Ford,	M.C.R. 1478;
Sarah A. Haddock, et al.,	M.C.R. 1479;

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the 21st section of the Act of Congress of June 23, 1898, (30 Stats., 495) is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under Article Fourteen of the Treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior.

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Mary A.

M. A. P., 2.

Ward, Mattie R. Ford, John L. Ford, Irene B. Copeland, Gracie V. Copeland, Rachel E. Copeland, Zonie A. Copeland, Mary A. Haddock, Mary A. Haddock, (Jr.) Ada Haddock, Jesse Haddock, George Haddock, John Haddock, William C. Haddock, George L. Ford, Robert E. L. Ford, Sarah A. Haddock and Myrtle Allie Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

1474

Muskogee, Indian Territory, May 17, 1908.

The Honorable,  
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Mary A. Ford, et al., applicants to the Commission for Identification as Mississippi Choctaws, including the decision of the Commission of May 13, 1908.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

- Mary A. Ford, et al., M.C.R. 1474;
- Irene B. Cleveland, et al., M.C.R. 1418;
- Mary A. Robinson, et al., M.C.R. 1475;
- George L. Ford, M.C.R. 1477;
- Robert H. L. ... M.C.R. 1476;
- Burns ... M.C.R. 1474.

The Commission has the honor to report that the said applications in the above consolidated case, their attorneys of

of said late

~~CONFIDENTIAL~~

Muskogee, Indian Territory, May 17, 1908.

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

Gentlemen:

You are hereby advised that on the 15th day of May, 1908,  
the Commission to the Five Civilized Tribes rendered a decision in  
the consolidated case of Mary A. Ford, et al., embracing the follow-  
ing applications for identification as Mississippi Choctaws:

- |                            |              |
|----------------------------|--------------|
| Mary A. Ford, et al.,      | M.C.R. 1474; |
| Irma B. Cleveland, et al., | M.C.R. 1475; |
| Mary A. E. Cook, et al.,   | M.C.R. 1476; |
| George L. Ford,            | M.C.R. 1477; |
| Robert E. L. Ford,         | M.C.R. 1478; |
| Sarah A. Haddock, et al.,  | M.C.R. 1479. |

Said decision, after a review of the evidence submitted, con-  
cludes as follows:

"The authority vested in the Commission by the 21st  
section of the Act of Congress of June 26, 1906, (36 Stat., 495),  
is as follows:

...and the same authority is hereby...



N. H. & C., C.

report to the Secretary of the Interior."

"It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Mary A. Ford, Mattie R. Ford, John L. Ford, Irene B. Copeland, Gracie W. Copeland, Rachel W. Copeland, Zenie A. Copeland, Mary A. Haddock, Mary A. Haddock (Jr.), Ada Haddock, Jesse Haddock, George Haddock, John Haddock, William C. Haddock, George L. Ford, Robert E. L. Ford, Sarah A. Haddock and Myrtle Alliee Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior, and you will be informed in due time of such

Yours truly,

Acting Chairman.

COPY.

Refer in reply to the  
following:

(Copy.)

20207-1902.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS.

WASHINGTON, May 31, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated May 17, 1902, transmitting for the Department's consideration the record in the consolidated Mississippi Choctaw case of Mary A. Ford, et al.

The parties to this case who apply for identification as Mississippi Choctaws claiming rights to land in the Choctaw Nation under the provisions of the fourteenth article of the Treaty of Dancing Rabbit Creek, are as follows:

Mary A. Ford, et al.,  
Isaac B. Coveland, et al.,  
Mary A. Haddock, et al.,  
George L. Ford,  
Robert B.L. Ford,  
Sarah A. Haddock, et al.

The applicants attempt to trace their descent from Vincent Sims, father of Hannah Freeman, nee Sims, who was the mother of the principal applicant, Mary A. Ford.

May 15, 1902, the Commission found that the applicants herein were not entitled to identification as Mississippi Shotears.

The office has carefully considered the record in this case, and also caused an examination of its records relative to parties who acquired rights under the fourteenth article of the Treaty of 1830, to be made, and no record has been found showing that the original ancestor, Hannah Freeman, nee Sims, complied or attempted to comply with the provisions of said fourteenth article or that she had claims adjudicated under the Acts of March 3, 1857 and August 23, 1842.

This being true, the decision of the Commission should be affirmed, and the office so recommends.

Very respectfully,

Your obedient servant,

A.S. Turner,

Acting Commissioner.

CAV

3 inclosures.

D C 12000-1000.

COPY.

42718

J.V.H.  
GMS

J.P.

DEPARTMENT OF THE INTERIOR,  
I.P.D. 2410-1000. WASHINGTON. July 19, 1902.

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

Gentlemen:

The Department has considered the consolidated case embracing the applications for identification as Mississippian Choctaws, of Mary A. Ford for herself and her two minor children, Mattie R. and John L. Ford; of Irene E. Cepeland for herself and her three minor children, Gracie V., Rachel E., and Louis A. Cepeland; of Mary A. Haddock for herself and her five minor children, Mary A., Ada, James, George and John Haddock; of George L. Ford; of Robert E.L. Ford; and of Sarah A. Haddock; transmitted with your letter of May 14, 1902. You rendered your decision May 15, 1902, refusing to enroll the applicants.

The applicants attempt to trace their descent from Vincent Sims, father of Hannah Freeman, Ned Sims, who was the mother of the principal applicant, Mary A. Ford.

The whole record fails to show that any one of the applicants was ever duly admitted to citizenship in the Choctaw Nation, or that the alleged ancestors, above named, ever complied or

Public Law 561, 1949, and Act No. 22, 1948 (5 Stat., 224)

The Acting Commissioner of Indian Affairs reports on  
the matter of, 1949, requesting that your decision be given  
to the Bureau of Indian Affairs, and said decision is as follows:  
COPY OF THE LETTER TO THE BUREAU OF INDIAN AFFAIRS

Respectfully,

THOS. NEAN,

Acting Secretary, BIA

I enclose.

M.C.R. 1474.

COPY.

Muskogee, Indian Territory, July 23, 1902.

Mary A. Ford,  
Kemp, Indian Territory.

Dear Madam:

You are hereby advised that on the 19th day of July, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mary A. Ford, et al., of which decision you were advised by registered mail on the 12th day of May, 1902.

Yours truly,

(SIGNED)

*T. B. Needles*

Commissioner in Charge.

U.C.B. 1474.

COPY

Muskogee, Indian Territory, July 25, 1902.

Macfield, McHurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 19th day of July, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mary A. Ford, et al., of which decision you were advised by mail on the 17th day of May, 1902.

Yours truly,

EDGEE

Commissioner in Charge.

NO. 1474

Waskagee, Indian Territory, September 13, 1908.

Mary A. Ford,

P. O. Box No. 22,

Ardmore, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 7th instant, requesting a rehearing in the matter of your application for the identification of yourself and minor children as Mississippi Choctaws.

In reply you are advised that rehearsings in Mississippi Choctaw cases are only granted where sufficient reason appears for so doing. Mere statements contained in a letter are not sufficient to induce such action. Applicants are required to show that they, or some one of their ancestors, were citizens of the old Choctaw Nation in the States of Mississippi and Alabama in 1830 and heads of families, and, as such, registered or attempted to register personally or by proxy with the provisions of the law which is the treaty of September 27, 1830. A mere allegation that their ancestors so complied is not sufficient; the time of their application to be registered must also be shown, and the conversation or circumstances relating to it. In some cases this showing can be made directly by satisfactory evidence, either oral or documentary.



K A F 3

in others, the applicants can accomplish the same result by showing that an ancestor of theirs was identical in person with one of the original beneficiaries of said article 14, whose name appears as such in the records of the government. No conclusion, however, as to identity can be reached in the absence of a full history of the applicants' ancestors, showing, as nearly as possible, their legal residence and family associations, also their Choctaw as well as their English names.

Petitions for rehearings should be addressed to the Secretary of the Interior, through the Commissioner to the Five Civilized Tribes, and should be in the form of, or accompanied by, the affidavits of the party in interest, setting forth by what testimony he expects to establish his claim, and containing the names of the witnesses who are expected to furnish the required testimony. Petitioners must also show how, when, and where said witnesses acquired their knowledge of the matters whereof it is expected that they will testify.

Respectfully,

Acting Commissioner.

No. 1474

For Identification as a Mississippi Choctaw.

Date *Mich 5. 1901*

Name *Mary A. Ford,*

Age *55 -* Blood *1/4*

Post Office, *Kemp, D. T.*

Father: *Joseph Truman, d*

Mother: *Hannah " d*

Claims through *mother - -*

*Husband*

*Abner Ford -*

Children:

*Mattie R. - 13*

*John L. - 11*

*for self and  
children -*

*Henry G. Hains*

*Attn*

REFER TO M. C. R. 1474

*Mary A Ford  
et al*

*Consolidated Case*

Venon Sims  
Full blood

Hannah Sims Bras  
married  
Joseph Freeman  
white  
Bras

1474  
Mary A. Freeman 55 1/2  
married  
Abner Ford

1478  
June B. Ford 34 1/6  
married  
John Copeland

1478  
Gracie V. Copeland 9  
Rachel P. Copeland 7  
" Zonia A. Copeland 2

1475  
Mary A. Ford 32 1/8  
married  
Newton Haddock

1475  
Mary A. Haddock 9  
" Ada Haddock 7  
" Jenn Haddock 5  
" George Haddock 3  
" John Haddock 1  
" William C. Haddock Inf  
Born since apple filed  
and certificate filed

1477  
George L. Ford 30 1/8

1478  
Robert L. Ford 25 1/8  
wife  
Anna B. Ford

1479  
Sarah A. Ford 17 1/8  
married  
Richard Haddock

1479  
Myrtle Allie Haddock  
Infant  
Born since apple filed  
see birth certificate

1474  
Mattie R. Ford 13  
" John L. Ford 11

Choctaw MCR 1475

Mary A. Haddock

See MCR 1474

MCR 1475

**REFUSED.**

DECISION RENDERED. MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 17 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

MAY 17 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 17 1902

RECORD FORWARDED DEPARTMENT.

MAY 17 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUL 17 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

JUL 28 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

JUL 28 1902

REFER TO M. C. *474*

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T. March 12, 1901.

#1475.

In the matter of the application of Mary A. Haddock for identification for herself and her five minor children as Mississippi Choctaws. Mary A. Haddock being first duly sworn testifies as follows:

Examination by the Commission:

- Q Your name is Mary A. Haddock? A Yes sir.  
Q What is your age? A I am thirty-two.  
Q What is your post-office address? A Kemp, I.T.  
Q How long have you lived at Kemp? A A. Three years.  
Q Where did you live before you lived there? A Well, I lived over in Chickasaw Nation, but I moved to Kemp.  
Q How long were you in Chickasaw Nation? A Eleven years, I believe.  
Q Continuously; all the time? A Well, I lived in Montague Co., Texas.  
Q When did you go to Montague? A Seven years ago, I believe.  
Q Where were you born? A Laysneek County, Texas.  
Q What is your father's name? A Ford.  
Q His full name? A Abner Ford.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary A. Ford.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My grand-father.  
Q No; which one of these parents? A My mother.  
Q How much do you claim? A One eighth.  
Q Does your mother live in Indian Territory? A Yes sir.  
Q Has her name ever been on any of the tribal rolls of the Choctaw Nation, A No sir.  
Q Has she ever been recognized by any of the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
Q Is your name on any of the rolls of the Choctaw tribal authorities?  
A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Or for enrollment? A No sir.  
Q Have you ever made application to the Dawes Commission for enrollment by virtue of an Act of Congress of June 10, 1896? A No sir.  
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from either the decisions of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Is this the first application of any kind that you have ever made to either the United States or the Choctaw tribal authorities? A No sir.  
Q You said no; you this one is the first? A Yes sir.  
Q You are now making application for identification as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty or treaties are you making this application?  
A Under what-?  
Q Under what treaty or treaties are you making this application for identification? A I don't know what you mean by that.  
Q Under what law are you making this application; what law gives you a right to come here now and be sworn and give testimony and-?  
A The laws of the Territory? Well, I don't know.  
Q Did you ever hear of the treaty of 1830? A No sir.  
Q Do you know whether you claim under the whole treaty of 1830?  
A No sir.

- Q Did you ever hear of article fourteen of the treaty of 1830, A No sir.
- Q Any one ever explain it to you? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A Vinson Simms.
- Q Was he a full blood? A I don't know, sir.
- Q What relation was he to you? A My great-grand-father.
- Q On your mother's side? A Yes sir.
- Q Do you know whether Vinson Simms within six months after the ratification of the treaty of 1830 signified his intention to the United States Indian Agent then living in Mississippi of remaining in Mississippi and taking up lands there and becoming a citizen of the United States? A Don't know.
- Q Do you know whether he came from Mississippi to the Indian Territory in the years 1835 or 1837 when the other Indians were moved here-?
- A No sir, I don't.
- Q You know nothing about the treaties? A No sir.
- Q Never heard of this treaty? A Well I may have heard of it.
- Q You don't know whether you claim under article 14 or 15 or 19-?
- A No sir.
- Q Do you think you have any rights under the supplement to the treaty?
- A I don't know.
- Q Do you think you would claim under the supplement? A I don't know.
- Q Did your ancestor, Vinson Simms, or any of your ancestors under whom you may claim ever claim or receive any lands in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A I don't know.
- Q Did you ever receive any benefits in Mississippi or Indian Territory as a Beneficiary-? A No sir.
- Q Did any of your ancestors? A I don't know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Newton Haddock.
- Q Do you claim anything for him? A No sir, he is a white man.
- Q Have you any children under twenty-one years and unmarried-? A Yes.
- Q Do you wish to make application for them? A Yes sir.
- Q When were you married to Newton Haddock? A In 1867.
- Q What day of the month? A 2nd. day of October.
- Q What place? A Grayson County.
- Q Texas? A Yes sir.
- Q What is the name of the eldest child for whom you make application?
- A Mary A. Haddock.
- Q What is her age? A Nine.
- Q The next? A Ada.
- Q How old is Ada? A Seven.
- Q Any other children-? A Jesse.
- Q Is he a boy? A Yes sir.
- Q How old is he? A Five years old.
- Q Any others? George.
- Q Georgie? Is it a girl? A No sir, a boy.
- Q How old is George? A Three years.
- Q Next? A John.
- Q How old? A No is past a year.
- Q Is that all? A Yes sir.
- Q Is Newton Haddock the father of all these children? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q You and he are living together as husband and wife? A Yes sir.
- Q These children are all living with you at your home? A Yes sir.
- Q The basis of their claim is the same as yours? A Yes sir.
- Q Is there any documentary evidence that you want to introduce in support of your application and make a part thereof? A No sir.
- Q Well do you mean you have none with you or-? A Yes sir, that's it.



Mary A. Haddock--- 3

Q Would you like a little time in which to prepare it and send it here provided you can do so? A Yes sir.

The applicant is given twenty days time from the date hereof in which to file documentary evidence and marriage license and certificate, in support of her claim.

Q Is there anything further that you can think of that you want to say? A No sir; that is about all as I know.

The decision of the Commission in reference to the application which you are making for identification for yourself and your minor children for identification as Mississippi Choctaws will be mailed to you at your present postoffice address.

-----00-----

Henry G. Hains being first duly sworn states that as stenographer to The Commission to The Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the above date, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

Subscribed and sworn to before me this 12 day of March 1901.

Charles H. Annet

Notary Public.

Muskogee, Indian Territory, January 20, 1902.

D. N. Haddock,

Kemp, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twelfth instant, in which you state that your wife applied to the Commission for herself and her five children, and that she now has another child which you would like to include in her application.

In reply to your letter you are advised that our records show that Mary A. Haddock on March 8, 1901, applied to this Commission for the identification of herself and her five minor children as Mississippi Choctaws. For the purpose of having your infant child included in this application, there is inclosed you herewith blank birth certificate upon which may be forwarded to the Commission evidence of the birth of this child. In having the same executed please see that all blanks are filled out, all names written in full, and that the Notary Public before whom the affidavits of the mother and the physician or nurse are acknowledged attaches his seal and signature to each affidavit. If either party making affidavit heresin is compelled to sign the same by mark, such signature must be attested

D.W.W. 2

ed by two witnesses who can write. Upon the return of the inclosed blank properly executed the application to have your infant child included in his mother's application for identification as a Mississippi Choctaw will receive consideration.

Yours truly,

Commissioner in Charge.

ME 1229

BC

N.C. 1478

Muskogee, Indian Territory, February 7, 1903.

Mary A. Haddock,

Kemp, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of evidence of the birth of William C. Haddock, infant son of Mary A. and J. H. Haddock, born August 29, 1901. The affidavits of the mother and the nurse at the birth of this child have been accepted as evidence of his birth and have been filed with and made a part of the original application of Mary A. Haddock for the identification of herself and her minor children as Mississippi Choctaws.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, February 14, 1902.

T. W. Haddock,

Kemp, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the fourth instant, in which you state that your wife's brother wishes to make application and ask if it is too late. You also wish to know whether his mother will have to come with him; also where the Commission is located at present.

In reply to your letter you are informed that if your wife's brother wishes to make application for identification as a Mississippi Choctaw, he will be heard, upon his personal appearance before the Commission at Muskogee, Indian Territory. If he is over age or married, it will not be necessary for his mother to appear with him; if he is a minor and unmarried, his mother would be permitted to make application for him if she so desired.

Yours truly,

Commissioner in Charge.

M.C.147

Muskogee, Indian Territory, March 8, 1902.

I. W. Haddock,

Kemp, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the second instant, stating that your wife's brother, J. F. Ford, about whom you had previously written, has died and you wish to be advised how to make application for the identification of his five minor children as Mississippi Choctaws.

In reply to your letter you are informed that the mother of these children or their legal guardian will be permitted to make application for the identification of these children as Mississippi Choctaws, upon a personal appearance before the commission at its office at Muskogee, Indian Territory. If it is anticipated to make such an application it would be advisable to do so as early as practicable.

Yours truly,

Commissioner in Charge

-MOR-1478-

Muskogee, Indian Territory, May 17, 1902.

Mary A. Haddock,

Kemp, Indian Territory.

Dear Madam:

You are hereby advised that on the 15th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Ford, et al., embracing the following applications for identification as Mississippi Choctaw:

Mary A. Ford, et al.,	M.C.R. 1474;
Irving B. Crawford, et al.,	M.C.R. 1475;
Mary A. Haddock, et al.,	M.C.R. 1476;
George L. Ford,	M.C.R. 1477;
Robert E. L. Ford,	M.C.R. 1478;
Sarah A. Haddock, et al.,	M.C.R. 1479.

Said decision, after a review of the evidence submitted, concludes as follows:

The authority vested in the Commission by the 31st section of the Act of Congress of June 29, 1902, (30 Stats., 495), is as follows:

Said Commission shall have authority to de-

this case is identified as Choctaw and Mississippi Choctaw.

M. A. H. R.

Ford, Mattie R. Ford, John L. Ford, Irene E. Copeland, Gracie V. Copeland, Rachel P. Copeland, Zenis A. Copeland, Mary A. Haddock, Mary A. Haddock, (Jr.) M. Haddock, Jesse Haddock, George Haddock, John Haddock, William C. Haddock, George L. Ford, Robert B. L. Ford, Sarah A. Haddock and Myrtle Allie Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.



M.C.R. 1476.

COPY.

Muskogee, Indian Territory, July 20, 1902.

Mary K. Raddeck,

Kemp, Indian Territory.

Dear Madam:

You are hereby advised that on the 19th day of July 1902, the Secretary of the Interior affixed the decision of this Commission relating the applications for identification as Mississippi citizens of the several persons included in the consolidated case of Mary K. Raddeck, et al., of which you were advised by registered agent as the law requires.

I. B. Needles,  
Commissioner in Charge.

No. 1475

For Identification as a Mississippi Choctaw.

Date Mich 5. 1901

Name Mary A. Haddock

Age 32 - Blood 1/8

Post Office Kempy, I. T.

Father: Abner Ford, I

Mother: Mary Ann " I

Claims through mother -

husband -

Newton Haddock -

Children:

Mary A. " 9

Ada " 7

Jesse (boy) " 5

George " " 3

John " " 1

For self and  
children

Mary A. Haddock

Chickaw MCR 1476

Mary J. Dryden

MCR 1476

REFUSED.

*Mary J. Dryden et al*

DECISION RENDERED. 1902

NOTICE OF DECISION MAILED APPLICANT.

SEP 5 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

SEP 5 1902

RECORD FORWARDED DEPARTMENT.

SEP 7 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 9 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

FEB 21 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

FEB 21 1903

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

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In the matter of the application of Mary J. Dryden, et al.,  
for identification as Mississippi Choctaws, A. G. R. 2476.

List of papers forwarded to the Secretary of the Interior  
comprising the record in the case of  
Mary J. Dryden, et al.

(Page)

Original application of Mary J. Dryden et al., with supporting evidence for identification as Mississippi Choctaws .....	1
Minutes of the Commission hearing the application of Mary J. Dryden et al. for identification as Mississippi Choctaws .....	4

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DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 6, 1901.

#1476.

In the matter of the application of Mary Dryden for identification for herself and her minor children as Mississippi Choctaws. Mary Dryden being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mary J. Dryden.  
Q What is your age? A 42.  
Q What is your post-office address? A Bradfield, Stone Co., Missouri.  
Q How long have you lived there? A Well, sixteen years.  
Q Where did you live before that? A Tennessee.  
Q Where in Tennessee? A Middle Tennessee, Bedford County.  
Q Were you born there? A No sir, I was born in Arkansas and married and went there.  
Q You went from Arkansas to Tennessee? A Yes sir, I was raised there; I lived in Arkansas until I was twenty-two.  
Q You never lived in Mississippi? A No sir.  
Q What is your father's name? A Allen R. Tesh.  
Q Is he living? A No sir, he was killed when I was six years old.  
Q What is your mother's name? A Elizabeth W. Tesh.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much do you claim? A One quarter.  
Q Did your father ever live in Indian Territory? A No sir.  
Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir, not as I know of.  
Q Is your name on any of the Choctaw tribal rolls as-? A No sir, not as I know of.  
Q Did you ever make application to the Choctaw tribal authorities for citizenship or enrollment in the Choctaw Nation? A No sir.  
Q Did you ever make application to the Daves Commission for enrollment by virtue of the Act of Congress of June 10, 1896? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of either the Daves Commission or of the Choctaw tribal authorities? A No sir.  
Q Is this the first application of any kind that you have ever made for-? A Yes sir.  
Q Are you now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty are you making this claim? A The 14th. of 1830.  
Q What's the 14th.; what is that? (No answer)  
Q The 14th. article of the Atoka agreement? A Yes sir.  
Q You don't mean that do you? You don't know what it is do you? A No.  
Q Did you ever hear of the treaty of Dancing Rabbit Creek?  
A Well, it is the same aint it? I have been told it was.  
Q Where was it made do you know? Was it in Indian Territory or Missouri or Mississippi or-? A I don't know.  
Q What was the name of your ancestor who lived in Mississippi in 1830?  
A William Tesh.  
Q What kin or relation was he to you? A Grand-father on father's side.  
Q Did he live in Mississippi in 1830? A Well, I don't know my father is as far back as I know.

- Q You don't know? A No; my father is the one we claim from; the blood.
- Q Which one of your ancestors lived in Mississippi?
- A My grand-father Tosh.
- Q Did he live there in 1830? A I don't know.
- Q Are you sure that he ever lived in Mississippi? A Well, my mother always told me that he was a Mississippi Choctaw.
- Q Did you ever hear your mother or anybody say that he lived in Mississippi? A My father said that he came from Mississippi.
- Q And what did he say about his father? A Well, I was so young- I reckon he must have lived there; my father is as far back as I know.
- Q Do you know whether your ancestor within six months after the ratification of the treaty of 1830 signified his intention to the U. States Indian Agent in Mississippi, of remaining in Mississippi and taking up lands there and becoming a citizen of the United States? A I don't know.
- Q Do you know whether the ancestor under whom you claim the right to be identified as a Mississippi, removed from Mississippi to the Indian Territory in the years of 1835 or 1837 when the other Indians did?
- A No sir, I don't.
- Q Did your ancestor, your grand-father, or any of your ancestors ever claim or receive any lands as beneficiaries under article fourteen of the treaty of 1830? A Not that I know of.
- Q Did any of them ever comply with any of the provisions of article fourteen of that treaty? A I don't know.
- Q Do you claim under article 15 or 19 of the treaty of 1830?
- A Its 14, I think.
- Q But you don't recall the provisions of article fourteen, do you?
- A I claim under them.
- Q Do you remember what article fourteen says? A No sir I don't.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A J.B. Dryden.
- Q Is he a white man? A Yes sir.
- Q You don't make claim for him? A No sir.
- Q When and where were you married to him? A Arkansas.
- Q When? A We have been married Nineteen years.
- Q What day of the month were you married? A The 25th. day of June.
- Q Under the laws of the State of Arkansas? A Yes sir.
- Q Have you any children for whom you wish to apply? A Yes sir.
- Q What is the name of the eldest under 21 and unmarried? A Mark L.
- Q How old is he? A 18
- Q The next? A He is 16.
- Q What is his name? A Denney H.A.
- Q How old is Denney? A 16
- Q The next? A Dellar H.F.
- Q How old is she? A 15
- Q The next? A William M.
- Q How old? A 14.
- Q The next? A John V.
- Q How old? A 13
- Q Any others? A Robert H.
- Q How old? A 10.
- Q The next? A Lucy M., age eight years.
- Q The others? A Clara R. ---age six.
- Q Any others? A Dewey A.M. ---age two.
- Q Any others? A No sir that is all.
- Q Is J.B. Dryden the father of all these children? A Yes sir.
- Q Are you the mother? A Yes sir.
- Q You and he are living together as husband and wife? A Yes sir.
- Q These children are living with you in your home? A Yes sir.
- Q The basis of their claim is the same as yours? A Yes sir.

Mary J. Bryden-----

- Q Is there anything further that you want to say?  
A Yes sir, not that I know of.  
Q Have you any documentary evidence that you would like to introduce  
in support of your claim? A Yes with me.  
Q Do you wish me to go in to procure such evidence? A Yes sir.

On motion of counsel for applicant twenty days time from the date hereof is allowed the applicant in which to file any necessary documentary evidence, marriage license and certificate.

- Q Can you think of anything further you wish to say? A No sir.

The decision of the Commission in reference to the claim you make for identification for yourself and your minor children will be mailed to you at your present post office address.

-----o-----

Henry G. Hains, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above case on the above date, and that the above and foregoing is a true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

Subscribed and sworn to before me this 12 day of March 1901.

Charles H. Sawyer

NOTARY PUBLIC.



J. F. W.  
C. & W.

DEPARTMENT OF THE INTERIOR,  
Commission to the Five Civilized Tribes.

In the matter of the application of Mary J. Dryden, et al., for identification as Mississippi Choctaws, H. C. R. 1470.

DECISION.

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Mary J. Dryden for herself and her nine minor children, Mark L., Denny H. A., Dallas R. F., William H., John V., Robert H., Lucy H., Clara R. H., and Dewey A. H. Dryden, under the following provision of the act of Congress approved June 22, 1903 (30 Stats., 495):

The Commission shall have authority to determine the

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Chectaw tribal authorities as a member of the Chectaw tribe, or admitted to Chectaw citizenship by a duly constituted court or committee of the Chectaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 18, 1898 (30 Stat., 251).

It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said William Tash, or a less remote ancestor of any of the applicants herein, signified (in person or by proxy) to Colonel W. Ward, Indian Agent, Chectaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (10 Stat., 133) and August 23, 1842 (5 Stat., 513):

It is hereby the opinion of this Commission that the evidence herein is insufficient to establish the liability of any of the applicants, or any of their ancestors, to the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, and that the said William Tash, or a less remote ancestor of any of the applicants herein, signified (in person or by proxy) to Colonel W. Ward, Indian Agent, Chectaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (10 Stat., 133) and August 23, 1842 (5 Stat., 513):

article fourteen of the treaty of eighteen hundred and thirty, and  
that the application for their identification as such should be re-  
fused, and it is so ordered.

~~COMMISSIONER TO THE FIVE CIVILIZED TRIBES~~

~~Chairman,~~  
~~Commissioner,~~  
*C. R. Beckwith*  
Commissioner,

Muskogee, Indian Territory.

SEP 5 1902

COPY.

M.C.R. 1474

Muskogee, Indian Territory, September 5, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Mary J. Dryden, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of September 5, 1902.

The Commission has the honor to report that the principal applicant herein, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letter being attached to the record.

Respectfully,

SIGNED

*James Dixby*

Acting Chairman

Through the Commissioner  
of Indian Affairs

1

COPY.

Muskogee, Indian Territory, September 5, 1902.

Manfield, Malvern & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 5th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary J. Dryden, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 26, 1898 (30 Stats. 498) which is as follows:

"Said Commission shall have authority to determine the validity of Choctaw leases, claims and rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-second, eighteen hundred and thirty, and to test and administer oaths, examine witnesses and perform all other acts necessary therefor, and make report to the Secretary of the Interior."

Said decision concludes as follows:

H. M. & C. Co.

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary J. Dryden, Mark L. Dryden, Denny H.A. Dryden, Dellar H.P. Dryden, William M. Dryden, John V. Dryden, Robert W. Dryden, Lucy M. Dryden, Clara W.R. Dryden and Dewey A.R. Dryden as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

James Dixby

James Dixby

Acting Chairman.

COPY.

Muskogee, Indian Territory, September 6, 1902.

Mary J. Dryden,  
Bradfield, Mo.

Dear Madam:

You are hereby advised that on the 5th day of September, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary J. Dryden, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1902 (32 Stat. 495) which is as follows:

It shall be the duty to determine the

H. J. D. -----

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary J. Dryden, John L. Dryden, James H. A. Dryden, Dallas E. P. Dryden, William M. Dryden, John V. Dryden, Robert H. Dryden, Lucy M. Dryden, Clara R. Z. Dryden and Dewey A. E. Dryden as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eight hundred and thirty, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

James Dixby

Acting Chairman.

Registered.



McAlester, Indian Territory, January 12, 1903.

Mary J. Dryden,

Center, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter, without date, to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. Therein you state that you live on a section of land controlled by Mr. Lanham, whose wife is a full blood Indian, and that she wants you to take as your allotment other lands held by her. You ask to be advised relative to your right to hold such land.

In reply you are informed that it appears from the records of the Commission that you made application for the identification of yourself and other children as Mississippi Choctaws, March 5, 1901; that the Commission on September 6, 1902, rendered the decision in your favor and you were notified by registered mail of the decision and of the forwarding of the record to the Department of the Interior. You will be duly advised of any further action.

It is not believed that you are entitled to any allotment of land to you or your heirs.

M. J. D. [unclear]

Chickasaw Nation.

Respectfully,

Acting Chairman.

Copy.

D. C. No. 4322-1903.  
ITD 1073-1903.  
L. R. B.

RAY.

DEPARTMENT OF THE INTERIOR.

Washington.

February 9, 1903.

Commission to the Five Civilized Tribes,  
Muskogee, I. T.

Gentlemen:

September 5, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Mary J. Dryden and her minor children, Mark L., Danney H. A., Dellar E. P., William M., John V., Robert H., Lucy H., Clara R. E. and Dewey A. E. Dryden, including your decision of September 5, 1902, adverse to the applicants.

The applicants trace their descent from one William Teat, who is alleged to have been a Choctaw Indian.

The applicants have never been admitted or enrolled as citizens of the Choctaw Nation, and the records fail to show that said William Teat or a bona fide ancestor of the applicants was admitted or allowed to comply with article 14 of the Treaty of September 27, 1830, or with any of the acts of March 3, 1807 (7 Stat. 153), and August 10, 1812 (26 Stat. 111).

-8-

After a careful examination of the whole record, the Department finds no reason to disturb your decision, and it is hereby affirmed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Land, 34423-1903.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

January 21, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws, of Mary J. Dryden for herself and her minor children, Mark L., Denny H. A., Dellar H. F., William H., John V., Robert H., Lucy H., Clara R. R. and Denny A. R. Dryden, where a decision adverse to their claims was rendered by the Commission September 15, 1902.

It is shown by the testimony in this case that the applicants have been shown to be descended as Mississippi Choctaws on

An examination of the records of this office discloses the fact that the name of William Toah is not among the names of those Choctaw Indians who complied with or attempted to comply with the provisions of the 14th article of the treaty of 1830, and neither are there so found the names of any of his descendants, and it is recommended that the decision of the Commission rejecting these parties be approved.

Very respectfully,

V. A. Jones,

H. S. H. Mr.

Commissioner.

N.C.R. 1476

COPY.

Muskogee, Indian Territory, February 21, 1903.

Manafield, McKurray & Gornish,

Attorneys for the Choctaw and Chickasaw Nations,

~~South Muskogee, Indian Territory~~

Gentlemen:

You are hereby notified that on the 9th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mianis-sini Choctaws of the several persons included in the case of Mary J. Gordon, et al., of which decision you were advised by mail on the 20th day of September, 1902.

Respectfully,

*James Dixby.*

Chairman.

M.C.R. 1476

COPY.

Muskogee, Indian Territory, February 21, 1903.

Mary J. Dryden,  
Bradfield, Missouri.

Dear Madam:

You are hereby notified that on the 9th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the case of Mary J. Dryden, et al., of which decision you were advised by registered mail on the 5th day of September, 1902.

Respectfully,  
SIGNED

*Jane Dixby.*

Acting Chairman.



No. 1476

For Identification as a Mississippi Choctaw.

Date *Feb 5, 1901*

Name *Mary J. Kryden*

Age *42* Blood *1/4*

Post Office, *Bradfield, Mo.*

Father: *Allen R. Tosh, d*

Mother: *Elizabeth " d*

Claims through *father*

*Husband*  
*J. R. Kryden.*

Children:

*Mark S. 18*

*Vernon H. R. 16*

*Wella E. F. 15*

*William M. 14*

*John V. 12*

*Robert H. 10*

*Lucy M. 8*

*Clara R. E. 6*

*Fanny A. E. 2*

*George A. E.*

Choctaw MCR 1477

George L. Ford

See MCR 1474

MCR 1477

*George W. ...*  
**REFUSED.**

DECISION RENDERED. **MAY 13 1902**

NOTICE ... MAILED APPLICANT.

**MAY 17 1902**

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

**MAY 17 1902**

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

**MAY 17 1902**

COPIES FORWARDED DEPARTMENT.

**MAY 17 1902**

SECRETARY OF THE INTERIOR.

**JUL 19 1902**

DEPARTMENTAL ACTION

**JUL 28 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

**JUL 28 1902**

REFER TO M. C. R. 1474

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, T.T. March 5, 1901.

#1477.

In the matter of the application of George L. Ford for identification as a Mississippi Choctaw.

George L. Ford being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A George L. Ford.  
Q What is your age? A Thirty years old.  
Q What is your post-office address? AKemp.  
Q Indian Territory? A Yes sir.  
Q How long have you lived there? A Five years.  
Q Where did you live before that? A Cook County, Texas.  
Q How long did you live in Texas?  
A I lived in Texas something like 20 years; I was born in Grayson County, Texas.  
Q What is your father's name? A Abner Ford.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary A. Ford.  
Q Is she living? A Yes sir.  
Q Thorough which one of these parents do you claim Choctaw blood?  
A No - My mother.  
Q How much do you claim? A One eighth.  
Q Was your mother ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir, she never was presented before.  
Q Is your name on any of the Choctaw tribal rolls? A It is not.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Have you for enrollment? A No sir.  
Q Have you ever made application to the Dawes Commission for citizenship or enrollment under Act of Congress of June 16, 1896? A No sir.  
Q Did you ever before this time make application to the Dawes Commission or to the Choctaw tribal authorities for either citizenship or enrollment? A I never did.  
Q You seek now to be identified as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty? A I don't know.  
Q Do you know anything about the treaties? A No sir.  
Q Ever hear of the treaty of 1830? A I have.  
Q Do you know whether you claim under the whole treaty or under article fourteen? A Well, I couldn't say for sure about that.  
Q Do you know what the treaty of 1830 provides? A No sir.  
Q What is the name of your ancestor who lived in Mississippi in 1830?  
A Vinson Sims; but I don't know about his living there at that identical time.  
Q Do you know whether he ever lived there? A Yes sir.  
Q Do you know whether he lived there in 1830? A I couldn't swear to the date.  
Q He is the ancestor thorough whom you now claim, and he lived in Mississippi sometime, you don't know when? A Yes sir.  
Q Do you know whether he came to the Indian Territory from Mississippi with the other Indians who were moved here in 1833 or, 1837? A Don't know.  
Q Do you know whether he within six months after the ratification of the treaty of 1830 signified to the United States Indian Agent then living in Mississippi his intention of remaining in Mississippi and taking up land there and becoming a citizen of the United States?

George L. Ford-----2

- A No sir, I dont know as he ever did.  
Q Did he ever claim or receive any lands there as a beneficiary under article fourteen of the treaty of 1830? A Not that I know of.  
Q Did any of your ancestors ever take advantage of the provisions of article fourteen of that treaty? A Not that I know of.  
Q Are you married? A No sir.  
Q Claiming for yourself alone? A Yes sir.  
Q Have you any documentary evidence you wish to present in support of your application? A Not at the present time.  
Q Would you like a little time in which to procure it? A Yes sir.  
Twenty days time from the date hereof is allowed the applicant in which to procure and forward any documentary evidence in support of his application which he may be able and think necessary.  
Q Is there anything further that you would like to say?  
A Not that I know of.

(Recalled)

- Q I ask you if you are related to Irene B. Coopeland?  
A Yes sir, she is my sister-in-law.  
Q She made an application before this Commission on Feb. 13, 1901, for identification as a Mississippi Choctaw, did she not? A Yes sir.  
Q And she claims through the same ancestor as you-? A Yes sir.

The decision of the Commission with regard to this application which you make for identification for yourself as a Mississippi Choctaw will be mailed to you at your present postoffice address.

Henry G. Hains being first duly sworn states that as stenographer to the Commission To The Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 5th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

Subscribed and sworn to before me this 12 day of March 1901.

Charles L. Sawyer

NOTARY PUBLIC.

Muskogee, Indian Territory, May 17, 1909.

George L. Ford,

Kemp, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of May, 1909, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Ford, et al., embracing the following applications for identification as Mississippi Choctaws:

- |                            |              |
|----------------------------|--------------|
| Mary A. Ford, et al.,      | M.C.R. 1474; |
| Irene B. Copeland, et al., | M.C.R. 1475; |
| Mary A. Haddock, et al.,   | M.C.R. 1476; |
| George L. Ford,            | M.C.R. 1477; |
| Robert E. L. Ford,         | M.C.R. 1478; |
| Sarah A. Haddock, et al.,  | M.C.R. 1479. |

Said decision, after a review of the evidence submitted, concludes as follows:

The authority vested in the Commission by the said section of the Act of Congress of June 26, 1898, (30 Stats, 496), is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteenth of the Treaty between the United States and the Choctaw Indians, and to make reports thereon to the Secretary of the Interior, and to that effect all laws and regulations in force and effect at the time of the passage of this Act."

It is the opinion of the Commission that the evidence

U. L. P., R.

Ford, Mattie R. Ford, John L. Ford, Irene B. Copeland, Gracie V. Copeland, Rachel P. Copeland, Zenia A. Copeland, Mary A. Haddock, Mary A. Haddock, (Jr.) Ada Haddock, Jesse Haddock, George Haddock, John Haddock, William G. Haddock, George L. Ford, Robert B. L. Ford, Sarah A. Haddock and Myrtle Alice Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman

Registered.

H. C. M. 1902

Copy

Washington, Indian Territory, July 1902

George L. Ford,

Kemp, Indian Territory.

Dear Sir:

You are hereby advised that on the 19th day of July 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mary A. Ford, et al., of which decision you were advised by registered mail on the 17th day of May, 1902.

Your truly,

(SIGNED)

Commissioner in Charge



Date Mich 5. 1901

Name George L. Ford

Age 30 Blood 1/8

Post Office, Kimp. I. I.

Father: Abram Ford L.

Mother: Mary Ann " L.

Claims through Mother —

Claims for self

~~Children:~~ alone

Henry G. Haines  
sten

Choctaw MCR 1478

Robert E. L. Ford

See MCR 1474

*Robert C. ...*

# REFUSED.

DECISION RENDERED. MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT.  
MAY 17 1902

NOTICE OF DECISION FORWARDED  
ATTORNEYS FOR APPLICANTS.  
MAY 17 1902

FORWARDED TO ATTORNEYS  
FOR CHICKASAW NATIONS.  
MAY 17 1902

RECORD FORWARDED DEPARTMENT.  
MAY 17 1902

APPROVED BY SECRETARY OF INTERIOR  
JUL 19 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.  
JUL 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED TO ATTORNEYS FOR CHICKASAW  
NATIONS.  
JUL 28 1902

REFER TO M. C. R. 1474

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 5, 1901.

#1470.

In the matter of the application of Robert E. L. Ford for identification as a Mississippi Choctaw.  
Robert E. L. Ford being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Robert E. L. Ford.  
Q What is your age? A Twenty-five.  
Q What is your post-office address? A Kemp.  
Q Indian Territory? A Yes sir.  
Q How long have you lived there? A I moved there on the first day of December last.  
Q Where did you live before that? A Texas.  
Q Where were you born? A In Texas.  
Q Always lived in Texas till last December? A Yes sir.  
Q What is your father's name? A Abner Ford.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary A. Ford.  
Q Is she living? A Yes sir.  
Q Through which one these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A One eighth.  
Q Does your mother live in Indian Territory? A Yes sir.  
Q Do you know whether she has ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
Q Is her name on any of the Choctaw tribal rolls? A Not that I know of.  
Q Is your name on any of the Choctaw rolls? A No sir.  
Q Have you made application to any of the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Have you ever made application for enrollment? A No sir.  
Q Have you ever made application to the Dawes Commission for citizenship or enrollment in the Choctaw Nation by virtue of the Act of Congress of June 10, 1897? A No sir, I have not.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of either the authorities of the United States or the Choctaw tribal authorities?  
A No sir.  
Q Is this the first application of any kind that you have ever made?  
A Yes sir.  
Q Under what law or treaty are you making this application?  
A I don't know.  
Q You claim to be a Mississippi Choctaw by descent? A Yes sir.  
Q What is the name of your ancestor who lived in Mississippi in 1830?  
A Vason Sims; I have been told that he lived in Mississippi.  
Q How much blood did he have? A He was a full blood.  
Q Do you know whether he within six months after the ratification of the treaty of 1830 went to the United States Indian Agent then living in Mississippi and told him of his intention of remaining in Mississippi and taking up lands there and becoming a citizen of the United States?  
A I don't know.  
Q Do you know whether he came from Mississippi to the Indian Territory when the other Indians were moved here by the United States in 1833 or later? A No sir.  
Q Do you know whether he complied in any way with the provisions of the treaty of 1830?  
A No sir.  
Q Do you know whether he was ever a citizen of the United States?  
A I have heard of it.  
Q Do you know whether he was ever a citizen of the United States?  
A No sir.

Robert H. L. Ford-----

- Q Do you know whether any of your ancestors ever complied in any way with the provisions of the fourteenth article of that treaty? A No sir.
- Q Did your ancestor under whom you now claim the right to be identified as a Mississippi Choctaw ever claim or receive any lands as beneficiary under that article? A Not that I know of.
- Q Have you ever received any benefits - ? A I have not.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Anna B. Ford.
- Q Do you make any claim for her? A No sir.
- Q When and where you married to her? A In Cook County, Texas, 1887
- Q Under the laws of the State of Texas? A Yes sir.
- Q Have you any children- A I have not.
- Q You make application for yourself alone? A Yes sir.
- Q Have you any documentary evidence you wish to file in support of your application? A Not at present.
- Q Would you like time in which to file such proof? A Yes sir.
- Twenty days time from the date hereof is allowed the applicant in which to file necessary documentary evidence, marriage license and certificate.
- Q Are you acquainted with Irene B. Copeland? A Yes she is my sister.
- Q She made application before the Commission February 15, 1901, for identification as a Mississippi Choctaw, did she not? A Yes sir.
- Q You claim under the same ancestor as she? A Yes sir.
- Q And that is Vincent Sims? A Yes sir.
- Q Is there anything further that you can think of and would like to say now? A No sir.

The decision of the Commission in reference to the application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post-office address.

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Henry G. Maine being first duly sworn states that as stenographer to The Commission To The Five Civilized Tribes he reported in full all proceedings had in the above named case on March 31, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Maine

Subscribed and sworn to before me this 12 day of March 1901.

Charles H. Sawyer

Notary Public.

Muskogee, Indian Territory, May 17, 1908.

Robert B. L. Ford,

Kemp, Indian Territory.

Sir:-

It is hereby advised that on the 15th day of May, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Ford, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Ford, et al.,	M.C.R. 1474;
Irene B. Cleveland, et al.,	M.C.R. 1475;
Mary A. Hancock, et al.,	M.C.R. 1476;
George L. Ford,	M.C.R. 1477;
Robert B. L. Ford,	M.C.R. 1478;
William H. Halliday, et al.,	M.C.R. 1479.

After a review of the evidence submitted, con-

cluded on the 15th day of May, 1908, (10 Stat., 403),

is as follows:

R. H. L. P., 2.

Ford, Mattie R. Ford, John C. Ford, Irene E. Copeland, Gracie V. Copeland, Rachel P. Copeland, Honie A. Copeland, Mary A. Haddock, Mary A. Haddock (Jr.), Ada Haddock, Jesse Haddock, George Haddock, John Haddock, William O. Haddock, George L. Ford, Robert E. L. Ford, Sarah A. Haddock and Myrtle Alice Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such

Very truly,

M.C.R. 1478.

COFY

Waukegon, Indian Territory, July 28, 1902.

George W. Ford,

Camp, Indian Ter

Dear Sir:

You are hereby notified that on the 17th day of July 1902, the Secretary of the Interior through the post office at this place, advised refusing the application for identification as made by the Choctaw of the several persons included in the following list: Mary A. Ford, et al., of which application you were notified by registered mail on the 17th day of July, 1902.

Yours truly,

(SIGNED)

T. B. Needles,

Commissioner in Charge.



Date *Mich 5, 1901*

Name *Robert E. L. Ford*

Age *25* - Blood *1/8*

Post Office - *Kerrup, D. T.*

Father - *Abner Ford*

Mother - *Mary Ann " "*

Claims through *Mother*

*wife -*

*Anna B. Ford -*

~~Children:~~

*for self alone*

*Henry G. Haine  
Sten.*

Choctaw MCR 1479

Sarah A. Haddock

See MCR 1474

MCR 1479

*Mark W. ...*

# REFUSED.

DECISION RENDERED.

NOTICE OF DECISION MAILED APPLICANT.

MAY 17 1902

NOTICE OF DECISION FORWARDED ATTORNEY FOR APPLICANTS.

MAY 17 1902

NOTICE OF DECISION MAILED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 17 1902

RECORD FORWARDED DEPARTMENT.

MAY 17 1902

DECISION APPROVED BY SECRETARY OF INTERIOR.

JUL 19 1902

NOTICE OF ADMINISTRATIVE ACTION

JUL 28 1902

NOTICE OF ADMINISTRATIVE ACTION

FOR ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 28 1902

RECORD FORWARDED DEPARTMENT

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 8, 1901.

5

#1479.

In the matter of the application of Sarah A. Haddock for identification as a Mississippi Choctaw.  
Sarah A. Haddock being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Sarah A. Haddock.  
Q What is your age? A Seventeen.  
Q Are you married? A Yes sir.  
Q What is your post-office address? A Kemp, I.T.  
Q How long have you lived at Kemp? A I am not living at Kemp; I live near there.  
Q Well, how long have you lived there near Kemp? A Three months.  
Q Where did you live before that? A Kemp, I.T.  
Q Where were you born? A Texas.  
Q How long did you live there? A Well, I don't know how long exactly.  
Q Did you come from Texas to Indian territory? A Yes sir.  
Q How long have you lived in Indian Territory? A About eight years.  
Q Continuously; all the time? A Yes sir.  
Q What is your father's name? A Abner Ford.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary A. Ford.  
Q Is she living? A Yes sir. Choctaw blood.  
Q Through which one of these parents do you claim? A My mother.  
Q How much? A One eighth.  
Q Does your mother live in Indian Territory? A Yes sir.  
Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir, not that I know of.  
Q Is your name on any of the Choctaw tribal rolls? A No sir.  
Q Have you ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship or enrollment in the Choctaw Nation? A No sir.  
Q Have you ever made application to the Dawes Commission for citizenship or enrollment by virtue of the Act of Congress of June 10, 1896? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of either the United States authorities or the authorities of the Choctaw Nation? A No sir.  
Q Is this the first application of any kind to any authority? A Yes sir.  
Q You are now seeking to be identified as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty or treaties do you claim? A I don't know.  
Q How do you know what you have a right to make application? A My grand-father was a full-blooded Choctaw.  
Q Was he a full-blooded Choctaw? A Yes sir.  
Q How do you know he was a full-blooded Choctaw? A That is what my grand-father told me.  
Q How do you know he was a full-blooded Choctaw? A Yes sir.  
Q How do you live in Mississippi? A I was a school-teacher like he was.  
Q How do you live there? A I was a school-teacher like he was.  
Q How do you know he was a full-blooded Choctaw? A I was a school-teacher like he was.  
Q How do you know he was a full-blooded Choctaw? A I was a school-teacher like he was.

Sarah A. Haddock---2

in Mississippi and become a citizen of the United States? A No sir.

Q Do you know whether he came to the Indian Territory from Mississippi at the time the other Indians were removed in 1833 or 1837? A No sir.

Q You don't know anything about the treaty of 1830? A No sir.

Q Have you read article fourteen of that treaty? A No sir.

Q Do you know what it says? A No sir.

Q Do you know whether your ancestor under whom you now claim to be identified as a Mississippi Choctaw ever complied with the provisions of article fourteen of the treaty of 1830? A No sir.

Q Do you know whether he claimed or received any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830?

A No sir, I don't know.

Q Do you know whether he complied in any manner with the provisions of that article? A I don't know.

Q Are you claiming under article fourteen or fifteen, nineteen or the supplement to the treaty of 1830? A I don't know.

Q Are you married? A Yes sir.

Q What is your husband's name? A Richard Haddock.

Q Do you make any claim for him? A No sir.

Q Have you any children? A No sir.

Q Making claim for yourself alone are you? A Yes sir.

Q Have you any documentary evidence that you want to file now and make a part of your claim; any written evidence of any kind?

A I have not.

Q Do you know what I mean by documentary evidence?

A No sir, I don't believe I do.

Q I mean any evidence in the form of manuscripts or affidavits or writings of any kind properly verified? Have you any such? A No sir.

Q Would you like time in which to get them? A Yes sir.

Twenty days time from the date hereof is allowed the applicant in which to file documentary evidence, marriage license and certificate.

Q Are you acquainted with Irene B. Coapeland? A Yes sir, she is my sister.

Q She made application to this Commission for identification as a Mississippi Choctaw on the 13th day of February, 1901, did she not?

A Yes sir.

Q Is her ancestor the same as yours? A Yes sir.

Q And the basis of her claim is the same as that you make now? A Yes.

Q Is there anything further you wish to say? A No sir.

The decision of the Commission in reference to the claim you make for identification as a Mississippi Choctaw will be mailed to your present post-office address.

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Henry G. Mains being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March, 1901, and that above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 11 day of March

Muskogee, Indian Territory, January 9, 1902.

Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the fifth instant in which you state that your wife, Sarah Almedie Redlock, appeared before the Commission last March and that up to this time she has received no decision from the Commission. You also ask to be advised what you can take in regard for her, and whether you can enroll her as a citizen since the date of her application.

In reply to your letter you are informed that as your wife is not a citizen or citizen relative to the United States she cannot be enrolled for citizenship as a citizen. As a result of this she will be ineligible for the grant of

A.D.H. 3

settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be controlled by the said United States Commission and by the Secretary of the Interior as Choctaws entitled to allotment."

There is enclosed you herewith blank birth certificate upon which you may forward evidence of the birth of your child, born since the date of your wife's application. In having the same executed see that all blanks are filled out, all names written plainly, and that the Notary Public acknowledging the affidavits of the mother and the physician or nurse attaches his signature and seal thereto; signatures by mark must be attested by two witnesses who can write. Upon the return of this birth certificate properly filled out, the application of your child will receive consideration.

Yours truly,

Commissioner in Charge,

B.C.

K.C. 1-20

RECEIVED  
Muskogee, Indian Territory, January 28, 1902.

Richard Haddock,  
Kemp, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of evidence of the birth of Myrtle Alliee Haddock, infant daughter of Sarah A. and Richard Haddock, born October 27, 1901. The affidavits of the mother and the nurse at the birth of this child have been accepted as evidence of her birth, and the same will be filed with and made a part of the original application of Sarah A. Haddock for identification as a Mississippi Choctaw.

Yours truly,

Acting Chairman.

MO 1479



Muskogee, Indian Territory, May 17, 1908.

Sarah A. Haddock,

Kemp, Indian Territory.

Dear Madam:-

You are hereby advised that on the 13th day of May, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Ford, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Ford, et al.,	M.C.R. 1474;
Irene B. Copeland, et al.,	M.C.R. 1475;
Mary A. Haddock, et al.,	M.C.R. 1476;
George L. Ford,	M.C.R. 1477;
Robert S. L. Ford,	M.C.R. 1478;
Sarah A. Haddock, et al.,	M.C.R. 1479.

Said decision, after a review of the evidence submitted, concludes as follows:

The authority vested in the Commission by the 21st section of the Act of Congress of June 28, 1906, (34 Stat., 495), is as follows:

"Said Commission shall have authority to determine the identity of persons claiming rights in the Choctaw land, and to make reports to the Secretary of the Interior, and to make such investigations as may be necessary and make report thereon to the Secretary of the Interior."

It is the opinion of the Commission that the evidence in

B. A. H., 2.

Ford, Mattie R. Ford, John L. Ford, Irene B. Copeland, Gessie V. Copeland, Rachel E. Copeland, Zenie A. Copeland, Mary A. Haddock, Mary A. Haddock (Jr.), Ada Haddock, Jesse Haddock, George Haddock, John Haddock, William C. Haddock, George L. Ford, Robert E. L. Ford, Sarah A. Haddock and Myrtle Allise Haddock as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

N.C.R. 1479.

COPY.

Muskogee, Indian Territory, July 28, 1902.

Kemp, Indian Terr

Dear Maunt

You are hereby advised that on the 19th day of July 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for citizenship of the said Choctaws of the several persons mentioned in the captioned case of Mary A. Ford, et al., and such decision you were advised by registered mail on the 17th day of July 1902.

Yours truly,

SIGNED

T. B. Needles,

Commissioner in Charge.

No. 1479

For Identification as a Mississippi Choctaw.

Date *Feb 5, 1901*

Name *Sarah A. Headlock*

Age *17* - Blood *1/8*

Post Office, *Kemp, I. T.*

Father: *Abner Ford*

Mother: *Mary Ann*

Claims through *mother*

*Husband*  
*Richard Headlock*

Children:

*Claim for self*  
*alone*

*Henry G. Hains*  
*Stn.*

Choctaw MCR 1480

James M. Vernon

MCR 1480

DEPARTMENT OF THE INTERIOR,  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of James M. Vernon for identification for himself and his minor children as Mississippi Choctaws.

James M. Vernon, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A James M. Vernon.
- Q What is your age? A Forty three.
- Q What is your present post office address? A Stonewall Indian Territory? A Yes sir.
- Q How long have you lived at Stonewall? A A little over a year.
- Q Where did you live before that? A Six miles northeast.
- Q In the territory? A Yes sir.
- Q How long have you lived continuously in the Indian Territory? A About eighteen years.
- Q Where were you born? A Missouri.
- Q At what place? A Mount Pleasant.
- Q How long after your birth did you leave Missouri? A When I was a babe, a sucking babe.
- Q Where did you go? A Texas.
- Q Did you live in Texas until you came to the territory? A Yes sir.
- Q What is your father's name? A N. Vernon.
- Q Is he living? A Yes sir.
- Q What is your mother's name? A Nancy Vernon.
- Q Is she living? A No sir, dead.
- Q Through which one of these parents do you claim Choctaw blood? A My father.
- Q How much do you claim? A A One eighth.
- Q Was your father ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A I do not know.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir, not on any.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Have you ever made application for enrollment to the Choctaw tribal authorities? A No sir.
- Q Have you ever made application to the Dawes Commission under the Act of Congress of June 10, 1896, for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q Was this the first application of any kind you have ever made? A Yes sir.
- Q You are now seeking to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or treaties do you make this application? A The Treaty of 1830.

James M. Vernon--2.

- Q What is that, the time when the treaty was made? A 1830, yes sir.
- Q Do you claim under the whole treaty of 1830 or under any article in that treaty? A I claim under the special article, the fourteenth.
- Q Do you know how that article reads? A No sir, I cannot say that I do.
- Q Understand what its provisions are? A I think I do.
- Q What does it provide as you understand it? A I understand it provides for Choctaw Mississippi Indians; that is my understanding.
- Q In what way? A The benefits of the lands of the Choctaw Nation.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Green Vernon.
- Q What relation was he to you? A Great grandfather.
- Q On your father's side? A Yes sir.
- Q Did he live in Mississippi in 1830? A Yes sir.
- Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know whether he made that statement or not.
- Q Do you know whether he came from Mississippi to the Indian Territory in the years 1833 or 1837 when the other Choctaw Indians came here? A No sir, I do not.
- Q Do you know whether he ever complied with the provisions of article fourteen of the treaty of 1830? A I do not.
- Q Do you know if he ever claimed any benefits under article fourteen of that treaty? A No sir.
- Q Do you know whether you claim under articles fifteen or nineteen of that treaty? A I claim under fourteen.
- Q You do not claim under the eighteenth or nineteenth? A No sir, that is my understanding.
- Q Do you not claim under the supplement of the treaty? A What would that mean.
- Q There is a supplement to the treaty of 1830, I cannot explain it to you, but you know whether you claim under it or not--whether you know what it is and whether you claim under it or not? A That would be under the 14th section.
- Q It would be under the supplement of the treaty, but not under the fourteenth article of course; the treaty is made up of articles, and the supplement is something that follows the treaty--a supplement to it; do you claim under it? A Yes sir.
- Q Do you know whether your ancestor under whom you claim the right to be identified as a Mississippi Choctaw ever received or claimed any land in Mississippi as a beneficiary under article fourteen of that treaty? A I do not.
- Q Do you know whether he complied with the provisions of article fourteen of the treaty of 1830? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Lillie Vernon.
- Q Do you make any claim for her? A No sir.
- Q Have you any children under twenty one and unmarried that you want to make application for? A Yes sir.
- Q What is the name of the oldest? A Eddie K.
- Q How old is he? A Ten years.
- Q The next? A Oliver.
- Q Is that the whole name? A No, James M. is the name.

James M. Vernon---3.

- Q How old is he? A Six years.  
Q What is the name of the next? A Arthur B.  
Q How old? A Four.  
Q The next? A Maudie L.  
Q How old is she? A Two years old.  
Q Any others? A That is all.  
Q Is Lillie Vernon the mother of these children? A Yes sir.  
Q And you are the father? A Yes sir.  
Q And you and she are living together as husband and wife? A Yes  
Q And these children are living with you at your home? A Yes sir  
Q They claim through you? A Yes sir  
Q Have you your marriage license and certificate you want to introduce now? A I have my license.  
Q Have you any documentary evidence you would like to introduce now and make a part of your application? A No sir.  
Q Do you want time in which to file documentary evidence? A Yes

On motion of Mr Arnold, counsel for applicant, twenty days time is allowed applicant from the date hereof in which to file documentary evidence; also marriage license and certificate, in support of his application.

Q Is there anything further you want to state in support of this claim? A No sir.

The decision of the Commission in regard to this application which you make for identification for yourself and your minor children as Mississippi Choctaws will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 7 day of March, 1901.

*H. G. Risteen*  
*Charles H. Sawyer*

Notary Public.



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

In the matter of the application of James M. Vernon for the identification of himself and his minor children, Eddie K., James O., Arthur B. and Maudie L. Vernon, as Mississippi Choctaws.

D E C I S I O N .

The record in this case shows that James M. Vernon appeared before the Commission at Atoka, Indian Territory, March 7th, 1901, and there made application for the identification of himself and his minor children, Eddie K. Vernon, James O. Vernon, Arthur B. Vernon and Maudie L. Vernon, as Mississippi Choctaws. The provision of law vesting the Commission with 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 27th, 1830, is found in Section 21 of the Act of Congress approved June 28th, 1898, (public No. 162), and is as follows, to wit:

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of James M. Vernon and his minor children, Eddie K. Vernon, James O. Vernon, Arthur B. Vernon and Maudie L. Vernon, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

DATED AT MUSKOGEE, INDIAN TERRITORY

ACTING CHAIRMAN.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1901.

March 15, 1874.

A. Arnold,

London, England.

Dear Sir, I have the honor to acknowledge the receipt of your letter of March 9, 1874,

in relation to the purchase of a copy of the "Journal of the American Medical Association,"

and in reply to inform you that the same has been forwarded to you by express of this date.

I am, Sir, very respectfully,  
Your obedient servant,

Wm. B. Beardslee, Secretary.

110 North Dearborn Street, Chicago, Ill.

Very respectfully,  
Wm. B. Beardslee.

Enclosed find a copy of the "Journal of the American Medical Association,"

Washington, D.C., February 11, 1910

Mr. J. M. [Name]

Department of the Interior

Washington, D.C.

I am in receipt of your letter of March 11,

concerning the [subject] of the [subject] [subject] [subject] [subject]

and in reply to inform you that the [subject] [subject] [subject] [subject]

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Muskogee, Indian Territory, September 12, 1901.

Mr. James H. Vernon,  
Stonewall, Indian Territory.

Dear Sir:

In the matter of the applications for identification as  
Mississippi Choctaws of

Richard H. Vernon, et al.,  
Annie Vernon, et al.,  
Charles E. Vernon, et al.,

you are informed that under date of July 25, 1901, the Commissioner  
of Indian Affairs remanded to this Commission the records theretofore  
forwarded the Department for approval, with instructions that an  
opportunity be granted for the production of additional testimony

Our records show that you appeared before this Commission  
at Muskogee, Indian Territory, on March 7th, 1901, and applied for the  
recognition as Mississippi Choctaws of yourself and four others.

In accordance with the instructions of the Department of the Interior,

J.M.V. (S)

1901, at 9:00 o'clock A.M. there will be heard the testimony of such witnesses as you may desire to present in person in support of your application.

Yours truly,

H.C. 1400

COPY.

COMMISSIONERS:  
HENRY L. DAWES,  
TAMM BIXBY,  
THOMAS S. NEEDLES,  
G. B. BUSHKIRIDGE.

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

REFER IN REPLY TO THE FOLLOWING

M C R 1480

ALLISON L. AYLESWORTH,  
SECRETARY.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 31, 1902.

James H. Vernon

Stonewall, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Richard H. Vernon, et al., embracing the following applications for identification as Mississippi Choctaws:

Richard H. Vernon, et al.,	M. C. R.	157
Annie Payne, et al.,	M. C. R.	158
Charlie P. Vernon,	M. C. R.	164
Hettie E. Buchanan, et al.,	M. C. R.	375
James C. Kelley, et al.,	M. C. R.	377
James F. Vernon, et al.,	M. C. R.	378
Mary Stanfield, et al.,	M. C. R.	805
David G. Vernon, et al.,	M. C. R.	807
Christie Croan, et al.,	M. C. R.	808
Frank McDonough,	M. C. R.	809
Ida McDonough,	M. C. R.	810
Mary McDonough,	M. C. R.	811
John T. Vernon,	M. C. R.	812
George W. Vernon, et al.,	M. C. R.	813
William Stanfield,	M. C. R.	814
William L. Vernon, et al.,	M. C. R.	815
Sarah A. McDonough, et al.,	M. C. R.	876
John Frederick Halfacre, et al.,	M. C. R.	878
Mary M. Goodman, et al.,	M. C. R.	880
John B. Vernon, et al.,	M. C. R.	1003
Nancy A. McKinnon, et al.,	M. C. R.	1017
Lovilla A. Holland, et al.,	M. C. R.	1018
Oliver P. Vernon, et al.,	M. C. R.	1296
Elderage C. Vernon, et al.,	M. C. R.	1299
Charlie S. Vernon, et al.,	M. C. R.	1300
Francis M. Vernon, et al.,	M. C. R.	1362
Jefferson Vernon, et al.,	M. C. R.	1406
James M. Vernon, et al.,	M. C. R.	1480
Fannie F. Elliott,	M. C. R.	3571
Minous J. Elliott, et al.,	M. C. R.	3572
Knacy T. Elliott,	M. C. R.	3573
Charles M. Elliott, et al.,	M. C. R.	3574
James L. Elliott, et al.,	M. C. R.	3575

Walter J. Elliott,	M. C. R.	3576
Robert S. Elliott,	M. C. R.	3577
Martha A. Gibson, et al.,	M. C. R.	3578
Martha Jane Hughey, et al.,	M. C. R.	1301
Bertha M. Bryant, et al.,	M. C. R.	1444
Matilda E. Jefferson, et al.,	M. C. R.	4330
Maggie H. E. Holloway, et al.,	M. C. R.	5443

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows :

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Richard H. Vernon, Pearly May Vernon, Minnie Irene Vernon, Otha Ellen Vernon, Annie Payne, Virgil Payne, Walter Elbert Payne, Charlie P. Vernon, Hettie E. Buchanan, Charles H. Buchanan, Mary F. Buchanan, James Wm. Buchanan, Eddie E. Buchanan, Lucy A. Buchanan, Gracie E. Buchanan, James C. Kelley, Mary A. Kelley, Mattie L. Kelley, Andrew I. Kelley, Chaude G. Kelley, Howard A. Kelley, Johnnie B. Kelley, Steller V. Kelley, James F. Vernon, Myrtle A. Vernon, Benjamin B. Vernon, Willie B. Vernon, Maudie U. Vernon, Johnnie L. Vernon, Samuel A. Vernon, Mary Stanfield, James Stanfield, Luannie Stanfield, Alice Standfield, Frank Stanfield, David G. Vernon, Emma J. Vernon, John Yancy Vernon, Rob. C. Vernon, Samuel Henry Vernon, Lula May Vernon, Christie Croan, Edith Croan, Edward Croan, Stella Croan, Frank McDonough, Ida McDonough, Mary McDonough, John T. Vernon, George W. Vernon, Rhodie Parelee Vernon, Leurah Glades Vernon, William Stanfield, William L. Vernon, Mary E. Vernon, Nevada Edna Vernon, Willie B. V. Vernon, Lula B. Vernon, Roy G. Vernon, Sarah A. McDonough, Thomas Edwards McDonough, Perry Washington McDonough, John Frederick Halfacre, John Everett Halfacre, Charley Alonzo Halfacre, Solon Sylvester Halfacre, Frederick Audustus Halfacre, Thomas Edwin Halfacre, Rosa Lee Halfacre, Annie May Halfacre, Mary M. Goodman, Sudie Irene Goodman, Mary Cleveland Goodman, William Clyde Goodman, Noma Ethel Goodman, Gus Adolph Goodman, Maggie Jensey Goodman, John B. Vernon, Charlie H. Vernon, John J. Vernon, George Vernon, Bessie Vernon, Carl Vernon, Gladys Lillian Vernon, Nancy A. McKinnon, George P. McKinnon, David McKinnon, John C. McKinnon, James A. McKinnon, Newton G. McKinnon, Adelbert A. McKinnon, Lovilla A. Holland, Ernest Ray Holland, Elbert Clair Holland, Roy Cecil Holland, Oliver P. Vernon, Nancy Agnes Vernon, Exer C. Vernon, Odis C. Vernon, Elderage C. Vernon, William N. Vernon, Calla R. Vernon, Henry D. Vernon, Addie C. Vernon, Elderage C. Vernon, Charlie C. Vernon, Verdice E. Vernon, Charlie S. Vernon, Ernest Vernon, Amos Vernon, Florence Vernon, Francis M. Vernon, Ida B. Vernon, John M. Vernon, Nancy L. Vernon, Altie L. Vernon, Jefferson Vernon, Robert R. Vernon, Edna E. Vernon, Lydia E. Vernon, James M. Vernon, Eddie K. Vernon, James O. Vernon, Arthur B. Vernon, Maudie L. Vernon, Fannie F. Elliott, Minous J. Elliott, Callie Elliott, Knacy T. Elliott, Charles M. Elliott, Jessie C. Elliott, Thomas J. Elliott, Garnet A. Elliott, Charles M. Elliott, Jr., James L. Elliott, William H. Elliott, Walter J. Elliott, Robert S. Elliott, Martha A. Gibson, Paul E. Gibson, Nellie L. Gibson, Martha Jane Hughey,

James Nehemiah Hughey, Dora Hughey, Thomas Hughey, Lizzie Hughey, Clarence Hughey, Dewey Hughey, Charles M. Hughey, Bertha M. Bryant, Dollie M. Bryant, Matilda E. Jefferson, William Walter Jefferson, Clarence Virgill Jefferson, Jennie Grace Jefferson, Homer Vernon Jefferson, Maggie H. E. Holloway, Lucille Frances Holloway and Minnie Lee Holloway, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*Tame Dwyer*

Acting Chairman.

Registered.



1480  
COPY, H. C. R. 1430

Muskogee, Indian Territory, November 22, 1902.

James H. Vernon,  
Stoll, Indian Territory.

Dear Sir:

You are hereby notified that on the 11th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Richard H. Vernon, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,

(SIGNED)

James D. Gray,  
Acting Chairman.

M.C.R. 1480.

COPY

Muskogee, Indian Territory, November 15, 1906.

James H. Vernon,  
Stonewall, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior on November 5, 1906, denied the motion filed with this office by Albert J. Lee, attorney at law, Ardmore, Indian Territory, on June 23, 1906, for reconsideration of the consolidated Mississippi Choctaw case of Richard H. Vernon, et al

Respectfully,

SIGNED *Tams Dixby,*  
Commissioner.

RECEIVED  
DEPARTMENT OF THE INTERIOR

MAY 31 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS

MAY 31 1902

RECORD FORWARDED DEPARTMENT.

MAY 31 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

NOV 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

NOV 22 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

NOV 22 1902

REFER TO 57

No. 1480

For Identification as a Mississippi Choctaw.

Date Mich 7. 1901

Name James M. Vernon,

Age 43 Blood 1/8

Post Office, Stonewall, I. T.

Father: N. Vernon. I

Mother: Nancy " d

Claims through father  
wife.

Lillie Vernon,

Children: -

Eddie B. K. 10.

James C. 6.

B. 4.

Maudie L. 2.

for self and  
children.

Choctaw MCR 1481

Martha Evans

St. Mary 1298

MCR 1481

*advised*

**REFUSED**

DECISION RENDERED. JUL 26 1903

NOTICE OF DECISION MAILED APPLICANT.

JUL 26 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 26 1902

RECORD FORWARDED DEPARTMENT.

JUL 26 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

AUG 26 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP -5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

SEP -5 1902

REFER TO M. C. R. 1288

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Martha Evans for identification for herself and her minor children as Mississippi Choctaws.

Martha Evans, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Martha Evans.
- Q What is your age? A Twenty three.
- Q What is your post office address? A Bosqueville.
- Q Where is Bosqueville? A McClellan County, Texas.
- Q How long have you lived there? A About seven years.
- Q Where did you live before that? A Augustine, Texas.
- Q Where did you live before that? A I was born in Augustine, lived there about fourteen years.
- Q Always lived in Texas? A Yes sir.
- Q What is your father's name? A Wiley Price.
- Q Is he living or dead? A Dead.
- Q What was his blood? A He was a negro.
- Q Full blood negro? A Yes sir.
- Q What is your mother's name? A Amanda Price.
- Q Is she living or dead? A Living.
- Q Through which of these parents do you claim Choctaw blood? A My mother.
- Q How much do you claim? A One third.
- Q One third, is that right? A Yes sir.
- Q How much did your mother have? A One half.
- Q Choctaw Indian? A Yes sir.
- Q What was her other blood? A White, I think.
- Q Do you not know whether it was white or not? A Yes, it was white.
- Q Did she have any negro blood or not? A I do not think she did.
- Q Your father was a full blood negro? A Yes sir.
- Q And your mother was half Indian and you think the other half was white? A Yes sir.
- Q You are not sure of it? A I think it is.
- Q Were any of your father's people ever slaves? A Yes sir.
- Q Which of his parents were slaves? A His father and mother were.
- Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A Her name is on it, I think.
- Q Did she ever live in the present Territory? A No sir.
- Q Then how could her name be on the Choctaw tribal rolls? A My grandfather was.
- Q I was asking about your mother now? A My mother's name was not on the rolls.
- Q Was she ever recognized as a Choctaw Indian by the United States Government? A Yes, I think so.
- Q Did she ever live on the Choctaw reservation? A No sir.
- Q How could she be recognized as a Choctaw Indian if she never lived on the reservation and did not claim to be a Choctaw Indian?
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Martha Evans---2.

- Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for either citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q Is this the first application you have ever made of any kind? A Yes sir.
- Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty? A 1830.
- Q Under the whole treaty? A Yes sir.
- Q Not under article fourteen particularly? A Yes sir.
- Q How do you claim under article fourteen particularly and under the whole treaty? A Yes sir, fourteen.
- Q What is your idea of fourteenth--does that mean a year? A No sir, it means the fourteen hundred, dont it.
- Q Fourteen hundred what? A Year.
- Q You are claiming under the treaty are you? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha Roberts.
- Q Was she a full blood Choctaw Indian? A I do not know whether she was a full blood or not.
- Q What relation was she to you? A She was my mother's mother.
- Q You claim your mother was half Indian? A Yes sir.
- Q Then what would her mother be? A She would be whole Indian.
- Q Do you know whether she was or not? A I do not know, I never heard mother say.
- Q Did she live in Mississippi in 1830? A Yes sir.
- Q Did she tell the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi.
- Q Do you know whether she came to the Indian Territory in the years 1833 or 1837 when the other Indians come here? A I do not know.
- Q Did she ever comply with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Did she ever receive or claim any land in Mississippi from the United States Government under article fourteen of the treaty of 1830? A I do not think she did.
- Q Do you know what article fourteen of the treaty of 1830 provides? A My idea is that it provides for the Mississippi Choctaw.
- Q Do you know what it was necessary for an Indian who lived in Mississippi in 1830 to do before he could have any rights in the Indian Territory? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A P. B. Evans.
- Q Do you have any children? A No sir.
- Q How many children have you and unmarried you want to make claim for? A Yes sir, I have none.
- Q What is name of the child? A Allie.
- Q Is that a boy or girl? A Girl.



Martha Evans---9.

- Q How old is she? A Four years old  
Q What is name of the next? A Clinton.  
Q How old is he? A Two years.  
Q The next? A Hansel.  
Q How old is Hansel? A Four months.  
Q You are the mother of these children? A Yes sir.  
Q P. D. Evans is the father? A Yes sir.  
Q Are you and he living together as husband and wife? A Yes sir.  
Q And the children are all living with you at your home? A Yes  
Q Have you any documentary evidence that you want to introduce now  
in support of this application? A No sir.

On motion of Mr Arnold, counsel for applicant, twenty days  
time from the date hereof is granted in which to file  
documentary evidence in support of this application.

- Q Is there anything further you would like to state? A No sir.

The decision of the commission in regard to this application  
which you make for identification for yourself and your  
minor children as Mississippi Cheetaws will be mailed to  
you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath  
states: That as stenographer to the commission to the five Civilized  
Tribes he reported in full all proceedings had in the above entitled  
cause on the 7th day of March, 1901, and that the above and forego-  
ing is a full, true and correct transcript of his stenographic notes  
of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 7 day of March, 1901.

*Charles H. Sawyer*  
Notary Public.

March 18,

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 9th inst.

in relation to the account of J. B. Lewis, and in reply to inform you that

the same has been forwarded to the proper authorities for their consideration.

I am, Sir, very respectfully,  
Your obedient servant,

J. H. [Name]

Enclosed for you are the papers in relation to the account of J. B. Lewis.

I am, Sir, very respectfully,  
Your obedient servant,

J. H. [Name]

July 7, 1901

Pauline Evans

Age 23 - 9 mos 1/3

Res. Boqueville, Tex.

Father: Wiley Price, d

Mother: Amanda " l

Claims through mother - - -

Husband -

F. O. Evans -

Children:

Allie - girl - 4

Clinton - 2

Samuel - 4 m.

for self and

children -

H. R. Ritten

Att. -

Choctaw MCR 1482

Jane L. Prater

See MCR 1413

MCR 1482

REFUSED.

*James L. Prater, et al*

DECISION RENDERED. FEB 11 - 1903

NOTICE OF DECISION MAILED APPLICANT.

FEB 11 1903

NOTICE OF DECISION FORWARDED  
ATTORNEY APPLICANTS.

NOTICE OF DECISION MAILED ATTORNEYS  
FOR AMERICAN AND FOREIGN NATIONALS

RECORD FORWARDED DEPARTMENT

FEB 24 1903

ACTION APPEALS TO THE COMMISSIONER OF INTERIOR

MAR 1 1903

NOTICE OF DECISION MAILED ACTION  
FORWARD

MAR 1 1903

NOTICE OF DECISION MAILED ACTION  
FORWARD

NOTICE OF DECISION MAILED ACTION  
FORWARD AND MAILED APPLICANT

MAR 1 1903

DECISION PREPARED

REFER TO M. O. R. 1413

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

Atoka, I. T., March 7, 1901.

In the matter of the application of Jane L. Prater for identification for herself and her minor child as Mississippi Cheetaws.

Jane L. Prater, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Jane L. Prater.  
Q What is your age? A Twenty four.  
Q What is your post office address? A Spiro, Indian Territory.  
Q How long have you lived at Spiro? A I do not live in Spiro.  
Q How near there do you live? A I do not know just how far it is; I think it is about two miles and a half.  
Q How long have you lived there? A Nearly a year.  
Q Where did you live before you lived there? A I lived up from there.  
Q How long have you had Spiro for your post office? A It has been over a year.  
Q Where did you live before you lived near Spiro? A I lived down close to Blaine.  
Q In the Indian Territory? A Yes sir.  
Q How long have you lived in the Indian Territory continuously? A I do not know just for certain.  
Q More than two years---three years? A I think it has been twelve or thirteen years.  
Q In the Indian Territory? A Yes sir.  
Q Where were you born? A I was born in Texas.  
Q And did you always live in Texas before you came to the Indian Territory? A I do not know how long I did live there.  
Q I asked you if you always lived there before you came to the Territory? A No sir, we did not live there all the time.  
Q You were born in Texas,--now where did you go from Texas?  
A Arkansas.  
Q When you left Arkansas where did you go? A To the territory.  
Q And have lived here since? A Yes sir.  
Q You never lived in Mississippi? A No sir.  
Q What is the name of your father? A John Blear.  
Q Is he living? A I do not know whether he is or not.  
Q What is your mother's name? A Mary S. Blear, I believe.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Cheetaw blood?  
A My mother.  
Q How much do you claim? A One quarter.  
Q Was your mother ever recognized as a Cheetaw Indian by the Cheetaw tribal authorities? A Yes sir, I think she was.  
Q When and where? A I do not know, for certain.  
Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
A Not as I know of.  
Q Have you ever made application for enrollment to the Cheetaw tribal authorities? A My mother did.

Jane L. Prater---2.

- Q Did your mother ever make application for enrollment for you?  
A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Did your mother ever make application for you? A No sir.
- Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Dawes Commission under the Act of Congress of June 10, 1896? A No sir.
- Q Did your mother ever make application for you to the Dawes Commission? A I do not know whether it would just that way or not.
- Q Did she ever come into the Indian Territory? A Yes.
- Q Did she ever go before the Dawes Commission? A Yes sir.
- Q When did she go before the Dawes Commission? A I do not know just how long it has been.
- Q Where did she go before the Commission? A I think she was here.
- Q At Atoka? A Yes sir.
- Q You do not know when? A No, I do not know just when it was.
- Q Did she make application for you at that time? A I do not know.
- Q What is her name? A Mary S. Bleer.
- Q The record in the matter of your mother shows that Mary S. Bleer your mother made application for identification as a Mississippi Choctaw February 12, 1901; at that time she made application only for one minor child and she did not make application for you. The record of the Commission to the Five Civilized Tribes shows that in Choctaw Case No. 918, application was made by Mary S. Bleer, your mother, for herself and John W., Julia B., Joseph S., Lillie J., Sillie R., Nancy F. and Oma G. Bleer; there does not appear to be any application here for you and your name does not appear here; that such application was denied and there is no record of any appeal having been taken by the applicants from the decision of the Commission within the time specified in the Act of Congress. This is the application you refer to that your mother made? A Yes sir.
- Q Aside from that application made by your mother, and the application she made for herself and one minor child, do you know of any other application that she made? A No sir.
- Q She made an application in 1896 and one in February this year?  
A Yes sir.
- Q In neither case has any application been made for you; and you are now making your own application? A Yes sir.
- Q You are making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty? A 1830.
- Q Do you claim under the whole treaty of 1830 or under part of it? Do you claim under article fourteen of that treaty? A Yes sir.
- Q Do you claim under articles fifteen or nineteen? A No sir.
- Q What was the name of your ancestor who lived in Mississippi in 1830 through whom you claim the right to be identified--what is the name of your mother's father, or grandfather, or your mother's mother or your mother's grandmother? A My grandmother on my mother's side; she was named Nancy but I do not remember.
- Q Do not remember the full name? A Do you mean before she was married or after she was married?  
Q I mean after she was married? A Nancy White.

Jane L. Prater----3.

- Q That is your mother's mother? A Yes sir.  
Q Did she live in Mississippi in 1830? A I do not know.  
Q Did she within six months after the treaty of 1830 was ratified tell the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.  
Q Did she come from Mississippi to the Indian Territory when the other Indians came in the years 1835 and 1837? A I do not know.  
Q Did any of your kin--your grandmother or any of your kin--ever claim or receive any land from the United States government in Mississippi under article fourteen of the treaty of 1830? A I do not know.  
Q Do you know whether she or any of your ancestors ever complied with any of the provisions of article fourteen of the treaty of 1830? A I do not know what you mean.  
Q Did any of your kin ever comply with the law as given in article fourteen of the treaty of 1830? A I do not know.  
Q Have any of your ancestors ever received any benefits under article fourteen of the treaty of 1830? A I do not know.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A John Prater.  
Q What do you claim for him---anything? A No sir.  
Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A I have none but this one I have here.  
Q What is its name? A Minnie May.  
Q How old? A Eight months.  
Q When and where were you married to John Prater? A I think it was in 1896.  
Q Do you know at what date; what month and day of the month? A It was in December.  
Q Where were you married? A In Fort Smith.  
Q Under the laws of the United States? A Yes sir.  
Q Is John Prater the father of this child? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q And you are living together at your home? A Yes sir.  
Q And this child is living with you? A Yes sir.  
Q Have you any documentary evidence you would like to introduce now. A No sir.

Thirty days time from the date hereof is allowed applicant in which to file documentary evidence in support of her application for herself and child.

- Q Is there anything further you would like to state? A No sir.

Jane L. Prater, being recalled for further examination, testified as follows:

Examination by the Commission:

- Q Do you claim under Nancy Ellis your right to be identified as a Mississippi Choctaw? A She is my grandmother, and that is what I understood you to say.  
Q I have asked you what I ask you now: What was the name of your kin folk or relative who lived in Mississippi in 1830 under whom you



Jane L. Prater---4.

claim the right to be identified as a Mississippi Choctaw? A It was William Jackson.

Q What relation was he to you? A He was my great grandfather--my mother's grandfather.

Q He lived in Mississippi did he, and you are claiming through him.

A Yes sir.

Q Do you wish to change your testimony where you said Nancy Ellis and say William Jackson? A Yes sir.

The decision of the Commission in regard to this application which you make for identification for yourself and this minor child as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

subscribed and sworn to before me this 11 day of March 1901.

*Charles H. Sawyer*

Notary Public.

COPY.

M.C.R.1482.

Muskogee, Indian Territory, February 6, 1908.

Jane L. Prater,

Spire, Indian Territory.

Dear Madam:

You are hereby advised that on the 6th day of February, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary S. Bloor, et al., embracing the following applications for identification as Mississippi

Choctaws:

Mary S. Bloor, et al.,	M.C.R.1413;
Jane L. Prater, et al.,	M.C.R.1482;
Oma C. Richardson, et al.,	M.C.R.1483;
Bellie A. Breshers, et al.,	M.C.R.1484.

These applications were made under the provision of the act of Congress of June 28, 1896, (30 Stats., 495), which is as follows:

"Said Secretary shall have authority to determine the validity of claims of those claiming rights in the Choctaw and Chickasaw portions of the treaty between the United States and the Choctaw Nation, concluded September 26, 1830, and the Chickasaw Nation, concluded August 7, 1832, and to hear and determine, under oath, examine witnesses and receive all other data necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"The Commission to the Five Civilized Tribes has the honor to advise you that the Commission has determined that the application of Jane L. Prater, et al., for identification as Mississippi Choctaws is not sustained. The Commission has determined that the application of Mary S. Bloor, et al., for identification as Mississippi Choctaws is sustained. The Commission has determined that the application of Oma C. Richardson, et al., for identification as Mississippi Choctaws is not sustained. The Commission has determined that the application of Bellie A. Breshers, et al., for identification as Mississippi Choctaws is not sustained.

J. L. P., 2.

fourteen of the treaty of eighteen hundred and thirty,  
and that the applications for their identification as  
such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days  
from the date hereof within which to file arguments in this office,  
and that at the expiration of the above term the papers in the case,  
together with such a statement as you may desire to be forwarded to the Secretary  
of the Interior through the Commissioner of Indian Affairs.

Respectfully,

*C. R. Breckinridge.*

Commissioner in Charge.

Registered.

Muskogee, Indian Territory, March 9, 1903.

Jane L. Proctor,

~~Spire, Indian Territory.~~

Dear Madam:

Receipt is hereby acknowledged of your letter of the 24th ultimo, relative to the decision of the Commission refusing the application made by you for the identification of yourself and minor child as Mississippi Choctaws. ~~You state~~ "We would like to know just what kind of evidence you want"; that you do not understand what is meant by argument, and that you will consult your attorney at once.

In reply to your letter you are informed that the fifteen days from February 6, 1903, heretofore granted you within which to present in support of your claim to be forwarded to the Secretary of the Interior, expired on February 21, 1903. On February 24, 1903, the record in the case, together with the decision of the Commission, was forwarded to the Secretary of the Interior. Pending action thereon by him the Commission cannot receive or consider further evidence in this case. You will be duly notified of such action as may be taken by the Secretary.

Respectfully,

*[Signature]*

COPY.

M.O.R. 1488

Muskogee, Indian Territory, May 29, 1903.

James H. Prater,  
Spiro, Indian Territory.

Dear Madam:

You are hereby notified that on the 15th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mary B. Bloor, et al., of which decision you were advised by registered mail on the 6th day of February, 1903.

Respectfully,

W.M.H.

*J. E. Neading*  
Commissioner in Charge.

FOR INFORMATION OF A MISSISSIPPI OFFICIAL.

Date Mich 7. 1891

Name Jane L. Prater,

Age 24 - Blood 1/4

Post Office, Spiro, I. T.

Father: John Bleer, <sup>"living"</sup> (deceased)

Mother: Mary S. " l.

Claims through mother -

Husband -

John Prater -

Children:

Minnie M. - 8 m.

for self & child

H. C. Risten

Star

Choctaw MCR 1483

Oma C. Richardson

MCR 1483

REFUSED.

*Anna C. Richardson, et al*

DECISION RENDERED FEB 6 - 1903  
NOTICE MAILED APPLICANT,

FEB 18 1903

NOTICE MAILED APPLICANT,  
APPLICANTS.

FEB 1903

NOTICE MAILED APPLICANT,  
FOR OFFICIALS OF THE LAW NATIONS

NOTICE MAILED APPLICANT,  
DEPARTMENT.

NOTICE MAILED APPLICANT,  
BUREAU OF IMMIGRATION

NOTICE MAILED APPLICANT,  
FOR OFFICIALS OF THE LAW

FEB 1903  
NOTICE MAILED APPLICANT,  
FOR OFFICIALS OF THE LAW

DECISION PREPARED

FEB 14 1903



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Alaska, I. T., March 7, 1891.

In the matter of the application of Gma C. Richardson for identification for herself and her minor child as Mississippi Cheetaws.

Gma C. Richardson, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Gma C. Richardson.  
 Q What is your age? A Twenty two.  
 Q What is your post office address? A Petcom, Indian Territory.  
 Q Do you live at Petcom? A Yes sir.  
 Q How long have you lived there? A Two or three years.  
 Q Where did you live before that? A Between there and Fort Smith.  
 Q In the Territory? A Yes sir.  
 Q How long have you lived in the territory continuously? A About twelve or thirteen years.  
 Q Where did you live before you came to the territory? A Texas.  
 Q Were you born in Texas? A Yes sir.  
 Q Where? A Montague, Texas.  
 Q What is your father's name? A John Blear.  
 Q Is he living? A No sir, I think not.  
 Q What is your mother's name? A Mary S. Blear.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My mother.  
 Q How much do you claim? A One quarter.  
 Q Does your mother live in the territory? A Yes sir.  
 Q Has she ever been recognized as a Cheetaw Indian by the Cheetaw tribal authorities? A I do not know for sure; I think she has.  
 Q I mean by act of council--or the Cheetaw tribal authorities; do you know about that? A No sir.  
 Q Yes, mean she has been looked upon by the Indians as an Indian?  
 A Yes sir.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A I do not know for sure, I think it is. I think it is on some of the papers; I do not know more.  
 Q What makes you think your name is on the Cheetaw tribal rolls; I am talking about the Indian roll? A I do not know.  
 Q What have you heard about it; did your mother tell you or an application had been made for you? A I do not know whether she did or not.  
 Q Did your mother ever make application for herself? A I think so, I do not know for sure.  
 Q Your mother is Mary S. Blear? A Yes sir.  
 Q How much is in the roll of your mother's name that she has been recognized as a Cheetaw Indian by the Cheetaw tribal authorities?  
 A I do not know.  
 Q How much is in the roll of your mother's name that she has been recognized as a Cheetaw Indian by the Cheetaw tribal authorities?  
 A I do not know.  
 Q Is one of the applications that you refer to that you refer to?  
 A Yes sir.

Oma C. Richardson----2.

- Q The records also show that your mother made application for citizenship before the Daves Commission under the Act of Congress of June 10, 1898; the number of her case is Choctaw Case No. 918. She made application for herself, John W., Julia B., Joseph S., Lillie V., Sillie R., Nancy F. and Oma C. Bloor--You are the Oma C. Bloor she made application for at that time? A Yes sir.
- Q The records show that the application was denied and there is no record of any appeal having been taken from the decision of the Commission in the time prescribed by the Act of Congress above referred to. That was an application for enrollment as a Choctaw citizen. You are now making application to be identified as a Mississippi Choctaw, are you? A Yes sir.
- Q And beyond this application I have read to you made in your behalf in 1896, no other application has been made up to the present time? A No sir.
- Q You wish to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what law am you making this application for identification as a Mississippi Choctaw? A 1830.
- Q Do you make it under the whole treaty of 1830? A Under the fourteenth article.
- Q Do you know whether you claim anything under the 15th article of the treaty of 1830? A No sir.
- Q Do you claim under the 19th article? A No sir.
- Q Or under the supplement of that treaty? A I do not know what you mean.
- Q Did you ever hear of the supplement of the treaty of 1830? A No.
- Q Do you know whether you claim under that or not? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A William Jackson.
- Q What kin was he to you? A My mother's great grandfather.
- Q Do you mean your mother's grandfather? A I believe it is.
- Q How do you know he was a Choctaw Indian? A My mother told me he was.
- Q Did he live in Mississippi in 1830? A I think so.
- Q Do you know whether he did or not? A No sir.
- Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent living in Mississippi that he intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A No sir.
- Q Do you know whether he came from Mississippi to the Indian Territory when the other Indians came in the years 1833 and 1837? A No sir.
- Q Do you know whether he or any of your ancestors ever complied with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Do you know whether he or any of your ancestors ever received any benefits in Mississippi as Choctaw Indians under article fourteen of the treaty of 1830? A No sir.
- Q Did he ever receive or claim any land in Mississippi from the United States Government under article fourteen of the treaty of 1830? A I do not know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A James Richardson.
- Q When and where were you married to him? A In the Choctaw Nation.
- Q When? A 1897.
- Q What day of the month? A 24th day of October.

One C. Richardson----5.

- Q Under the laws of the United States? A We got the license at Cameron; I do not know whether it is United States law or not.
- Q Have you any children you wish to make application for?
- A Yes sir one.
- Q What is the child's name? A Daisy Bell
- Q How old? A Two months.
- Q Is James Richardson the father of this child? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q And you and he are living together as a husband and wife? A Yes
- Q Have you any documentary evidence you would like to introduce now in support of your application? A No sir.

On motion of counsel for applicant, thirty days time from the date hereof is granted in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this Application which you make for identification for yourself and your minor child as Mississippi Chestnuts will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

subscribed and sworn to before me this 11 day of March 1901.

*Charles W. Seymour*  
Notary Public.

COPY

M.C.R.1483.

Waukegon, Indian Territory, February 6, 1903.

Oma C. Richardson,

Poteau, Indian Territory.

Dear Madam:

You are hereby advised that on the 6th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary S. Bloor, et al., embracing the following applications for identification as Mississippi

Shoetaws:

Mary S. Bloor, et al.,	M.C.R.1413;
Jane L. Prater, et al.,	M.C.R.1482;
Oma C. Richardson, et al.,	M.C.R.1483;
Sallie A. Breshers, et al.,	M.C.R.1484.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

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

Said decision concluded as follows:

"It is therefore the opinion of this Commission that the identity of the Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

O. G. R., 2.

fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

*C. R. Breckinridge.*

Commissioner in Charge.

Registered.

447013

COMMISSIONERS  
TAMM BIXBY,  
THOMAS D. NEEDLES,  
C. R. BRACKINRIDGE,  
W. E. STANLEY

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

REFER IN REPLY TO THE FOLLOWING  
M.C.N. 1483

ALLISON L. AYLESWORTH,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

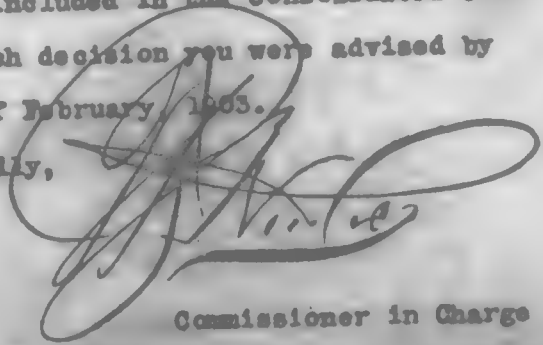
Muskegee, Indian Territory, May 29, 1903.

One C. Richardson,  
Poteau, Indian Territory.

Dear Madam:

You are hereby notified that on the 15th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Mary S. Bloor, et al., of which decision you were advised by registered mail on the 6th day of February, 1903.

Respectfully,



Commissioner in Charge

P

1483

*File*



RECEIVED



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE LANDS AND MINES  
**FILE 14**  
JUL 14 1903

*[Handwritten signature]*

CHIEF

Genl office  
Notice of Dept. action in case of  
Mary S. Blue et al

Choc

~~Office of the Secretary of War~~

~~BAUMANN~~





No. 1483

For Modification as a Mississippi Cheater.

Dec 7. 1901

Name *Emma C. Richardson,*

Age *22* — Sex *♀*

Foot Oper. *Poteau, J. T.*

Father: *John Blear, d.*

Mother: *Mary S. " l.*

Claims through *Mother* —

*Husband*  
*James Richardson.*

Children:

*Vaisy B. — 2 m.*

*For self and*  
*Child.*

*U.C. Richardson*



Department of the Interior.

Commissioner to the Five Civilized Tribes,  
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

~~1287~~

012

Reg. 69/69

One C. Richardson,

Poteau, Indian Territory.



DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
MAR 17 1903

REGISTERED  
MAR 16 1903  
MUSKOGEE, IND. TER.

Chattanooga MEX 1484

Sallie A. Breshears

MEX 1484

REFUSED.

*Patricia A. Preshears et al*

DECISION REFUSED FEB 11 1953  
NOTICE OF REFUSAL MAILED APPLICANT

FEB 11 1953

NATIONAL IMMIGRATION SERVICE  
AT NEW YORK, N. Y.

NO. 105 1  
FOR SHIPMENT TO LAWYERS  
FOR SHIPMENT TO LAWYERS

FEB 11 1953

RECEIVED BY PAYMENT

FEB 11 1953

ACTION BY IMMIGRATION SERVICE

FEB 11 1953

NOTICE OF REFUSAL

FEB 11 1953

FORWARDED TO APPLICANT

AND OFFICIALS

FEB 11 1953

DECISION PREPARED

FEB 11 1953 1413

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Sallie A. Breshears for identification for herself and her minor child as Mississippi Cheetaw.

Sallie A. Breshears, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Sallie A. Breshears.  
 Q What is your age? A Nineteen.  
 Q Are you married? A Yes sir.  
 Q What is your post office address? A Poteau.  
 Q Indian Territory? A Yes sir.  
 Q Do you live at Poteau? A No sir, not right in Poteau.  
 Q You live near there? A Yes sir.  
 Q How long have you lived near Poteau? A Right smart while; I do not know just how long.  
 Q How long have you lived in the Indian Territory? A I have been in it all my life.  
 Q Were you born here? A No, born in Arkansas.  
 Q And came from Arkansas to the territory? A Yes sir.  
 Q How old were you when you came here? A I do not know.  
 Q Quite young? A Yes sir.  
 Q What is your father's name? A John Bloor.  
 Q Living? A I do not know whether he is or not.  
 Q What is your mother's name? A Mary S. Bloor.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My mother.  
 Q How much do you claim? A One quarter.  
 Q Has your mother ever been recognized as a Cheetaw Indian by the Cheetaw tribal authorities? A I do not know.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A I do not know for sure whether it is or not.  
 Q Do you know whether application has ever been made for you or not by your mother? A I think it has.  
 Q Did your mother make application for enrollment to the Dawes Commission under the Act of Congress of June 16, 1896? A I think she did.  
 Q The records of the case of Mary S. Bloor show that in 1896 under the Act of Congress of June 16, 1896, Mary S. Bloor in Cheetaw Case Number 318 made application for herself, John W., Julia E., Joseph S., Willie J., Swift R., Nancy P., and Oma C. Bloor. Is your name among the list I have read? A Yes sir.  
 Q What is your name? A Sillie R.  
 Q Is your name Sillie R. A I do not know how you would spell it.  
 Q Your name is Sillie? A Yes sir, that is my name.  
 Q Then there is a mistake here--your name is not Sillie? A No, it is not Sillie.  
 Q How about Sillie R. A It should be Sallie A.  
 Q What does Sillie A stand for? A Bloor.  
 Q Have you made any application which was made for you in 1896 under the name of Sillie R. Bloor, no application has been made before or since. A No sir.

Sallie A. Breckers.-----2.

- Q Is this the first application you have ever made on your own behalf? A Yes sir.
- Q The records in the case of the application made for you by your mother, under the name of Sillie R. Bloor, show that no appeal was taken within the prescribed time---You are now making this application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty? A 1830.
- Q Are you making it under the whole treaty? A No sir, under fourteenth article.
- Q What does that mean? A I dont know just what it means.
- Q Do you know whether you claim under the fifteenth or nineteenth articles? A No sir, I dont.
- Q Do you claim under the supplement of the treaty of 1830? A I do not understand.
- Q Do you know whether you claim under it? A I claim under that, but I do not know whether I understand everything you say or not.
- Q Do you now claim under it? A I knew I will try to.
- Q Try to what---claim it? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A William Jackson was my grandfather.
- Q Your mother's father? A Yes sir.
- Q What is he, your mother's father or grandfather? A Grandfather.
- Q Was he a full blood Choctaw Indian? A He claimed to be a half breed.
- Q Did he live in Mississippi in 1830? A I do not know.
- Q Did your mother live in Mississippi in 1830? A I do not know.
- Q Did any of your kin live in Mississippi at all? A I do not know if any of my kin ever lived there.
- Q How do you know you are claiming as a Mississippi Choctaw if you do not know if any of your kin ever lived in Mississippi? A I only know what I have been told.
- Q What have you been told about anybody related to you living in Mississippi? And did you ever hear that your grandfather lived in Mississippi? A I was always told he lived there.
- Q Who told you--your mother? A Yes sir.
- Q And folks in the family? A Yes sir.
- Q And that is the way you happen to know that he lived in Mississippi is because people in the family told you so? A Yes sir. I was not old enough to know myself.
- Q Do you know whether your kin under whom you claim the right to be identified as Mississippi Choctaw, told the United States Indian Agent when living in Mississippi that he intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi; do you know anything about that? A No sir.
- Q Do you know whether the persons under whom you claim the rights to be identified as Mississippi Choctaw came to the Indian Territory from Mississippi in the years 1830 or 1832? A I do not know.
- Q Did your ancestors or any of your kin under whom you claim the right to be identified as Mississippi Choctaw ever claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Do you know whether any of your ancestors under whom you claim this right ever complied with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Has any of your kin people from whom you are descended ever claim or receive any benefits under article fourteen of the treaty of 1830? A I do not know.

Sallie A. Breshears---3.

- Q Did you ever receive any benefits as a Choctaw Indian in the Indian Territory? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A John Breshears.
- Q Do you make any claim for him? A No sir.
- Q Is he a white man? A Yes sir.
- Q When and where were you married to him? A In the Choctaw Nation
- Q When? A 1895.
- Q Have you any children? A Yes sir, got one.
- Q Were you married to him under the Indian laws or the United States laws? A I do not know.
- Q Can you tell the time, the day and the month when you were married? A No sir, I cannot tell.
- Q What is the name of the child you want to make application for? A Willie Breshears?
- Q How old is Willie? A Two years old.
- Q Have you any other children? A No sir.
- Q Is John Breshears the father of Willie? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q And you and he are living together as husband and wife? A Yes sir.
- Q And the child is living with you at your home? A Yes sir.
- Q The basis of this child's claim is the same as yours? A Yes sir.
- Q Have you any documentary evidence you want to file now. A No.

On motion of Counsel for applicant, thirty days time is allowed applicant from the date hereof in which to file documentary evidence in support of this application; also marriage license and certificate if she desires to file the same.

- Q Is there anything further you would like to say in support of your application? A No sir.

The decision of the Commission in regard to this application which you make for identification for yourself and this child as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

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

*Charles H. Sawyer*  
Notary Public.



COPY.

M.C.R.1484.

Muskogee, Indian Territory, February 6, 1903.

Sallio A. Broshears,

Poteau, Indian Territory.

Dear Sir:

You are hereby advised that on the 6th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary S. Bloor, et al., embracing the following applications for identification as Mississippi

Choctaws:

Mary S. Bloor, et al.,	M.C.R.1413;
Jane L. Frater, et al.,	M.C.R.1482;
Orn C. Richardson, et al.,	M.C.R.1483;
Sallio A. Broshears, et al.,	M.C.R.1484.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 498), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary S. Bloor, Jane L. Frater, Orn C. Richardson, Daisy Bell Richardson, et al., as Choctaw Indians. The evidence of the witnesses who testified in the consolidated case under the provisions of said article

S. A. B., E.

fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

*C. R. Breckinridge.*

Commissioner in Charge.

Registered.

45013

COMMISSIONERS  
TAMM BERRY,  
THOMAS B. NEEDLES,  
C. R. BRACKINRIDGE,  
W. E. STANLEY.

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

REFER IN REPLY TO THE FOLLOWING  
M.C.R. 1484

ALLISON L. AYLESWORTH,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

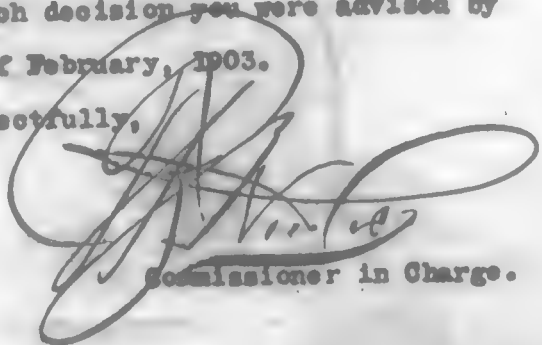
Muskogee, Indian Territory, May 29, 1903.

Callie A. Breshears,  
Poteau, Indian Territory.

Dear Madam:

You are hereby notified that on the 15th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Ghosts of the several persons included in the consolidated case of Mary S. Blear, et al., of which decision you were advised by registered mail on the 6th day of February, 1903.

Respectfully,



Commissioner in Charge.



Unclaimed.

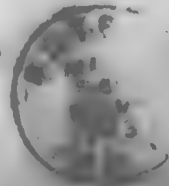
~~1785~~

OK

Un...

Sallie A. Breshears,  
Poteau, Indian Territory.

Reg. 72  
169



OFFICIAL  
Penalty for private



111111



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE INDIVIDUAL TRIBES.

P. O. BOX

MAR 17 1903

*[Handwritten signature]*

CHIEF

REGISTERED

MAR 16 1903  
MUSKOGEE, IND. TER

General office

Notice of Dept. Action in Case of  
Mary D. Bloor, et al.

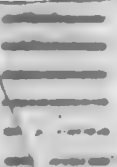
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1484

*File*



RECEIVED



DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE NAT. MONUMENTS

**FILED**

JUL 14 1903

*[Handwritten signature]*

No. 1484

For Identification as a Mississippi Choctaw.

Date Mich 7. 1901

Name Sallie A. Brecheers

Age 19 - Sex  $\frac{1}{2}$  f

Post Office, Poteau, I. T.

Father: John Blew <sup>deceased</sup> & <sup>living</sup>

Mother: Mary S. " l.

Claims through mother, -

Husband -

John Brecheers

Children:

Willie - " - 2 yrs.

For sup and chesl,

H. R. [Signature]



Choctaw MCR 1485

Melissa Boyd

MAR 1485

DEPARTMENT OF THE INTERIOR,  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Acton, I. T., March 7, 1901.

In the matter of the application of Melissa Boyd for identification as a Mississippi Choctaw.

Melissa Boyd having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Melissa Boyd.  
 Q What is your age? A Twenty four.  
 Q What is your post office address? A Beard, Texas.  
 Q How long have you lived at Beard? A One year.  
 Q Where did you live before you lived at Beard? A Wortham Texas? A Yes sir.  
 Q Born in Texas? A Yes sir.  
 Q And always lived there? A Yes sir.  
 Q What is your father's name? A Robert Lee  
 Q Is he living or dead? A Living.  
 Q What is your mother's name? A Kate Lee  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One sixteenth.  
 Q Was your father ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A If it is I do not know anything of it.  
 Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen of that nation? A No sir.  
 Q Have you ever made application for either citizenship or enrollment in the Choctaw Nation to the Bureau Commission acting under the Act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Bureau Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application of any kind you have ever made?  
 A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties do you make this application? A 1830  
 Q Under the whole treaty of 1830? A No.  
 Q Do you make under any particular article of the treaty of 1830?  
 A Article thirteen.  
 Q Do you also claim under article fifteen or nineteen? A No sir.  
 Q What do you claim under the supplement of the treaty--do you claim anything under that? A Yes sir.  
 Q What do you claim under the supplement of the treaty? A I claim to be a Choctaw.  
 Q How much do you claim under the supplement of the treaty?  
 A One sixteenth Choctaw Indian under the supplement of the treaty of 1830? A Yes sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830?  
 A James Lee.

Melissa Boyd---2.

- Q Was he a full blood Chectaw? A No sir.  
Q What part did he have? A One quarter.  
Q What kin was he to you? A Grandfather.  
Q Did he live in Mississippi in 1830? A Yes sir.  
Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.  
Q Do you know whether he during the years 1833 and 1837 came to the Indian Territory from Mississippi when the other Indians came here? A I do not think he did.  
Q Do you know whether he ever complied with any of the provisions of article fourteen of the treaty of 1830? A I do not know as he did.  
Q Did he ever or did any of your ancestors ever receive any benefits under article fourteen of the treaty of 1830? A I think not.  
Q Did he or any of your ancestors ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not think he did.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Ed Boyd.  
Q Are you making any claim for him? A No, just for myself.  
Q You have no children you want to make application for? A No sir.  
Q Have you any documentary evidence that you want to introduce now and make a part of your application? A No sir.  
Q Would you like time in which to prepare documentary evidence? A Yes

On motion of counsel for applicant, twenty days time from the date hereof is allowed in this case in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to state in support of your application that you can think of? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Chectaw will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 11th day of March 1902.

*Charles H. Sawyer*

Notary Public.

Washington, D. C., March 11, 1941.

Also certified copies of the affidavits of B. P. Laird and R. S. Laird, to be filed in support of the applications for identification as Mississippi Cheaters of James M. Vernon, et al. Also certified copies of the affidavits of B. P. Laird and R. S. Laird, to be filed in support of the applications for identification as Mississippi Cheaters of Melissa Boyd and Ethel Sherrer. The affidavits have been filed with the other records in the case.

Yours truly,

Acting Cheater.

COMMISSIONERS  
HENRY L. DAVIS,  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRINKINRIDGE.

ALLISON L. AYLBOROUGH,  
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

N.C.R. 1488

Muskogee, Indian Territory, January 28, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Melissa Boyd,

Beard, Texas.

You are hereby advised that on the 28rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1488
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williams, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Cary DuBose,	M C R	2889
J. Dale Adams,	M C R	2898
William L. Blakley,	M C R	2890
Sarah M. Adams, et al.,	M C R	2901
Marlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mary Forsythe, et al.,	M C R	2997
Mary Thomas, et al.,	M C R	3139
Levi Thomas, et al.,	M C R	3154
James T. Boyd, et al.,	M C R	3155
Nancy H. Boyd,	M C R	3156
William F. Walker,	M C R	3157
John Owens,	M C R	3158

William J. Adams,	M C R	3654
Cynthia Adams Hill, et al.,	M C R	3663
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1489
Frances O. Volentine, et al.,	M C R	5088
John T. Volentine,	M C R	5084
Callie V. Bryant, et al.,	M C R	5085
William S. Blakeley, et al.,	M C R	5086
James E. Blakeley, et al.,	M C R	5087
Ralph Tyler,	M C R	5088
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cori Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5878
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 26, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tompa McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Roland Lee, Stella Lee, Melissa Boyd, Ethel Sherman, Fred Lee, Vernie Lee, Jacob C. Lee, William Lee, Roy Lee, Jessie D. Lee, Jacob W. Lee, Catherine Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmet Murray, George W. Lee, Mazy A. Lee, Laura M. Lee, Jacob W. Lee (2d), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, Grand W. Williams, George Williams, E. A. Williams, Hiram Bradley, Ella Williams, Anna Williams, William Williams, Robert E. Lee (2d), Wilson N. Lee, Zula K. Lee, Lee K. Lee, William H. Lee, John H. Lee, William H. Lee, H. Schmidt, Fred K. Lee, James Williams, John Williams, James Williams, Robert Oral Phillips, Anna Phillips, Lee Phillips, James Phillips, Joseph Phillips, William M. Adams, Robert Adams, Lizzie Adams, John Adams, Annie Adams, Emma Adams, Fred Lee

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnie Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenie Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mullia Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blacklidge, Aleck Blacklidge, Ellen Blacklidge, Lee Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mury M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert R. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope B. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

*James D. B. B.*

Acting Chairman.

Registered.

M. OR. 1488.

COPY.

Muskogee, Indian Territory, July 13, 1903.

Melissa Boyd,

Beard, Texas.

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tommie McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. Needles.*

Commissioner in Charge



MCR 1488

Muskogee, Indian Territory, December 6, 1906.

Melissa Boyd,

Board Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

For Identification as a Mississippi Choctaw.

Date *Mich 7. 1901*

Name *Melvin Boyd*

Age *24* - Blood *1/16*

Post Office, *Boards, Texas* -

Father: *Robert Lee* - *d*

Mother: *Kate* - *d*

Claims through *father* -

*Husband* -

*Ed. Boyd* -

~~Signature~~

*for self alone*

*H. C. Ristman*  
*Miss.*

RECEIVED  
JUN 27 1952  
JUN 23 1952  
U.S. WARREN DEPARTMENT  
FEB 24 1953  
APR 15 1953  
MAY 20 1953  
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FBI  
JUN 11 1953

Checklist M.D. 1486

Mar 1486

Edna Tharrer

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Ethel Sherrer for identification as a Mississippi Cheetaw.

Ethel Sherrer, having been first duly sworn, upon her oath testifies as follows:

Examination by the commission--

- Q What is your name? A Ethel Sherrer.  
 Q What is your age? A Eighteen.  
 Q What is your post office address? A Mexia, Texas.  
 Q How long have you lived there? A A year last Christmas.  
 Q Where did you live before you lived there? A Wortham  
 Q Texas? A Yes sir.  
 Q Born in Texas? A Yes sir.  
 Q And always lived there? A Yes sir.  
 Q What is your father's name? A Jacob Lee.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Cynthia Lee  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My Father.  
 Q How much do you claim? A One sixteenth.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Was he ever recognized by the Cheetaw tribal authorities as a  
 Cheetaw Indian? A No sir, not that I know of.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A No sir.  
 Q Have you ever made application for enrollment in the Cheetaw Nation  
 to the Cheetaw tribal authorities? A No sir.  
 Q Have you ever made application for citizenship in the Cheetaw  
 Nation to the Cheetaw tribal authorities? A No sir.  
 Q Have you ever made application to the Dawes Commission under the  
 Act of Congress of June 10, 1896, for either citizenship or enrollment  
 in the Cheetaw Nation? A No sir.  
 Q Is this the first application of any kind that you have ever made  
 A Yes sir.  
 Q Or that any person has ever made for you to either the United  
 States authorities or the Cheetaw tribal authorities? A Yes sir.  
 Q You now appear here to become identified as a Mississippi Chee-  
 taw? A Yes sir.  
 Q Under what treaty or treaties do you make this application?  
 A 1866.  
 Q When was that treaty made between the United States Government and  
 the Cheetaw Nation? A September 27.  
 Q Do you claim under the whole treaty or only under a certain por-  
 tion of it? A Fourteenth article.  
 Q Do you claim under the supplement of the treaty? A Yes sir.  
 Q Do you claim under article fourteen of the treaty? A No sir.  
 Q Do you do claim under the supplement? A I claim under article  
 fourteen.  
 Q You said you claimed under the supplement, what is it you claim  
 under the supplement; do you really know anything about that supple-  
 ment? A I suppose that it is to protect the Cheetaws, their rights

Ethel Sherrer---2.

Q Are you satisfied that you know enough about the supplement of the treaty to claim under it? A Yes sir.

Q What is the name of your ancestor who lived in Mississippi in 1830? A Jacob Lee.

Q Was he a full blood Choctaw Indian? A No sir, only one quarter

Q Did he live in Mississippi in 1830? A Yes sir.

Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi, Colonel Ward, that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.

Q Do you know whether he removed from Mississippi to the Indian Territory in the years 1833 or 1837 when the other Indians came here?

A I do not think he did.

Q Why did he not come, do you know? A I do not know.

Q Did he or any of your ancestors ever claim any benefits of any kind under article fourteen of the treaty of 1830? A No sir.

Q Did they ever comply with any of the provisions of that treaty? A No sir.

Q Did they ever claim or receive any land under article fourteen of the treaty of 1830 from the United States Government? A No sir.

Q Have you ever received any benefits in the Choctaw Nation as a Choctaw Indian? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A Joe Sherrer.

Q Do you make any claim for him? A No sir, only for myself.

Q Have you any children that you want to make application for?

A No sir.

Q Just making application for yourself? A Yes sir.

Q Have you any documentary evidence that you want to submit now and make a part of your application? A No sir.

Q Would you like time in which to submit it? A Yes sir.

On motion of counsel for applicant twenty days time from the date her of is allowed applicant in which to file documentary evidence in support of this application.

Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 7th day of March 1901.

*Charles K. Sawyer*

Notary Public.

Muskogee, Indian Territory, March 19, 1901.

Messrs. Deen & Arnold,

Arkport, Indian Territory,

Gentlemen:

The Commission in response to your letter of March 9, in-  
cludes the legal license and other records between J. M. Vernon and  
Miss I. M. White, to be given in support of the application for  
identification of the estate of James M. Vernon, et al.

Also included are the affidavits of W. F. Laird and  
H. S. Ford, in support of the application for identi-  
fication of the estate of William S. Laird and John Sherrer.  
The same have been duly filed with the other records in the cases  
above named.

COMMISSIONERS  
HENRY L. DAVIS,  
TAMM BIRBY,  
THOMAS E. NEEDLES,  
C. R. BRUSHINSIDE.

ALLISON L. AYLESWORTH,  
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1486

Muskogee, Indian Territory, January 28, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**Ethel Sherrer,**

**Mexia, Texas.**

You are hereby advised that on the 23rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C R 2857
Robert E. Lee, et al.,	M C R 1468
Melissa Boyd,	M C R 1485
Ethel Sherrer,	M C R 1486
Fred Lee,	M C R 1491
Vernile Lee,	M C R 1492
Jacob C. Lee, et al.,	M C R 1515
Nannie Wood, et al.,	M C R 1516
Claudia Murray, et al.,	M C R 1517
George W. Lee, et al.,	M C R 1518
Shade Gore,	M C R 1519
Nancy A. Williams, et al.,	M C R 1743
Hiram Blakeley, et al.,	M C R 2541
William Lee, et al.,	M C R 2559
Jacob H. Lee,	M C R 2694
Nancy A. Schmidt, et al.,	M C R 2695
Fred B. Lee,	M C R 2696
Lillian Thomas, et al.,	M C R 2858
Margie Adams, et al.,	M C R 2854
Oral Boyd, et al.,	M C R 2855
William D. Williamson, et al.,	M C R 2856
Arcada DuBose, et al.,	M C R 2858
Albert Edward Boyd,	M C R 2859
Olive Smith, et al.,	M C R 2888
William Cary DuBose,	M C R 2889
J. Dale Adams,	M C R 2898
William L. Blakley,	M C R 2890
Sarah M. Adams, et al.,	M C R 2901
Merlin C. Adams, et al.,	M C R 2902
Thomas B. Ross, et al.,	M C R 2903
Arthur A. Ross, et al.,	M C R 2904
Mattie Forsythe, et al.,	M C R 2997
Maria Gipson, et al.,	M C R 3139
Lawrence L. Boyd, et al.,	M C R 3154
Joseph K. Boyd, et al.,	M C R 3155
Nora B. Hilley,	M C R 3156
William F. Walker,	M C R 3157
John Owens,	M C R 3158



William J. Adams,	M C R	3854
Cynthia Adams Hill, et al.,	M C R	3863
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollentine, et al.,	M C R	5063
John T. Vollentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rupe, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

“It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, Lillian Thomas, Josie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, Leila N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenie Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mollie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gusie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Lee Blackledge, Leonard Blackledge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

*James D. Kirby*

Acting Chairman.

Registered.

M.C.R. 1456.

COPY.

McAllister, Indian Territory, July 13, 1903.

Etzel McAllister,

Meria, Texas.

Dear Madam:

You are hereby notified that on the 20th day of May, 1903 the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

T. B. Needles.

WCR 1486

Muskogee, Indian Territory, December 6, 1906.

Ethel Sherrer,

Mexia, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

Acting Commissioner.

NOTICE RENDERED

BY CLERK IN MAIL ROOM

JAN 23 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS

JAN 23 1902

FILED IN THE OFFICE OF THE  
SOLICITOR GENERAL AND CHICKASAW NATIVE

JAN 28 1902

RECORD FORWARDED DEPARTMENT

FEB 20 1903

ACTION APPROVED BY SECRETARY OF INTERIOR

MAY 11 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT

JUL 12 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT

JUL 12 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT

No. 1486

For Identification as a Mississippi Choctaw.

Date *Feb 7 1901*

Name *Ethel Sherren.*

Age *18* - Blood *1/6*

Post Office, *Mefia, Texas.*

Father: *Jacob Lee, l.*

Mother: *Lyntha " l*

Claims through *father -*

*Wesley*

*Joe Sherren -*

~~James~~

*For self alone*

*Ethel Sherren*

Choctaw M'ER 1487

Ida Calame

M'ER 1487

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Ida Calame for identification for herself and her minor children as Mississippi Choctaws.

Ida Calame, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Ida Calame.  
 Q What is your age? A Twenty six.  
 Q What is your post office address? A Wortham.  
 Q Texas? A Yes sir.  
 Q How long have you lived there? A I have lived there nearly all my life.  
 Q Were you born in Texas? A Yes sir.  
 Q And never lived out of the state? A No sir.  
 Q What is your father's name? A Alsek Blackledge.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Esaline Blackledge.  
 Q Is she living? A No sir.  
 Q Through which one of your parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Did your mother ever live in Indian Territory? A No sir.  
 Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of that nation? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for citizenship in that nation? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States court in Indian Territory on appeal from the decision of either the Daves Commission or Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Daves Commission for citizenship in the Choctaw Nation under the act of Congress of June 18, 1898?  
 A No sir.  
 Q Is this the first application you have ever made? A Yes sir.  
 Q Are you seeking to be identified as a Mississippi Choctaw? A Yes.  
 Q Under what treaty or treaties are you making this application?  
 A Fourteenth.  
 Q Fourteenth what? A You will have to ask the question over.  
 Q Under what treaty are you making this application? A Fourteenth.  
 Q I do not know of any treaty of the Fourteenth? A Treaty of thirty.  
 Q When you say treaty of thirty, what do you mean by that? A I do not know much about that treaty.  
 Q Do you mean that thirty was the number of the treaty--in what year was the treaty made? A In '30.  
 Q In what year? A Fourteenth.  
 Q What do you mean by fourteenth; what has that to do with 1830?  
 A I do not know.  
 Q Do you know what an article of a treaty is? A I do not know much about it.



Ida Calame----2.

Q What is the name of your ancestor who lived in Mississippi in 1830? A My grandfather.

Q What was his name? A Jacob Lee.

Q Do you know whether he within six months after the ratification of the Treaty of 1830 told the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know anything about it.

Q Do you know whether he came from Mississippi to the Indian Territory during the years 1833 or 1837 when the other Indians came here? A No sir.

Q Do you know whether he ever complied with any of the provisions of article fourteen of the treaty of 1830? A No sir.

Q Do you know whether he ever received any benefits under that article in the treaty? A No sir.

Q Do you know whether he ever claimed or received any land in Mississippi under the fourteenth article of the treaty of 1830? A No

Q Are you married? A Yes sir.

Q What is your husband's name? A Frank Calame.

Q Are you making any claim for him? A No sir.

Q When were you married to him? A 1894

Q Where? A Wortham.

Q Wortham, Texas? A Yes sir.

Q What day of the month? A January 26, 1894.

Q Under the laws of the state of Texas? A Yes sir.

Q Have you any children you want to make application for now?

A I have three.

Q What is the name of the oldest? A Della

Q How old is Della? A Six

Q The next? A Bessie,

Q How old? A Two.

Q The next? A Nora

Q How old is Nora? A Two months.

Q Frank Calame is the father of these children? A Yes sir.

Q And you are the mother? A Yes sir.

Q And you and he are living together as husband and wife? A Yes

Q And these children are all living with you? A Yes sir.

Q Have you any documentary evidence you want to introduce now in support of your application.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this claim.

Q Is there anything further you would like to state? A No sir.

The Decision of the Commission in regard to this application which you make for citizenship for yourself and these children as Mississippi Indians, will be mailed to you at your present post office address.

H. C. Niteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the State of Mississippi he reported in full all proceedings and in full every word spoken on the 7th day of March 1894 and that the copy and transcript is a full, true and correct transcript of the proceedings in said cause on said date.

Subscribed and sworn to before me this 7th day of March 1894

Muskogee, Indian Territory, March 10, 1911.

Messrs Hudson & Arnold,

Admirers, Indian Territory,

Settlement:

The Commission is in receipt of your letter of the 2nd, enclosing certified copies of affidavits of X. B. [Name] and [Name] in support of the following applications for land:

The same have been [action] with the [department] in the cases above named, and will receive the consideration of the Commission in the [order] of their applications.

COMMISSIONERS  
HENRY L. DAWES,  
TANS SIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1437.

ALLIBON L. AYLESWORTH,  
SECRETARY

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Ida Calano,

Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Cary DuBose,	M C R	2889
J. Dale Adams,	M C R	2898
William L. Blakley,	M C R	2899
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Forsythe, et al.,	M C R	2997
Maria Gipson, et al.,	M C R	3139
Lawrence L. Boyd, et al.,	M C R	3154
Joseph K. Boyd, et al.,	M C R	3155
Nora B. Hilley,	M C R	3156
William F. Walker,	M C R	3157
John Owens,	M C R	3158

William J. Adams,	M C R	3954
Cynthia Adams Hill, et al.,	M C R	3843
William M. Blakeley, et al.,	M C R	4149
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollettine, et al.,	M C R	5043
John T. Vollettine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5045
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5443
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernie Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmet Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, Lillian Thomas, Josie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Maggie Adams, Leila H. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lee

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carrie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Verb Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mallie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Bartly Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada E. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Leo Blackledge, Leonard Blackledge, Lola Hashine, Rebecca Hashine, Minnie Hashine, Thomas Hashine, Leo Hashine, Vivian Hashine, Nellie Hashine, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Essie M. Jordan, James Moore Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Corn Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyd Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ladio William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert R. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jannita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Corn Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope E. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of her-self; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as inter-married Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

For the Secretary.

Registered.

Acting Chairman.

H.C.R. 1487.

COPY.

Muskogee, Indian Territory, July 13, 1903.

Ida Calane,

Wortham, Texas.

Dear Madam:

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tempie McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. McAllister.*

Commissioner in Charge.

MOB 1487

Muskogee, Indian Territory, December 6, 1906.

Ida Calmes,

Wortham, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

Acting Commissioner.

JAN 23 1902

ATTORNEY FOR APPLICANTS

JAN 23 1902

SHOSHONE AND CHICKASAW NAT

JAN 23 1902

RECORD FORWARDED DEPARTMENT

FEB 26 1903

ACTION APPROVED BY SECRETARY OF INTERIOR

MAY 20 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

JUL 13 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

JUL 13 1903

NOTICE OF DEPARTMENTAL ACTION



No. 1487

For Identification as a Mississippi Choctaw.

Date *Nov 7. 1901*

Name *Ida Calame*

Age *26*

Blood *1/16*

Post Office *Wortham, Texas*

Father: *Alex Blackledge, do*

Mother: *Emeline " do*

Claims through *Mother, —*

*Husband —*

*Frank Calame —*

Children:

*Della. — 6*

*Bessie — 2*

*Nora — 2 m.*

*for self and children.*

*Not for husband*

*Ida Calame*

Cheslow MCR 1488

Lula HasKins

MCR 1488

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Lula Haskins for identification for herself and her minor children as Mississippian Cheetaws.

Lula Haskins, having been first duly sworn, upon her oath testified as follows:

Examination by the Commission:

- Q What is your name? A Lula Haskins.  
 Q What is your age? A Thirty five.  
 Q What is your post office address? A ~~Atoka~~ Wertham.  
 Q What state? A Wertham, Texas.  
 Q How long have you lived there? A Five years.  
 Q Where did you live before you lived there? A Leon County, Texas  
 Q Born in Texas? A Yes sir.  
 Q Always lived there? A Yes sir.  
 Q What is your father's name? A Thomas Eden.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Elizabeth.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Did your mother ever live in the Indian Territory? A Not that I  
 knew of.  
 Q Was she ever recognized as an Indian by the Cheetaw tribal author-  
 ities? A I do not know.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A No sir.  
 Q Have you ever made application for either citizenship or enroll-  
 ment in the Cheetaw Nation to the Cheetaw tribal authorities? A No  
 Q Have you ever made application for citizenship in the Cheetaw Na-  
 tion to the Dawes Commission under act of Congress of June 10, 1896?  
 A No sir.  
 Q Have you ever been admitted to citizenship in the Cheetaw Nation  
 by judgment of the United States Court in Indian Territory on ap-  
 peal from the decision of either the Cheetaw tribal authorities or  
 the Dawes Commission? A No sir.  
 Q Is this the first application you have ever made? A Yes sir.  
 Q Are you now seeking to become identified as a Mississippian Cheetaw?  
 A Yes sir.  
 Q Under what treaty do you make this application? A 1830.  
 Q Do you claim anything under the treaty of Dancing Rabbit Creek?  
 A No sir.  
 Q What do you claim under that treaty? A Thirty  
 Q Thirty what; what do you claim under Treaty of Dancing Rabbit  
 Creek? A Fourteen.  
 Q Do you claim fourteen? A Yes sir.  
 Q Do you claim you were under the treaty of Dancing Rabbit Creek?  
 A I do not know anything about it.

Lula Haskins---8.

Q You claim under article fourteen of the treaty of 1830? A Yes sir

Q Do you know what article fourteen of the treaty of 1830 says, what it provides. Do you know what provisions it has or contains; it is a law is it not? A Yes, I suppose so

Q An article of the treaty of 1830 and a law of Congress, now what does the law say; what does it read; what does it provide? A I have never read it.

Q Have you ever had it explained to you? A I do not know whether I have or not

Q How do you know you have a right to come here for identification if you do not know there is a law? A Because I have always been taught that.

Q How do you know it? A I have been taught and that has been handed down from generation to generation.

Q You have been taught the law contained in article fourteen of the treaty from generation to generation? A My grandfather told his children and my mother told me.

Q Told you all about article fourteen? A Told us we were related to the Choctaws.

Q But did not tell you what the law was? A No sir.

Q What was the name of your ancestor who lived in Mississippi? A Jacob Lee.

Q Was he a full blood? A No sir.

Q How much blood did he have? A One quarter.

Q What proof have you that he was a quarter blood? A He told us.

Q Told you? A He told his children and my mother told me.

Q Have you any documentary evidence in support of what you testify to now? A No sir.

Q Do you know whether he told the United States Indian Agent within six months after the ratification of the treaty of 1830 that he intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A No sir.

Q Do you know as a matter of fact whether he came to the Indian Territory in the years 1833 and 1837? A No sir.

Q Do you know whether he ever complied with the provisions of article fourteen of the treaty of 1830 in any manner? A No sir.

Q Do you know whether he ever received any benefits under that treaty? A No sir.

Q Do you know whether he complied with article nineteen? A No sir

Q Did he ever receive or claim any land in Mississippi under article fourteen? A I do not know.

Q Did you ever receive any benefits as a Choctaw Indian in the Indian Territory? A No sir.

Q Are you married? A Yes sir.

Q What is your husband's name? A James Haskins.

Q Do you make any claim for him? A No sir.

Q Have you any children you wish to make application for? A Yes sir

Q What is the name of the oldest? A Rebecca.

Q How old is Rebecca? A Eighteen.

Q The next? A Maggie

Q How old? A Sixteen.

Q And the next? A Thomas.

Q How old is Thomas? A Eleven.

Lula Huskins----3.

The next? A Lee.

Q How old? A Eight.

Q And the next? A Vivian

Q How old is Vivian? A Five.

Q Is that a boy or girl? A Girl.

Q Lee is a boy? A Yes sir.

Q What is the name of the next? A Nellie.

Q How old is Nellie? A Five months.

Q James Huskins is the father of these children? A Yes sir.

Q And you and he are living together as husband and wife? A Yes sir.

And the children are living with you at your home? A Yes.

Q When and where were you married to James Huskins? A Leon County

Q What time? A 23rd day of November 1882.

Q Have you any documentary evidence that you desire to file now?

A No sir.

Q Do you wish time in which to file same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

Q Is there anything further you desire to say? A No sir?

The decision of the commission in regard to this application which you make for identification for yourself and these children as Mississippi Choctaws will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes in said cause on said date.

*H. G. Risteen*

Subscribed and sworn to before me this 11 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Hunkgee, Indian Territory, March 15, 1901.

Mr. J. B. ...

Indian Territory,

Dear Sir:

The Court is in receipt of your letter of the 14th inst. enclosing copies of affidavits of H. Z. ... in support of the following applications for ...  
Citation of ...

Yda Calano,

...

...

...

Miss. Cheater 1486

Madame, Indian Territory, October 18, 1902,

J. W. Harkin,

Wortham, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 18 asking if it will be necessary for L. B. Harkin, Rebecca, Minnie, Tom Lee, Vivian and Holly Harkin, to appear before the Commission again for the purpose of making a claim to identification as Mississippi Cheaters through the Hinkley side of the family as well as the Lee side.

In reply you are advised that it will not be necessary for your wife to appear before the Commission again for the purpose of claiming through the Hinkley as well as the Lee side of her family, as this claim has already been made a matter of record, and the Commission now has under consideration the consolidated Mississippi Cheater case of Tempie McAllister, et al, of which this application has been made a part, and it is probable that a decision will be rendered in the near future. As soon as a decision is reached you will be notified thereof, and of the forwarding of the record in the case to the Secretary of the Interior for review.

Respectfully,

Miss. Choctaw 1496

Huskgee, Indian Territory, October 20, 1902.

J. V. Washino,  
Wortham, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 26, stating that your daughter, Rebecca Washino, has married since your wife appeared before the Commission as an applicant for identification as a Mississippi Choctaw, and now has a child whom you wish to have enrolled.

There is inclosed you herewith blank form for proof of birth. In having the same executed be careful to see that all blanks are filled out, all names written in full, and that the Notary Public before whom the affidavits are acknowledged affixes his name and seal to each affidavit. Signatures by mark must be attested by two disinterested witnesses who can write. Upon the receipt of the inclosed blank in proper form the matter will receive proper consideration.

Respectfully,

D.S.

Acting Chairman.



COMMISSIONERS  
HENRY L. BROWN,  
TAMM BERRY,  
THOMAS S. HOOVER,  
C. A. BURKHARDT.

DAVID L. ATLANDER,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M. C. R. 1489.

Muskegoe, Indian Territory, January 23, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Lula Haskins,

Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1488
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1518
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Gary DuBose,	M C R	2889
J. Dale Adams,	M C R	2890
William L. Blakeley,	M C R	2890
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Femythe, et al.,	M C R	2907
Maria Gannon, et al.,	M C R	3129
Louisa A. Boyd, et al.,	M C R	3134
Joseph E. Boyd, et al.,	M C R	3135
Nancy E. Boyd,	M C R	3136
William E. Walker,	M C R	3137
John Owens,	M C R	3138

William J. Adams,	M C R	3684
Cynthia Adams Hill, et al.,	M C R	3663
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Hashins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1486
Frances O. Vollentine, et al.,	M C R	5043
John T. Vollentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Charibel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elzaha A. Williams, Harlan Blakeley, Ella Blumery, Agnes Blakeley, Jennie Blakeley, William Lee (2), Robert E. Lee (2), William S. Lee, Sarah E. Lee, John A. Lee, Greenville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Charles W. Lee, L. Lee, L. Lee, Lucius Thomas, Charles Parker Thomas, William Vernon Thomas, Robert Lee Thomas, John Thomas, John Thomas, Nettie Thomas, George Adams Lewis, N. Adams, Willie N. Adams, Robert Adams, Lillian Adams, John David Adams, Jeff Adams, Jennie Adams, Cassie Lee

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mollie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter B. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Alect Blackledge, Ellen Blackledge, Leo Blackledge, Leonard Blackledge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tylor, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Lodie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

Registered.

Acting Chairman.

H. O. R. 1455.

COPY.

Muskogee, Indian Territory, July 13, 1903.

Miss Miskins,  
Wortham, Texas.

Dear Madam:

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tempie McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

G. B. Needles.

Commissioner in Charge.

MCR 1499

Muskogee, Indian Territory, December 6, 1906.

Lula Haskins,

Wortham, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

Acting Commissioner.

THE  
JAN 27  
FEB 29 1955  
MAY 1 1955  
SEP 17 1955  
DEC 19 1955

No. 1475

For Identification as a Mississippi Citizen.

Date: Mar 7. 1901

Name: Lula Hawkins

Age: 35      Blood: 1/16

Post Office: Wortham, Texas.

Father: Thomas Oden, d.

Mother: Elizabeth " d

Claims through mother,

Husband.

James Hawkins.

Children:

Rebecca      15

Minnie      16

Thomas      11

Lee boy      8

William - girl      5

Kellie      5 m.

Choctaw MCR 1489

Mollie Blackledge

MCR 1489



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Mollie Blackledge for identification as a Mississippi Choctaw.

Mollie Blackledge, having been first duly sworn, upon her oath testified as follows:

Examination by the Commission:

- Q What is your name? A Mollie Blackledge.  
 Q What is your age? A Twenty one.  
 Q What is your post office address? A Werthan,  
 Q Texas? A Yes sir.  
 Q How long have you lived in Texas? A Lived there all my life.  
 Q Born there? A Yes sir.  
 Q And always lived there and live there now? A Yes sir.  
 Q What is your father's name? A Aleck Blackledge.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Emeline.  
 Q Is she living or dead? A She is dead.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q Did your mother ever live in Indian Territory? A No sir, I do not think she did.  
 Q How much blood do you claim? A One sixteenth.  
 Q Have you ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Was your mother ever so recognized? A I do not know.  
 Q Did you ever make application for citizenship in the Choctaw Nation under the Act of Congress of June 18, 1896, to the Commission to the Five Civilized Tribes? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship or enrollment to the Choctaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made of any kind either to the United States authorities or the Choctaw tribal authorities?  
 A Yes sir.  
 Q You are now making application to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Do you claim under the provisions of the treaty of Dancing Rabbit Creek? A I claim under 1830.  
 Q Treaty of 1830? A Yes sir.  
 Q What about the treaty of Dancing Rabbit Creek? A Yes sir.  
 Q Are the treaties of Dancing Rabbit Creek and of 1830 different treaties or the same? A The same, I reckon.  
 Q Do you claim under the whole treaty of Dancing Rabbit Creek, or only under a part of it? A I do not know.  
 Q Do you claim under article fourteen of the treaty of 1830? A Yes  
 Q Do you claim under article nineteen of that treaty? A No sir  
 Q Do you claim under any article other than article fourteen of that treaty? A No sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Jacob Lee.  
 Q Was he a full blood Choctaw Indian? A No sir.

Mollie Blackledge---2.

- Q How much blood did he have? A I do not know.  
Q What kin was he to you. A My uncle--my grandfather I mean.  
Q Did you ever hear in your family that he was your uncle? A No  
Q Do you know whether he within six months after the ratification of the treaty of 1830 told the Indian Agent in Mississippi, Colonel Ward, that he intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A No sir, I do not know.  
Q Do you know as a matter of fact whether he came from Mississippi to the Indian Territory in the years 1833 and 1837 when the other Indians came here? A No, I do not know.  
Q Did you ever receive any benefits in the Indian Territory as a Choctaw citizen? A No sir.  
Q Did your ancestor ever receive any benefits under article fourteen of the treaty of 1830? A No sir.  
Q Did he ever comply with the provisions of that article that you know of? A No sir.  
Q Did he ever claim any land in Mississippi or receive any land from the government under article fourteen? A I do not know.  
Q You would have known it if he had? A I do not know whether I would or not.  
Q How much benefit have you ever received as an Indian? A Not any.  
Q Would you like to receive any? A I guess so.  
Q Are you married? A No sir.  
Q Making claim for yourself alone? A Yes sir.  
Q Have you any documentary evidence you want to introduce? A No  
Q Would you like time in which to introduce documentary evidence?  
A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

Q Is there anything further you would like to state in support of this claim? A No sir.

The Decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been 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 7th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this // day of March 1901.

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, March 15, 1901.

Messrs Hudson & Arnold,

Arkmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 7, enclosing certified copies of affidavits of R. E. Laird and R. E. [unclear], for filing in support of the following applications for identification as Wichita and Cherokee:

Wichita, Oklahoma, No. 14

Cherokee, Oklahoma, No. 15

These have been duly filed with the other records and will receive the consideration of the Commission. A copy of these records is being furnished to you.

COMMISSIONER  
HENRY L. BOWEN  
TAMM BIRDY,  
THOMAS S. HEDGECOCK,  
C. A. BARNHARTT.

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

REPORT IN REPLY TO THE FOLLOWING

M. C. No. 1409.

ALLISON L. STANFORD,  
SECRETARY.

Muskogee, Indian Territory, January 23, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Mollie Blackledge,

Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2858
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcadia DuBose, et al.,	M C R	2856
Albert Edward Boyd,	M C R	2859
Oliver Boyd, et al.,	M C R	2858
William Cary DuBose,	M C R	2859
J. Paul Adams,	M C R	2858
William L. Buckley,	M C R	2850
Samuel H. Adams, et al.,	M C R	2851
Martin C. Adams, et al.,	M C R	2852
Thomas H. Adams, et al.,	M C R	2853
Arthur A. Adams, et al.,	M C R	2854
Martin Adams, et al.,	M C R	2857
Mary Adams, et al.,	M C R	2859
Lawrence A. Boyd, et al.,	M C R	2854
Joseph A. Boyd, et al.,	M C R	2855
Nora B. Adams,	M C R	2853
William E. Walker,	M C R	2857
John Owens,	M C R	2858

William J. Adams,	M C R	2884
Cynthia Adams Hill, et al.,	M C R	2885
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1488
Aleck Blackledge, et al.,	M C R	1490
Lula Hashins, et al.,	M C R	1486
John Jordan, et al.,	M C R	1469
Frances O. Volfentine, et al.,	M C R	5043
John T. Volfentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5045
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Charbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Eliza A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Jennie H. Schmidt, Fred B. Lee, Lillian Thomas, Josie Thomas, Charles Porter Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Maggie Adams, Lillian N. Adams, Isaac M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Jessie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlisle Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vennie Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vere Ross, Arthur A. Ross, Tunisia Ross, Media Ross, Mallie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Bartty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gusnie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Fronti Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada E. Blakeley, Walter E. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Lee Blackledge, Leonard Blackledge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alford M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyd Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Lodie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the farther opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

*James Kirby*

Acting Chairman.

Registered.

H.C.R. 1000.

COPY.

Muskogee, Indian Territory, July 13, 1903.

Nellie Blackledge,  
Wortham, Texas.

Dear Madam:

You are hereby notified that on the 30th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. Necales.*

Commissioner in Charge.

MOR 1469

Muskogee, Indian Territory, December 6, 1906.

Mollie Blackledge,  
Wortham, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

Acting Commissioner.



No. 1000  
FOR IDENTIFICATION AS A MISSOURI CITIZEN.

Date *Mich 7. 1901*

Name *Mollie Blackledge*

Age *21* - Blood *1/16*

Post Office, *Wortham, Tex.*

Father: *Alex Blackledge,*

Mother: *Emeline " d.*

Claims through *mother.*

✓

~~claims:~~

*Claims for sup.  
alone -*

*H. Christen*

APR 28 1903

JAN 23 1903

FEB 29 1903

MAY 7 1903

JUL 19 1903

NOV 12 1903

Choctaw MCR 1490

MCR 1490

Aleck Black Lidge

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I. T., March 7, 1901.

In the matter of the application of Aleck Blackledge for identification for himself and his minor children as Mississippi Choctaws.

Aleck Blackledge having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Aleck Blackledge.  
Q What is your age? A Thirty one.  
Q What is your post office address? A Wortham, Texas.  
Q How long have you lived there? A About five years.  
Q And where did you live before that? A Leon County, Texas.  
Q Were you born in Texas? A Yes sir.  
Q And always lived in Texas? A Yes sir.  
Q What is your father's name? A Aleck Blackledge.  
Q Is he living? A No sir.  
Q What is your mother's name? A Emeline.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A What, no?  
Q Yes? A One sixteenth.  
Q Did your mother ever live in the Indian Territory? A No sir.  
Q Was she ever recognized as a citizen of the Choctaw Nation by the tribal authorities of the Choctaw Nation? A No sir, not that I know of.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for enrollment or citizenship in the Choctaw Nation? A No sir.  
Q Have you ever made application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes acting under the Act of Congress of June 10, 1899? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the tribal authorities, either the Texas Commission or the Choctaw Nation?  
A No sir.  
Q In that the fact, application of any kind you have ever made?  
A Yes sir.  
Q You are now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q What makes you think you have a right to be identified as a Mississippi Choctaw? A Because my parents always told me that I had Indian about me--had Indian blood.  
Q Did they teach you that you had an ancestor who lived in Mississippi who was a Choctaw? A Yes sir.  
Q Have you any recollection of that? A No sir.  
Q How many times have you been on the family? A Yes sir.  
Q Do you claim under any other treaty?  
A Yes sir.  
Q That is the year? A Yes sir.  
Q And the people you were that year? A Yes sir.  
Q What was the name of the treaty?  
A Yes sir.  
Q What would make 1814 a date in the treaty? A I do not understand you.

Aleck Blackledge----2.

- Q You claim under treaty of 1830? A Fourteen I reckon.  
Q Not 1814? A No sir.  
Q Do you claim under article nineteen? A Yes sir--no, sir.  
Q Well, which is it? A I dont.  
Q What was the name of your ancestor who lived in Mississippi in 1830? A Jacob Lee.  
Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A No sir.  
Q Do you know whether he came from Mississippi to the Indian Territory in the years 1833 or 1837 when the other indians came? A No.  
Q Do you know why he did not come? A No sir.  
Q Did he or any of your ancestors ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A Not, that I know of.  
Q Do you know whether any of your ancestors, this one whom you claim under or any other, ever received any benefits under article fourteen of the treaty of 1830? A No sir.  
Q Did they ever comply with the provisions of the treaty of 1830? A No sir.  
Q What do you claim under treaty of Dancing Rabbit Creek? A Claim 1830.  
Q 1830 what? A Treaty.  
Q The treaty of Dancing Rabbit Creek is a treaty--that is the name of a treaty, and treaty of 1830, is also the name of a treaty; are they two different treaties or the same? A Yes sir.  
Q Two different treaties? A Not that I know of.  
Q Are they the same? A Not as I know of--reckon they are?  
Q Well, you say they are the same and then say they are not?  
A I do not know.  
Q Are you married? A Yes sir, no sir, yes sir.  
Q You are pretty badly rattled? A Yes sir, badly rattled.  
Q What is your wife's name? A Grise Blackledge.  
Q Do you make any claim for her? A No sir.  
Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.  
Q What is the name of the eldest? A Ellen.  
Q How old is Ellen? A Eight.  
Q What is the name of the next? A Lee.  
Q How old is Lee? A Five.  
Q Is that a boy? A Yes sir.  
Q What is the name of the next? A Leonard.  
Q How old is Leonard? A Four.  
Q The next? A That is all.  
Q Is Grise Blackledge the mother of these children Yes sir  
Q And you are the father? A Yes sir  
Q And you and she are living together as husband and wife? A Yes  
Q And the basis of these children's claim is the same as yours? A Yes sir.  
Q When and where were you married to your wife? A Leon County Texas. A Yes sir.  
Q Under the laws of the state of Texas? A Yes sir.  
Q What date? A 1838.  
Q What day of the month? A July third.  
Q Have you your marriage license and certificate that you would like to introduce now and make part of your application? A What? Not  
Q Yes? A No.

Alex Blackledge---3.

Q Have you any documentary evidence that you would like to introduce now and make a part of your application now. A No.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of the application which he makes for identification for himself and his minor children as Mississippi Cheetaws.

Q Is there anything further you would like to state? A No sir.

The Decision of the Commission in regard to this application which you make for yourself and these three children for identification as Mississippi Cheetaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 11 day of March 1901

*Charles L. Sawyer*  
Notary Public.

Muskogee, Indian Territory, March 15, 1901.

Messrs Hudson & Arnold,

Armadore, Indian Territory,

Government

Enclosed is in reply to your letter of March 9, in-  
closed copies of the affidavits of E. R. Lord and R. R.  
certified copies of the license and certificate between  
the said Lord and R. R. and the certificate be-  
tween the said Lord and R. R. to be used in C. 1490,  
and the affidavits of J. V. Lord et al. The same  
have been filed with the records in the cases. The  
affidavits of J. V. Lord et al. are to be filed in support  
of the identification as a Mississippi

Very,

W. H. Brown.

COMMISSIONERS  
HONRY L. DAVIS,  
TAMM DIXIE,  
THOMAS B. NEEDLES,  
G. B. BRINKINSIDE.

ALBION L. AVLEWORTH,  
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

M. C. R. 1490.

Muskogee, Indian Territory, January 28, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Aleck Blackledge,

Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1488
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1748
Hiram Blakeley, et al.,	M C R	2641
William Lee, et al.,	M C R	2659
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2858
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Cary DuBose,	M C R	2889
J. Dole Adams,	M C R	2898
William L. Blakley,	M C R	2899
Samuel H. Adams, et al.,	M C R	2901
Martha C. Adams, et al.,	M C R	2902
Thomas B. Adams, et al.,	M C R	2903
Andrew C. Adams, et al.,	M C R	2904
Martha C. Adams, et al.,	M C R	2907
Martha C. Adams, et al.,	M C R	3139
James C. Adams, et al.,	M C R	3134
James C. Adams, et al.,	M C R	3135
James C. Adams, et al.,	M C R	3136
James C. Adams, et al.,	M C R	3137
James C. Adams, et al.,	M C R	3138
James C. Adams, et al.,	M C R	3139
John Adams,	M C R	3138



William J. Adams,	M C R	3854
Cynthia Adams Hill, et al.,	M C R	3868
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollentine, et al.,	M C R	5063
John T. Vollentine,	M C R	5064
Calle V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
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Albany Kennedy, et al.,	M C R	5874
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Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
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Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Anne Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zerah E. Lee, Dora A. Lee, Kenneth H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, Lillian Thomas, Jennie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Lou Thomas, Nettie Thomas, Maggie Thomas, Lolla N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mallie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Lee Blackledge, Leonard Blackledge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as inter-married Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

*James Bird*  
Acting Chairman.

Registered.

M.S.R. 1490.

COPY.

Muskogee, Indian Territory July 13, 1903.

Ellen Black Edge,  
Wesley, Texas

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tempie McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. Needles.*

Commissioner in Charge

MOR 1490

Muskogee, Indian Territory, December 6, 1906.

Aleck Blackledge,

Wortham, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

Acting Commissioner.

THE UNITED STATES OF AMERICA  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LANDS

DATE: *Mich 7. 1901*

NAME: *Alex Blackledge,*

AGE: *31* - SEX: *Male*

RESIDENCE: *Wootton, Texas,*

FATHER: *Alex Blackledge, d*

MOTHER: *Emeline " d*

CLAIMS THROUGH: *Mother -*

*Wife -*

*Erica Blackledge -*

CHILDREN:

*Ellen - 8*

*Lee - boy - 6*

*Leonard - 4*

*for self and  
children -*

*[Signature]*

JAN 28 1903

RECEIVED FORWARDED DEPARTMENT

FEB 2 1903

RECEIVED APPROVED

MAY 1903

RECEIVED DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

JUL 19 1903

RECEIVED DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

JUL 19 1903

Chickens No. 1491

Fred Lee

March 1991

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 7, 1901.

In the matter of the application of Fred Lee for identification as Mississippi Choctaw.

Fred Lee, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Fred Lee
- Q What is your age? A Twenty six.
- Q What is your post office address? A Wortham, Texas.
- Q How long have you lived at Wortham? A All my life.
- Q Born there? A Yes sir.
- Q What is your father's name? A Robert Lee.
- Q Living? A Yes sir.
- Q What is your mother's name? A Kate Lee.
- Q Living? A No sir.
- Q Through which one do you claim Choctaw blood? A My father.
- Q How much do you claim? A One sixteenth.
- Q How much Choctaw blood did your father have? A One eighth.
- Q What is the name of your ancestor when you claim through? A Jacob Jacob Lee? A Yes sir.
- Q What kin was he to you? A Grandfather.
- Q Was your father ever a resident of the Indian Territory--did he ever live in the Indian Territory? A No sir.
- Q Was he ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for enrollment as a citizen to the Choctaw tribal authorities? A No sir.
- Q Were you ever before the Hayes Commission as an applicant for citizenship in the Choctaw Nation under the act of Congress of June 18, 1900?
- Q Were you ever recognized in the Choctaw Nation by the Hayes Commission or the Indian Territory on a tribal roll as a Choctaw Indian or the Choctaw tribal authorities? A No sir.
- Q What is the first application of any kind that you have ever made to the Choctaw tribal authorities?
- Q What application to be identified as a Mississippi Choctaw?
- Q What right to be identified as a Mississippi Choctaw?
- Q Were you ever before the Hayes Commission as an applicant for citizenship in the Choctaw Nation under the act of Congress of June 18, 1900?



Fred Lee----2.

Q That treaty was made by whom--between whom? A Between Choctaws.

Q If the choctaws on one side would make a treaty, whom would they make it with to get rights here in this country--they would not make it with other Indians would they---some other party would be a party to that treaty? A The United States.

Q Do you claim under the whole treaty of 1830, or under any particular article of that treaty? A Article fourteen.

Q There are good many articles to that treaty--there are nineteen articles, any way--what makes you say you claim under article fourteen and not under any of the others---do you think that is the only one that applies to your application? A Yes sir.

Q Do you understand anything about the way in which that article fourteen happened to be put into the treaty of 1830? A No sir.

Q Article fourteen was put into the treaty of 1830 because there were a good many Indians living in Mississippi in 1830 who did not want to come to the Indian Territory, but who desired to remain in Mississippi and live there; take land there and become citizens of the state of Mississippi instead of removing to the Indian Territory where they would become Indians under their own tribal government. You come here claiming to be a descendant of an Indian who chose to remain in Mississippi and become a citizen of the United States, rather than leave the state of Mississippi and remain an Indian. I want to ask you if your ancestor under whom you claim the right to be identified as a Mississippi Choctaw complied with all of the requirements of article fourteen of the treaty of 1830? A I do not know anything about that.

Q What is the name of your ancestor? A Jacob Lee.

Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent who lived in Mississippi at that time that he preferred to stay in Mississippi and take land there and become a citizen of that state? A Not as I know of.

Q Did he come to the Indian Territory with the other Indians in the years 1833 and 1837? A I do not know.

Q Did he ever comply in any way with the provisions of article fourteen of the treaty of 1830? A I do not know.

Q Did he ever receive any benefits under article fourteen of the treaty of 1830? A I do not know.

Q Did he ever receive or claim any land in Mississippi from the United States Government under article fourteen of the treaty of 1830? A Not as I heard of.

Q Did you ever receive any benefits in the Choctaw Nation or Indian country as a Choctaw Indian? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Maggie Lee

Q Do you make any claim for her? A No.

Q When and where were you married to her? A Wortham

Q Texas? A Yes sir.

Q What year? A 1896

Q What day of the month? A Jan 3.

Q Under the laws of the state of Texas? A Yes sir.

Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A No sir.

Q Making application for yourself alone? A Yes sir.

Q Have you any documentary evidence you want to introduce now? A No

Q Do you wish time to introduce same, A Yes sir.

Fred Lee---

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of his application for identification as a Mississippi Choctaw.

Q. Is there anything further you would like to state? A. No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 7th day of March, 1901

*Charles H. Sawyer*

Notary public.

Muskogee, Indian Territory, June 12, 1901.

Maxwell Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of May 30, inclosing marriage certificate between C. F. Lee and Maggie Steadman, which you ask to have filed in support of the application of C. Fred Lee, whose number you say is 1491.

You are advised that this certificate has been filed in the application of Fred Lee for identification as a Mixed-Blood.

Very truly,

Acting Chairman.

MS 1491

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

ALLISON L. AYLESWORTH,  
SECRETARY.

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

REFER TO REPLY TO THE FOLLOWING

H. C. R. 1491

Muskogee, Indian Territory, January 23, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Fred Lee,

Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcade DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Oliver Smith, et al.,	M C R	2868
William Cary DuBose,	M C R	2889
J. Dale Adams,	M C R	2898
William L. Blackley,	M C R	2890
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Ferguson, et al.,	M C R	2997
Mary Thomas, et al.,	M C R	3139
Louisa L. Boyd, et al.,	M C R	3154
James K. Boyd, et al.,	M C R	3155
Nancy H. Boyd,	M C R	3156
William E. Walker,	M C R	3157
John Owens,	M C R	3158

William J. Adams,	M C R	3954
Cynthia Adams Hill, et al.,	M C R	3963
William M. Blakeley, et al.,	M C R	4143
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollettine, et al.,	M C R	3043
John T. Vollettine,	M C R	3064
Callie V. Bryant, et al.,	M C R	3065
William S. Blakeley, et al.,	M C R	3066
James E. Blakeley, et al.,	M C R	3067
Ralph Tyler,	M C R	3068
Walter S. Blakeley, et al.,	M C R	3069
Mary M. Bird, et al.,	M C R	3221
Cora Langston, et al.,	M C R	3222
Annie C. Lawhon, et al.,	M C R	3223
Laura E. Bird, et al.,	M C R	3224
Oscar Thomas Boyd, et al.,	M C R	3443
John Blakeley, et al.,	M C R	3873
Albany Kennedy, et al.,	M C R	3874
Mary Frances Knowles, et al.,	M C R	3875
Sarah A. Harris, et al.,	M C R	3876
Thomas L. Kennedy,	M C R	3877
Robert E. Kennedy, et al.,	M C R	3878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Biley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernie Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Eliza A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zerah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie E. Schmidt, Fred B. Lee, Lathan Thomas, Josie Thomas, Emma Foster Thomas, William Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nancy Thomas, Emma Adams, Lela N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lee

Adams, Oral Boyd, Amanda May Boyd, Lilla Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annetta Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBoose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlis Smith, William Cary DuBoose, Hattie V. DuBoose, Robert Chester DuBoose, C. B. DuBoose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Mertie C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnie Bismark Ross, David Harnett Ross, William Malcolm Ross, Seena Vere Ross, Arthur A. Ross, Tommie Ross, Media Ross, Nellie Ross, Offie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtie Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Front Boyd, Frances Boyd, Allene Boyd, Nora B. Hitley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Beacie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Lee Blackledge, Leonard Blackledge, Lula Hashins, Rebecca Hashins, Minnie Hashins, Thomas Hashins, Lee Hashins, Vivian Hashins, Nellie Hashins, John Jordan, Elmer Jordan, Auctia Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollandine, Alice A. Vollandine, Edgar O. Vollandine, Mattie L. Vollandine, Ernest E. Vollandine, John T. Vollandine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyd Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pichen-Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Lodie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert E. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jannita Rape, Leolie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtle Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with each argument will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

James D. ...

Acting Chairman.

Registered.

H.C.R. 1471.

COPY.

Mustang, Indian Territory, July 13, 1903.

Friend Isak,

Mustang, Texas.

As you are already informed that on the 14th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tommie Hallister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

T. B. Nardine.

Commissioner in Charge.

MUR 1491

Muskogee, Indian Territory, December 6, 1906.

Fred Lee,

Wortham, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

Acting Commissioner.



No. 1491

For Identification as a Mississippi Choctaw.

Dec 7. 1901

Name Fred Lee.

Age 26 - born 1/16

Place of Birth, Wouthern, Texas.

Father: - Robert Lee - I

Mother: - Kate " d

Claims through father,

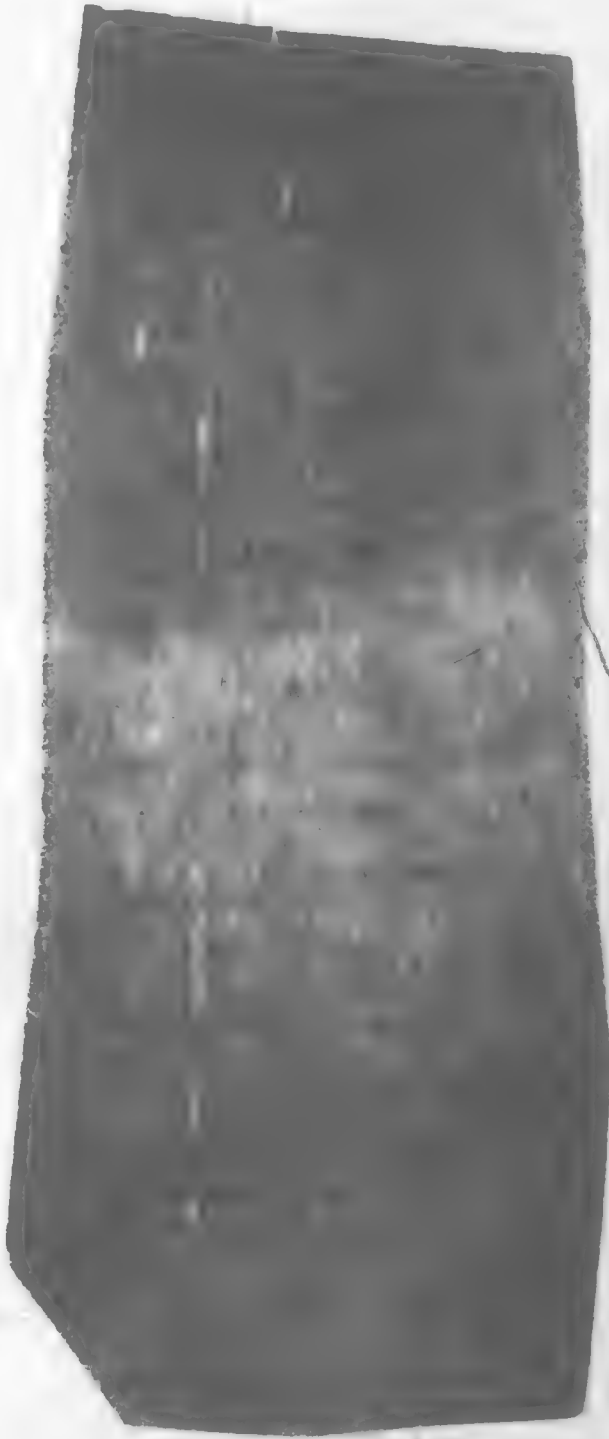
Wife.

Maggie Lee -

Children:

for ans -

John



Chapman, M. S. 1492

Vermic. box

MAR 1492

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 7, 1901.

In the matter of the application of Vernile Lee for identification as a Mississippi Choctaw.

Vernile Lee, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Vernile Lee.  
 Q What is your age? A Twenty.  
 Q Are you married? A Yes sir.  
 Q What is your post office address? A Wertham, Texas.  
 Q How long have you lived at Wertham? A All my life.  
 Q Born there? A Yes sir.  
 Q And never lived outside the state of Texas? A No sir.  
 Q What is your father's name? A N. N. Lee.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Kate Lee.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One sixteenth.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir. Not as I know of, no more than what I have been told.  
 Q You have been told that he was recognized as an Indian among the Indians? A Partly.  
 Q Where did he live? A His fore-fathers----?  
 Q No, your father? A He was born in Mississippi  
 Q And how old was he when he removed to Texas? A I do not know.  
 Q He is living in Texas? A Yes sir.  
 Q Have you ever made application to the Choctaw authorities for citizenship? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Have you ever been recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir, not that I know of.  
 Q Have you ever made application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896? A No.  
 Q Did you ever make application for citizenship or enrollment to either the United States authorities or the Choctaw tribal authorities before this? A No sir.  
 Q Are you now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Do you claim your rights to be identified under the treaty of Rabbit Creek? A They are all the same; might as well claim that as any.  
 Q How many are the same? A They are all the same.  
 Q Is that the same treaty as that of 1830? A Yes sir.

Vernile Lee-----2.

- Q Why do they call one the treaty of Dancing Rabbit creek? A I do not know.
- Q Do you claim under the whole treaty? A I claim one-sixteenth of it.
- Q What do you mean by that? A I could not hardly tell you. If I understood what you said, I believe you asked me if I claimed under the whole treaty.
- Q You mean that you claim one-sixteenth of the treaty of 1830 or do you mean that you claim one-sixteenth blood? A Yes sir.
- Q That has not anything to do with the treaty? A No, no.
- Q Under what article do you claim if you do claim under any particular article? A I claim under article fourteen.
- Q Did you say a little while ago you claimed under the whole treaty? A I claim under fourteen.
- Q Then you do not claim under the whole treaty? A No.
- Q Do you claim under the supplement of the treaty---what do you think about that? A I do not know.
- Q You do not know what that means do you? A No sir.
- Q If you do not know what it means, you do not know whether you claim under it? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Jacob Lee.
- Q What kin was he to you? A My father, grandfather.
- Q Your father's grandfather? A My grandfather.
- Q Did he live in Mississippi in 1830? A I do not know but I guess he did from what I have been told.
- Q Was he a full blood Choctaw Indian? A No sir.
- Q Do you know whether he ever complied with all of the provisions of article fourteen of the treaty of 1830? A No sir.
- Q Do you know whether he complied with any of the provisions of that article? A No sir.
- Q Did he ever receive any benefits under that article? A Not that I know of.
- Q Did he within six months after that treaty was ratified tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the United States? A I do not know whether he did or not.
- Q Did he come from Mississippi to the Indian Territory in the years 1833 or 1837 when the other Indians came here? A Not as I know of.
- Q Did he ever claim or receive any land in Mississippi from the United States Government under article fourteen of the treaty of 1830? A No.
- Q How do you know he did not? A I have been told he did not.
- Q You have been told he did not? A Yes sir.
- Q Did you ever receive any land in the Indian Territory as a Choctaw Indian? A No sir.
- Q Did you ever receive any benefits of any kind as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Vernile Lee.
- Q Do you make any claim for land? A No sir.
- Q Have you any children? A No sir.
- Q Have you any documentary evidence you could take?

Vernils Lee---5.

and make part of your application? A No sir.

On motion of Mr Arnold, Counsel for applicant, twenty days time is allowed from the date hereof in which to file documentary evidence in support of this application.

Q Is there anything further that you would like to state in support of your application? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Nisteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 7th day of March 1901, and that the above and foregoing is a fully true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Nisteen*  
Subscribed and sworn to before me this 11 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Department of the Interior, Bureau of Land Management

Washington, D.C. 20250

Approved for the Secretary of the Interior  
and the Director of the Bureau of Land Management  
by the Assistant Secretary for Lands and  
Mineral Resources, Department of the Interior,  
Washington, D.C. 20250.

Page 1 of 1

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

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1492

ALLISON L. AYLESWORTH,  
SECRETARY

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Vernile Lee,

Wortham, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Cary DuBose,	M C R	2889
J. Dale Adams,	M C R	2898
William L. Blakley,	M C R	2899
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Forsythe, et al.,	M C R	2997
Maria Gipson, et al.,	M C R	3189
Lawrence L. Boyd, et al.,	M C R	3154
Joseph K. Boyd, et al.,	M C R	3155
Nora B. Hilley,	M C R	3156
William F. Walker,	M C R	3157
John Owens,	M C R	3158



William J. Adams,	M C B	3854
Cynthia Adams Hill, et al.,	M C B	3868
William M. Blakeley, et al.,	M C B	4148
Ida Calame, et al.,	M C B	1487
Mollie Blacklidge,	M C B	1489
Aleck Blacklidge, et al.,	M C B	1490
Lula Haskins, et al.,	M C B	1488
John Jordan, et al.,	M C B	1469
Frances O. Vollentine, et al.,	M C B	5063
John T. Vollentine,	M C B	5064
Callie V. Bryant, et al.,	M C B	5065
William S. Blakeley, et al.,	M C B	5066
James E. Blakeley, et al.,	M C B	5067
Ralph Tyler,	M C B	5068
Walter S. Blakeley, et al.,	M C B	5069
Mary M. Bird, et al.,	M C B	5321
Cora Langston, et al.,	M C B	5322
Annie C. Lawhon, et al.,	M C B	5323
Laura E. Bird, et al.,	M C B	5324
Oscar Thomas Boyd, et al.,	M C B	5448
John Blakeley, et al.,	M C B	5873
Albany Kennedy, et al.,	M C B	5874
Mary Frances Knowles, et al.,	M C B	5875
Sarah A. Harris, et al.,	M C B	5876
Thomas L. Kennedy,	M C B	5877
Robert E. Kennedy, et al.,	M C B	5878
James Overstreet, et al.,	M C B	499
Thomas J. Overstreet, et al.,	M C B	500
William H. Overstreet,	M C B	503
Belle Rape, et al.,	M C B	504
Cornelius L. Overstreet,	M C B	505
Biley Overstreet, et al.,	M C B	506
Rebecca Overstreet, et al.,	M C B	507
John A. Overstreet, et al.,	M C B	508
John F. Overstreet, et al.,	M C B	554
Emma Simpson, et al.,	M C B	674

These applications were made under the provision of the act of Congress of June 28, 1898 (80 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dean A. Lee, Genevieve H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, James Thomas, Josie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert (Gen) Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, Leida N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynu Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnie Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenie Vore Ross, Arthur A. Ross, Tommia Ross, Media Ross, Mallia Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blacklidge, Aleck Blacklidge, Ellen Blacklidge, Lee Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope B. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

*Tommy Dancy*

Acting Chairman.

Registered.

M.C.R. 1492

COPY.

Muskogee, Indian Territory, July 15, 1903.

Vernile Lee,

Wortham, Texas.

Dear Madam:

You are hereby notified that on the 20th day of May, 1903 the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Tempie McAllister, et al., of which decision you were advised by registered mail on the 3rd day of January, 1903.

Respectfully,

T. B. Needles.

Commissioner in Charge

MCR 1492

Muskogee, Indian Territory, December 6, 1906.

Vernile Lee,

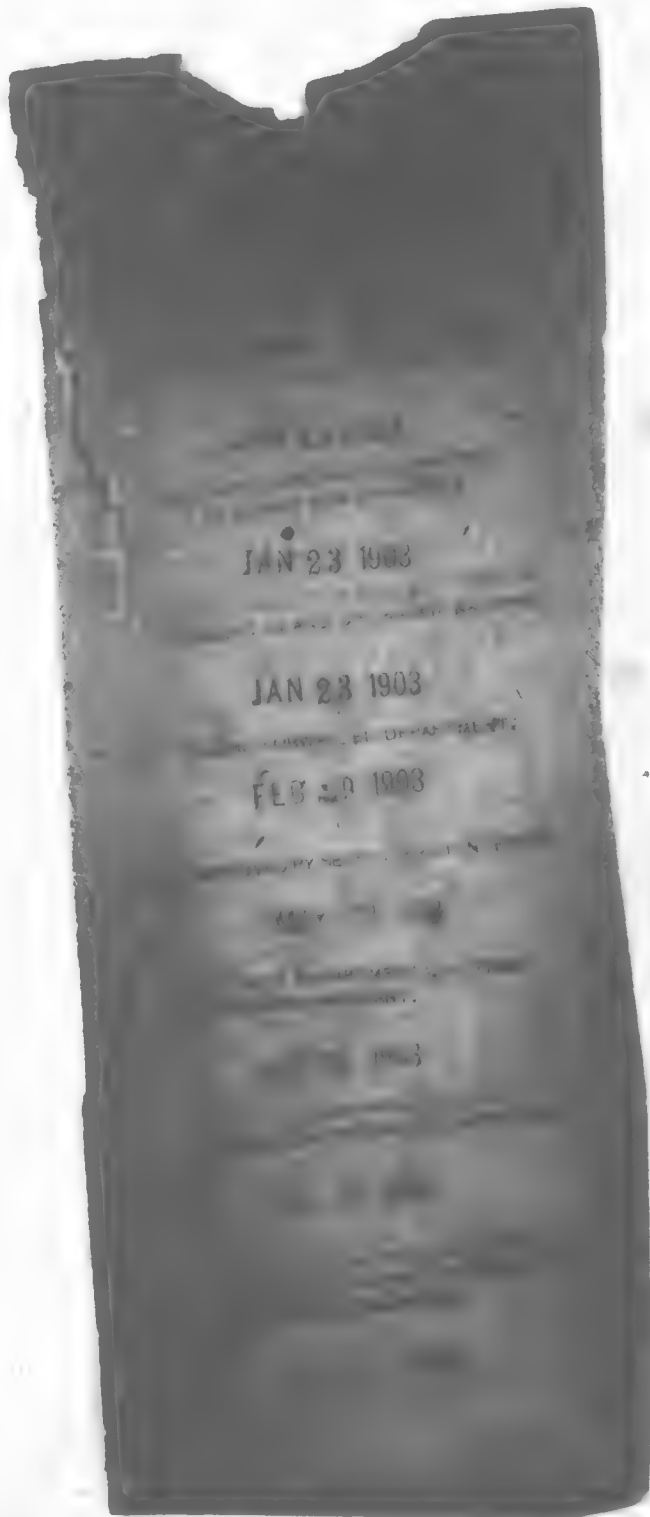
Wortham, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

... Acting Commissioner.



July 7, 1901

Name Vernice Lee.

Age 20 Blood 1/16

Post Office, Wrentham, Mass.

Father: R. E. Lee. I.

Mother: Kate " d

Claims through father  
wife

Bessie Lee -

children  
for prop alone

H. C. [unclear]  
[unclear]

Choctaw MCR 1493

Nichols C Dayton

See MCR 1494

MCR 1493

REFUSED

DECISION RENDERED. JUL 15 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 15 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 15 1902

RECORD FORWARDED DEPARTMENT.

JUL 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 15 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

AUG 23

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

AUG 23

REF TO M. O. R. 7461



DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T. March 11, 1901.

#1495.

In the matter of the application of Nicholas C. Dayton for identification for himself and his two minor children as Mississippi Choctaws. Nicholas C. Dayton being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Nicholas C. Dayton.  
Q What is your age? A Twenty-nine.  
Q What is your post-office address? A Liberty Hill, Williamson County, Texas.  
Q How long have you lived at Liberty Hill?  
A Why something like about twenty-three years I suppose.  
Q Where were you born? A In Missouri.  
Q What place in Missouri? A Why, Johnson County.  
Q And you moved from there to Texas? A Yes sir.  
Q What is your father's name? A Nicholas Dayton.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary L. Dayton.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much do you claim? A 1/16.  
Q Did your father ever live in the Indian territory? A No sir.  
Q Has he ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A Why, no sir.  
Q Is your name on any of the Choctaw tribal rolls? A Not that I know of.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Have you ever made application for enrollment? A No sir.  
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of United States Court on appeal from the decisions of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Have you ever made application to the Commission to the Five Civilized Tribes for enrollment or citizenship by virtue of the Act of Congress of June 19, 1898? A No sir.  
Q Is this the first application of any kind either to the Choctaw tribal authorities or to the authorities of the United States that you have ever made? A Yes sir.  
Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty do you claim? A 1830  
Q What does that mean? A I couldn't tell you only what I have learned; what I have been told.  
Q What have you been told? A I don't know about that.  
Q I wanted to know about 1830; what does that mean?  
A Well, really I don't know.  
Q What year was that treaty passed? A What, 1830? It was in '72.  
Q Do you claim under that whole treaty or only a part of it?  
A Well, the whole treaty, I reason.  
Q Did you ever hear of article fourteen? A Yes sir.  
Q What does it mean; do you know? A Well, I have been told it means that the Mississippi Choctaws should get land West of the Mississippi for that part of it.  
Q Does your claim come under the whole treaty or article fourteen?  
A Article fourteen.

- Q Do you claim anything under article 15 or 19 or the supplement -?  
A Not that I know of;I don't.
- Q What is the name of your ancestor who lived in Mississippi in 1830?  
A Elizabeth Dayton.
- Q Was she a full blood? A No sir.
- How much did she have? A One quarter.
- Q Did she within six months after the ratification of the treaty of 1830 go to the United States Indian Agent then living in Mississippi and signify her intention of remaining in Mississippi and taking up lands there and becoming a citizen of the United States?  
A Well, I don't know.
- Q Do you know whether she came from Mississippi to the Indian Territory when the other Indians were removed her by the United States government in 1833 or 1837? A No sir, I do not know.
- Q Do you know whether she or any of your ancestors ever complied in any way with the provisions of article fourteen of the treaty of 1830?  
A I think so;yes sir.
- Q How do you know. ~~Well,~~  
A Well, that's just what I have been taught by my parents;that's all I know.
- Q Did your ancestor or ancestors ever claim/or receive anything under that article? A I think so.
- Q From the United States? A Yes sir.
- Q How do you know? A That's what I have been told by my parents.
- Q Who was it received land from the United States? A Collins.
- Q What relation was Collins to you? A That's my great-grand-father.
- Q You are not claiming under him are you? A No sir.
- Q Why don't you claim under him if he got land from the United States Government? A Well, I don't know.
- Q You mean that you don't know that he received land from the United States? A I think so.
- Q Don't you think it would be proper to make your claim under him?  
A Yes sir, I think so.
- Q What ancestor are you making this claim under? A My father.
- Q Yes through your father;but I mean which ancestor was it who was a Mississippi Choctaw in 1830? A That's my grand-mother, Elizabeth Dayton
- Q I thought your grandfather had the land? Well now let us know which is right;do you claim it was your great-grand-father who received the land? A Yes sir.
- Q Was he a Mississippi Choctaw in 1830? A Yes sir.
- Q Was his wife a Mississippi Choctaw? A No sir.
- Q Who is it through whom you now claim the right to be identified as a Mississippi Choctaw? A My great-grand-father Collins.
- Q What was his full name? A I don't know hds full name;nor his first
- Q What evidence have you that he received land in Mississippi under that article? A Nothing only what I have been taught by my father.
- Q Have you any documentary evidence--? A No sir.
- Q You have not the patent that he received? A No sir.
- Q Nor any copy of it? A No sir.
- Q What became of the land that he received;do you know? A No sir.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Mary E. Dayton.
- Q Do you make any claim for her? A No sir.
- Q Have you any children for whom you wish to claim? A Yes;I have 2.
- Q What is the name of the oldest--? A Ellis T. Dayton.
- Q Boy? A Yes sir.
- Q How old is Ellis T.? A Three years old.
- Q Next? A Robert C.Dayton.
- Q How old? A One year.
- Q Is Mrs. Mary E. Dayton the mother of these children? A Yes sir.
- Q You are the father? A Yes sir.
- Q You and she are living together as husband and wife? A Yes sir.

H.C.Dayton----3

- Q Are these children living with you at your home? A Yes sir.  
Q The basis of their claim is the same as yours? A Yes sir.  
Q When and where were you married to Mary E. Dayton?  
A Austin City, Texas; 1896.  
Q What day of the month? A October 14, 1896.  
Q Under the laws of the State of Texas? A Yes sir.  
Q Have you your marriage license and certificate? A I have not here.  
Q Would you like time in which to introduce them? A Yes sir.  
Q (On motion of counsel for applicant twenty days time from the date hereof is allowed in which to file marriage license and certificate and any other documentary evidence necessary in support of his application)  
Q Is there anything further that you wish to say?  
A Nothing that I can think of now.

The decision of the Commission as to this application you make for yourself and your minor children will be mailed to you at your present post-office address.

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Henry G. Hains being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled case and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date of March 11, 1901.

Henry G. Hains

Subscribed and sworn to before me this 12 day of March 1901.

Charles H. Sawyer

Notary Public.

COPI

M C R 1488

Muskogee, Indian Territory, July 18, 1902.

Nicholas G. Dayton,  
Liberty Hill, Texas.

Dear Sir:

You are hereby advised that on the 18th day of July 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nicholas Dayton, et al., embracing the following applications for identification as Mississippi Choctaws:

Nicholas Dayton,	M C R 1461
William L. Dayton, et al.,	• 1367
Mary L. Reed,	• 1496
Nicholas G. Dayton, et al.,	• 1495
George P. Dayton,	• 1494

These applications were made under the provisions of the act of Congress of June 23, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of

1000

Washington, D. C., August 1, 1908.

The Board of Commissioners has considered the application for their license, and that the application is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,  
(SIGNED)

James Bixby.

Acting Chairman.

Registered.

M.C.R. 1493.

Lawton, Indian Territory, August 25, 1932.

Mr. C. C. Hayton,

Lawton, Texas.

Dear Sir:

You are hereby advised that on the 15th day of August 1932, the Secretary of the Interior affirmed the decision of the Commission of the General Land Office for identification as business property of the general personal property of the consolidated estate of the late John C. Hayton, deceased, as was advised by the Commission of the General Land Office on August 15, 1932.

No. 1493

For Identification as a Mississippi Choctaw.

Date Mich 11, 1901

Name Nicholas C. Dayton

Age 29 Blood 1/16

Post Office, Liberty Hill, Tex.

Father: Nicholas Dayton, l.

Mother: Mary L. " l.

Claims through father -  
wife.

Mary E. Dayton -

Children:

Ellis T. — 3

Robert C. — 1

Claims for  
self & children

Chapman M.C.R. 1874

George P. Dayton

See M.C.R. 1874

M.C.R. 1874



**REFUSED**

RECORD RECEIVED. JUL 15 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 15 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 15 1902

RECORD FORWARDED DEPARTMENT.

JUL 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

~~AUG 15 1902~~

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

AUG 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

~~AUG 23 1902~~

REFER TO M. O. R. 1461

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 11, 1901.

71494.

In the matter of the application of George P. Dayton for identification for himself as a Mississippi Choctaw.  
George P. Dayton being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A George P. Dayton.  
Q What is your age? A Twentyone.  
Q What is your post office address? A Liberty Hill.  
Q Texas? A Yes sir; Williamson County, Texas.  
Q How long have you lived at Liberty Hill? A Well all my life.  
Q Were you born there? A Yes sir.  
Q What is your father's name? A Dayton.  
Q His first name? A Nicholas.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Mary Dayton.  
Q Is that the whole name? A No, it is Mary L. Dayton.  
Q Is she living? A Yes sir.  
Q Through which one of those parents do you now claim--? A My father.  
Q How much Choctaw blood do you claim? A 1/16  
Q Did your father ever live in the Indian Territory? A No sir.  
Q Has he ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir, not that I know of.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir, I don't think it is.  
Q You have always lived in Texas? A Yes sir.  
Q Never lived in Indian Territory? A Never did.  
Q Did you ever make application to the Choctaw tribal authorities for citizenship or enrollment in the Choctaw Nation? A No sir.  
Q Did you ever make application to the Dawes Commission for citizenship or enrollment under Act of Congress of June 10, 1890? A No sir.  
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of United States Court on appeal from the decisions of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q This is the first application that you have ever made--? A Yes sir.  
Q Are you now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty? A 1830.  
Q What does 1830 mean? A Well, I am not familiar with 1830.  
Q Well, what do the figures 1830 mean; I am not asking you what the treaty means now? A Well, I couldn't tell you.  
Q When was the treaty of 1830 passed; What year?  
A I don't know what year it was.  
Q Between whom was the treaty made? A I don't know that.  
Q Do you claim under article 10 of that treaty? A No sir.  
Q Under the supplement? A No sir.  
Q Under article 14? A No sir.  
Q Under article fourteen? A Yes sir.  
Q What does article fourteen mean? A Well, all that I know is from the treaty--I never read it--I've been told it means that they recognize and that of thinking clear for those that .  
Q What does that mean? A Yes, peacefully.  
Q Does article fourteen mean say that? A That is my understanding.  
Q What is the article is a treaty? A I couldn't tell you--all that I know is from the treaty--I am not familiar with it otherwise.

- Q Can't you give me an idea what you mean by 1830? A No sir, I can't.
- Q Do you know whether it means that the treaty you refer to was made in 1830? A What was that?
- Q Do you know whether it means that the treaty you refer to was made in 1830? A No, I don't.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Elizabeth Dayton.
- Q Do you claim under her? A Who, my mother you mean or John Dayton?
- Q Who is her? A He is my great-grand-father.
- Q Was he a Choctaw Indian? A Yes sir.
- Q How much did he have? A 1/4
- Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that he intended to remain in Mississippi and take up lands there and become a citizen of the United States? A I don't know.
- Q Do you know whether he came from Mississippi to Indian Territory with the other Indians who were removed in 1835 or 1837? A I don't know whether he did or not.
- Q Did he ever comply in any way with the provisions of article fourteen of the treaty of 1830? A I can't say.
- Q Was he a beneficiary under that article? A I don't know.
- Q Did he ever receive or claim any land in Mississippi as? A Well, I couldn't tell you, not knowing.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Alice Dayton.
- Q Do you make any claim for her? A No sir, not at present.
- Q Does she claim Choctaw blood? A Yes sir, but I don't know how much.
- Q Have you any children--? A No sir, none at all.
- Q You make claim simply for yourself? A Yes sir.
- Q Have you any documentary evidence that you would like to introduce? A No sir.
- Q Would you like time to get it? A Yes sir.
- (On motion of counsel for applicant thirty days time from the date hereof is allowed in which to file documentary evidence in support of his claim--marriage license and certificate--)
- Q Is there anything further that you wish to say in support of your claim? A No sir, I believe not.

The decision of the Commission with regard to the application you make for identification as a Mississippi Choctaw will be mailed to you at your present post-office address.

-----00-----

Henry G. Hains being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 11th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

Subscribed and sworn to before me this 12 day of March 1901.

Charles H. Sawyer

OPY,

K C N 1406

Mustagee, Indian Territory, July 18, 1908.

George P. Dayton,  
Liberty Hill, Texas.

Dear Sir:

You are hereby advised that on the 18th day of July 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nicholas Dayton, et al., embracing the following applications for identification as Mississippi Choctaw:

Nicholas Dayton,	K C N 1441
William L. Dayton, et al.,	" 1447
Mary L. Root,	" 1405
Nicholas C. Dayton, et al.,	" 1403
George P. Dayton,	" 1404

These applications were made under the provisions of the act of Congress of June 25, 1906 (34 Stat., 498) which is as follows:

"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 second, one thousand hundred and thirty, and to that end may call muster rolls, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of



M.C.R. 1494.

Muskogee, Indian Territory, August 23, 1902.

George P. Dayton,  
Liberty Hill, Texas.

Dear Sir:

You are hereby advised that on the 15th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippian Chactaws of the several persons included in the consolidated case of Nicholas Dayton, et al., of which decision you were advised by registered mail on the 15th day of July, 1902.

Yours truly,

Acting Chairman.

No. 1494

For Identification as a Mississippi Choctaw.

Date *Feb 14 1901*

Name *George P. Dayton*

Age *21* - Blood *1/16*

Post Office *Liberty Hill Texas*

Father: *Nicholas Dayton, d*

Mother: *Mary L. " d*

Claims through *father* -

*wife*  
*Alice Dayton -*

~~Children:~~

*for prop alone -*

Choctaw MCR 1495

Mary L. Reed

See MCR 1461

MCR 1495



*W. L. ...*  
**REFUSED**

DECISION RENDERED. JUL 15 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 15 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 15 1902

RECORD FORWARDED DEPARTMENT.

JUL 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 15 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

AUG 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

AUG 23 1902

REFER TO M. C. R. 1461

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
Atoka, I.T. March 11, 1901.

#1496.

In the matter of the application of Mary L. Reed for identification as a Mississippi Choctaw for herself alone.  
Mary L. Reed being first duly sworn and testified as follows:

Examination by the Commission:

Q What is your name? A Mary L. Reed.

Q What is your age? A Thirty-one.

Q What is your post office address? A Fort Worth, Texas; (1012 Bush Street)

Q How long have you lived in Ft. Worth? A Twelve years.

Q Where before that? A I lived a while in Austin, Texas.

Q Where were you born? A Johnston County, Missouri.

Q Where did you move to from Missouri? A To Texas.

Q And you have stayed in Texas ever since? A Yes sir.

Q What is your father's name? A Nicholas Dayton.

Q Is he living? A Yes sir.

Q What is your mother's name? A Mary L. Dayton.

Q Is she living? A Yes sir.

Q Through which one of these parents do you claim? A My father. Choctaw blood

Q How much do you claim? A 1/16

Q Did your father ever live in Indian Territory? A Yes sir; not that I know of.

Q Has he ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A Not that I know of.

Q Is your name on any of the rolls of the Choctaw tribe?

A Not that I know of.

Q Have you ever made application for citizenship or enrollment to the Choctaw Nation--? A No sir.

Q Have you ever made application to the Commission to the Five civilized Tribes for citizenship or enrollment in the Choctaw Nation under an Act of Congress of June 18, 1899? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of the Bureau Commission or the Choctaw tribal authorities?

Q Was this the first application that you have ever made? A Yes sir.

Q You are now seeking to be identified as a Mississippi Choctaw? A Yes sir.

Q Under what treaty do you claim? A 1830.

Q Under the whole treaty? A I suppose so.

Q You don't claim under any particular part then? A No sir.

Q Did you ever hear of article fourteenth? A Yes sir.

Q Do you claim under that? A Yes sir.

Q Did you ever read it? A No sir.

Q Did you have it explained to you? A No sir.

Q You don't know then it's unconstitutional? I don't.

Q You don't know I was wrong to read the treaty of 1830 under

which you claim the right to be identified as a Mississippi Choctaw?

A I don't know. I was told that it was the right of the Choctaw

tribe to make such a claim. I was told that the Choctaw

tribe had the right to make such a claim. I was told that the Choctaw

tribe had the right to make such a claim. I was told that the Choctaw

tribe had the right to make such a claim. I was told that the Choctaw

could do so and not lose their rights with the other Indians in Indian Territory, article fourteen was inserted, which provides that these Indians of the Choctaw tribe who desired to remain in Mississippi could do so provided they went to the United States Indian Agent, Col. Ward, then living in Mississippi, and told him that their intention was, to remain in Mississippi and take up land there and become citizens of the United States; or, in other words, article fourteen provides for descendants of these Indians who desired to renounce their citizenship in the Choctaw Nation and wished to become citizens of the United States; it was provided that if they did declare their intention within six months after the ratification of the treaty of 1830 that they or their descendants thereafter should not be deprived from claiming lands in the Indian Territory should they or their descendants afterwards remove to the Indian Territory. That is why I ask you if you are familiar with the provisions--? How do you know whether this ancestor under whom you claim, did so declare his intention?

A I couldn't tell you.

Q What is the name of that ancestor who--? A John Dayton.

Q Did he live in Mississippi in 1830? I don't know, but I believe he did, the best I remember.

Q Did he within six months after the ratification of that treaty tell Col. Ward the Indian Agent then living in Mississippi that he intended to remain in Mississippi and take up lands there and become a United States Citizen? A I don't know.

Q Do you know as a matter of fact whether he ever claimed or received any lands in Mississippi? A I do not know.

Q Did he ever comply in any manner with the provisions of article fourteen? A I couldn't tell you.

Q Was he in any manner a beneficiary under that article? A Don't know.

Q Are you married? A Yes sir; I have been.

Q Have you any children? A No sir.

Q Your husband is living? A Yes sir.

Q Is he living with you? A No sir.

Q Then you make no application for him; you make application for yourself alone? A Yes sir.

Q Have you any documentary evidence which you would like to introduce?

A Would you like time in which to procure it? A Yes sir.

(On motion of counsel for claimant thirty days time from the date hereof in which to file marriage licenses and certificate and any documentary evidence she may desire in support of her claim.)

Q Is there anything further you want to say? A No sir.

The decision of the Commission with reference to the claim you make for identification as a Mississippi Choctaw will be mailed to you at your present post-office address.

Henry S. Hains being first duly sworn states that as stenographer to the Commission on the 14th day of June 1891 he prepared in full and presented to the Commission the above and foregoing report on the 14th day of June, 1891, and that the same are true and correct as a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*Henry S. Hains*

Subscribed and sworn to before me this 14th day of June 1891

COPY.

X 6 2 2000

Muskogee, Indian Territory, July 13, 1900.

Mary L. Reed,  
1012 East Street,  
Fort Worth, Texas.

Dear Madam:

You are hereby advised that on the 15th day of July 1900, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nicholas Dayton, et al., concerning the following applications for identification as Mississippi Choctaws:

- |                             |            |
|-----------------------------|------------|
| Nicholas Dayton,            | X 6 2 1441 |
| William L. Dayton, et al.,  | " 1447     |
| Mary L. Reed,               | " 1448     |
| Nicholas C. Dayton, et al., | " 1449     |
| George F. Dayton,           | " 1450     |

These applications were made under the provisions of the act of Congress of June 20, 1899 (30 Stat., 490) which is as follows:

"The Commission shall have authority to determine the identity of Choctaw Indians claiming descent from the Choctaw Indians who were removed from the State of Georgia in 1838 and settled on the Choctaw Reservation in Indian Territory, and to issue certificates of identity to such Choctaw Indians as may be determined to be entitled to the same, and also to issue to the Secretary of the Interior."

Said decision concludes as follows:



W. O. B.

COMMISSIONERS:  
HERBERT L. DAVIS,  
TAMM DIXIE,  
THOMAS S. NEEDLER,  
G. R. BRINKMIDDELE.

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

REFER IN REPLY TO THE FOLLOWING  
N.C.R. 1495.

ALLISON L. AYLEWORTH,  
SECRETARY.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Euakegee, Indian Territory, August 23, 1902.

Mary L. Reed,  
1012 Kuck Street,  
Fort Worth, Texas.

Dear Madam:

You are hereby advised that on the 15th day of August 1902, the Secretary of the Interior affirmed the decision of the Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Nicholas Dayton, et al., of which decision you were advised by registered mail on the 15th day of July, 1902.

Yours truly,

Acting Chairman.

No. 1495

For Identification as a Mississippi Choctaw.

Date *Mich 11, 1901*

Name *Mary L. Reed*

Age *31* - Blood *1/16*

Post Office, *Fort Worth, Texas,*

Father: *Nicholas Dayton, I*

Mother: *Mary L. " I*

Claims through *father - -*

~~Children:~~

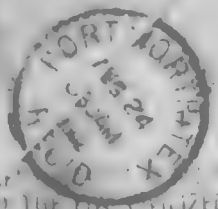
*for ever done*

MUSKOGEE  
AUG 2  
7308

9  
W. Perry  
May L. Perry  
Fort Worth  
Texas



1495



Delivered to the Post Office

**FILED**

OCT 24 1902

*[Handwritten signature]*

ACTING Clerk



Choctaw MCR 1496

John F. Ford

MCR 1496

Department of the Interior,  
Commission to the Five Civilized Tribes.  
Atoka, I.T., July 12, 1901.

TESTIMONY OF EMILY J. FORD: IN

In the matter of the application of Henry F. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1900. N.C.F. 1500.

In the matter of the application of William H. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1900. N.C.F. 1500.

In the matter of the application of John F. Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T., March 12, 1900. N.C.F. 1500.

In the matter of the application of Washington Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T., March 12, 1900. N.C.F. 1498.

In the matter of the application of Thomas B. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1900. N.C.F. 1498.

In the matter of the application of Emily J. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1900. N.C.F. 1498.

In the matter of the application of [Name] for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1900. N.C.F. 1498.

In the matter of the application of [Name] for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1900. N.C.F. 1498.

Testimony by the Commission

Q What was the name of your father? A My father's name was John Totten.

Q What was your mother's name? A Malinda Brown.

Q What was it when she was your mother? A Malinda Totten.

Q Through which one of your parents do you get your Choctaw blood?

A Malinda Totten.

Q What was Malinda Totten's father's name? A Alfred Bryant.

Q What was her mother's name? A Nancy Bryant.

Q Through which one of her parents did she get her Choctaw blood?

A Her father.

Q Were they married? A Yes, I reckon.

Q Have you any evidence that they were married? A I haven't got any except that they raised a family there.

Q Did they get a license to marry? A I don't know.

Q Do you know that they were married? A No, I reckon they was.

Q Do you know where they were married? A No, I don't know where they was married.

Q Is there anybody living who could testify as to their marriage?

A I don't know of any.

Q Is there anybody living who knew them personally? A I don't know any except some their children.

Q Is there anybody living any of their neighbors who lived round them then who knew that they were living together as man and wife?

A I don't know.

Q You don't know them so that you could get their affidavits?

A I don't know that I could, of course I was still when I lived there.

Q Do you know where Alfred Bryant lived in 1830? A No, I can't say where he lived then.

Q Do you know whether he was a Choctaw Indian? A I was always told he was Choctaw Indian.

Q Did you ever see him? A Yes.

Q Is he living? A No.

Q How old was he when he died? A I think about seventy five.

Q About how long ago did he die? A I can't tell you - it has been about - I can't answer that.

Q Do you know about how old you were when he died? A No, I don't know.

Q Was it before you were married? A No, it was since that, but I can't tell you how long ago it has been.

Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1830 or where he was living? A No, I don't.

Q Do you know whether Alfred Bryant came west with the party of other Indians from Mississippi to the present location in Indian Territory between 1820 and 1830? A I don't know.

Q Where was your mother's father's name? A I don't know.

Q About how old was your mother's father? A I don't know.

Q Do you know if Alfred Bryant was ever in Mississippi within six months of the time he was in Mississippi but he wanted to stay there in Mississippi and never left the United States? A No.

Q Is there anybody living who could testify as to that? A I don't know.

Q Did any of your ancestor's ever go to Mississippi and stay there for any length of time? A I don't know.

Q Did any of them ever get on board a ship to go to Mississippi? A I don't know.

Q Do you see records in your family or in any other place? A I don't know.

Q Do you see any records in your family or in any other place? A I don't know.

Q Do you see any records in your family or in any other place? A I don't know.

Q Do you see any records in your family or in any other place? A I don't know.

Letter

To applicant:

Q Is there anything more that you would like to have your mother asked? A There is nothing that I know of; nothing I think of.

Witness excuse:

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in the above testimony on July 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said testimony on said date.

Henry G. Hains

Subscribed and sworn to before me this 17 day of August, 1901.

R. H. Linebaugh  
Notary Public.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 12, 1901

In the matter of the application of John P. Ford for identification of himself and his minor children as Mississippi Choctaws.

John P. Ford, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A John P. Ford.  
 Q What is your age? A I am forty years old.  
 Q What is your post office address? A Purcell, Indian Territory.  
 Q How long have you lived at Purcell? A About three weeks.  
 Q Where did you live before you lived at Purcell? A In Kansas.  
 Q How long did you live in Kansas? A I have lived in Kansas ever since my birth.  
 Q Born in Kansas? A Yes sir.  
 Q And always lived there until you came to the territory? A Yes.  
 Q What is your father's name? A James Ford.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A My mother's name is Emily J. Ford.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A I claim one sixteenth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A Not that I knew of.  
 Q Was your mother ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application for enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for citizenship? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Daves Commission? A No sir.  
 Q Have you ever made application to the Daves Commission for either citizenship or enrollment in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application of any kind that you have ever made?  
 A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A 1830.  
 Q Are you claiming under the whole treaty or under any particular article? A Article fourteen.  
 Q And do you claim under article nineteen or fifteen of that treaty?  
 A I do not know the nature of those articles.  
 Q What was the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant.

John F. Ford---2.

Q Was he a full blood Choctaw Indian? A He was one half I think, what they claim.

Q What relation was he to you? A My great grandfather

Q On your mother's side? A Yes sir.

Q Do you know whether he within six months after the ratification of the treaty of 1830 told the United States Indian Agent that he intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not.

Q Do you know whether as a matter of fact he came to the Indian Territory from Mississippi when the other Choctaw Indians were removed here in the years 1835 and 1837 by the United States government? A I think he did not.

Q Do you know why he did not? A No, I do not.

Q Did he comply with the provisions of article fourteen of the treaty of 1830? A I do not know that he did.

Q Do you know whether he was a beneficiary in any way under article fourteen of that treaty? A I do not know that he was.

Q Do you know whether he ever received or claimed any land in Mississippi under article fourteen of the treaty of 1830? A I do not.

Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.

Q Can you recall the provisions of article fourteen of the treaty of 1830? A I do not know as I could recall it, but it provides that if those who remained there ever saw cause to remove, they should not lose their citizenship.

Q Do you know whether any other article makes provisions for those Indians who would not remove to the Indian Territory? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A My wife's name is Annie Ford.

Q Do you make any claim for her? A No sir.

Q When and where were you married to her? A I was married to her November 18, 1885, in Wilson County, Kansas.

Q Have you any children you want to make application for? A Yes, I have seven.

Q Minor children and unmarried? A Yes sir.

Q What is the name of the oldest? A Lydia N.

Q How old is she? A Fourteen.

Q The next? A James A.

Q How old? A Eleven.

Q The next? A Emily A.,

Q How old? A Nine.

Q The next? A Jesse A.

Q How old is Jesse A? A Eight

Q The next? A Ernest A.

Q How old? A Six

Q The next? A Grace

Q How old is Grace? A She is three.

Q And the next? A Russell.

Q How old? A Two.

Q Is Annie Ford the mother of these children? A Yes sir.

Q And you are the father? A Yes sir.

Q And you and she are living together as husband and wife? A Yes

Q And the children are all living with you at your home? A Yes

Q Have you any documentary evidence and marriage license and certifi-

John F. Ford---5.

cate you want to introduce now? A I have marriage license and certificate in my wagon.

Q Would you like time in which to file them? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file marriage license and certificate or certified copy thereof, also such documentary evidence as he desires in support of this application.

Q Is there anything further you want to say in support of your claim? A I do not know that ther is.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and these children will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 12th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. G. Risteen*

Subscribed and sworn to before me this 4<sup>th</sup> day of March 1901.

*Charles W. Sawyer*

Notary Public



Muskogee, Indian Territory, March 30, 1901.

Mr. John F. Ford,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of the following papers to be filed in support of your application for the identification of yourself and your minor children as Mississippi Choctaws:

Certified copy of marriage certificate between John F. Ford and Anna Daniels.

Sworn affidavit of \_\_\_\_\_.

Sworn affidavit of \_\_\_\_\_.

Sworn affidavit of \_\_\_\_\_.

Written \_\_\_\_\_.

Muskogee, Indian Territory, January 13, 1908.

John V. Ford,

Coalgate, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the ninth instant, in which you ask what disposition has been made of the applications for identification as Mississippi Choctaws of Emily J. Ford, et al., William H. Ford, Thomas B. Ford, and John V. Ford, et al. You also state that the present post office address of all these applicants is Coalgate, Indian Territory.

In reply to your letter you are advised that no decision has yet been rendered by opinion rendered relative to the rights of these applicants. When such a decision is rendered it will be made known to you by the United States Marshal at Muskogee, Indian Territory.

Very truly yours,

COPY.

M.C.R. 1400

Mustoge, Indian Territory, July 23, 1902.

John F. Ford,  
Pawnee, Indian Territory.

Dear Sir:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaws:

Name	M.C.R.	Page
Pleasant Bryant,	852	852
John W. Bryant, et al.,	"	853
Oscar Bryant,	"	854
Abigail Ford, et al.,	"	855
James Oliver Bryant, et al.,	"	856
Walter Bryant, et al.,	"	857
Walter Bryant, et al.,	"	858
Walter Bryant, et al.,	"	859
Walter Bryant, et al.,	"	860
Walter Bryant, et al.,	"	861
Walter Bryant, et al.,	"	786
Walter Bryant, et al.,	"	862
Walter Bryant, et al.,	"	863
Walter Bryant, et al.,	"	864
Walter Bryant, et al.,	"	865
Walter Bryant, et al.,	"	866
Walter Bryant, et al.,	"	867
Walter Bryant, et al.,	"	868
Walter Bryant, et al.,	"	869
Walter Bryant, et al.,	"	870
Walter Bryant, et al.,	"	871
Walter Bryant, et al.,	"	872
Walter Bryant, et al.,	"	873
Walter Bryant, et al.,	"	874
Walter Bryant, et al.,	"	875
Walter Bryant, et al.,	"	876
Walter Bryant, et al.,	"	877
Walter Bryant, et al.,	"	878
Walter Bryant, et al.,	"	879
Walter Bryant, et al.,	"	880
Walter Bryant, et al.,	"	881
Walter Bryant, et al.,	"	882
Walter Bryant, et al.,	"	883
Walter Bryant, et al.,	"	884
Walter Bryant, et al.,	"	885
Walter Bryant, et al.,	"	886
Walter Bryant, et al.,	"	887
Walter Bryant, et al.,	"	888
Walter Bryant, et al.,	"	889
Walter Bryant, et al.,	"	890
Walter Bryant, et al.,	"	891
Walter Bryant, et al.,	"	892
Walter Bryant, et al.,	"	893
Walter Bryant, et al.,	"	894
Walter Bryant, et al.,	"	895
Walter Bryant, et al.,	"	896
Walter Bryant, et al.,	"	897
Walter Bryant, et al.,	"	898
Walter Bryant, et al.,	"	899
Walter Bryant, et al.,	"	900

(J F F)

Thomas B. Ford,	M.C.R.	1499
William H. Ford,	•	1500
Ida M. Ford,	•	1501
Emily J. Ford, et al.,	•	1502
Seigle Ford, et al.,	•	1503
Henry T. Ford,	•	2924

These applications were made under the provisions of the act of Congress of June 26, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Pleasant Bryant, John W. Bryant, Jacob Bryant, Aaron Bryant, Bertha Bryant, Oscar Bryant, Abigail Ford, Minnie Alice Ford, Sarah Ford, Hildegard Ford, Joseph Ford, James Oliver Bryant, Lolla Bryant, Nancy Bryant, Eliza Bryant, Gracie Bryant, Charley Bryant, Lizzie Bryant, Lizzie Rutherford, Ann Rutherford, Emeline Rutherford, Mary Rutherford, Rosy Rutherford, Cepha Rutherford, Dowsy Rutherford, Henry Rutherford, Clara Rutherford, Mary Caldwell, Freddie Caldwell, Milsha Bryant, Mary Bryant, Jennie Bryant, Flossie Bryant, Bert Bryant, Charles J. Totten, Lee Totten, Vivian Totten, Mattie Starr, Anne Cowen, Georgia Cowen, Gladys Cowen, Mary Starr, Benjamin Starr, Alfred Totten, Emaley Totten, Alfred Totten, Mary E. Totten, Elmer Starr, Frank Totten, Arthur Totten, Otis Totten, Mary Totton, Alexander Starr, Wilson Totten, Estell Totten, Maggie Newton, Rena Isenberg, Rena Isenberg, Lana Isenberg, Rena Isenberg, John F. Ford, Lyda E. Ford, James A. Ford, Emily A. Ford, Jesse A. Ford, Ernest A. Ford, Grace Ford, Russell Ford, Annie Pottorff, Samuel O. Pottorff, George H. Pottorff, Washington Ford, Floyd Ford, James Ford, Laury Ford, Minnie Ford, Thomas B. Ford, William H. Ford, Ida M. Ford, Emily J. Ford, Walter L. Ford, Seigle Ford, Olive V. Ford, Henry T. Ford, Carrie M. Ford,

(J F V)

Ethel E. Ford, Pearley Ford, Rubie Ford, Allie Ford, Henry T. Ford, as Cheater Indians entitled to Rights in the Cheater lands under the provisions of said article fourteen of the Treaty of 1866, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

T. B. Needles

Commissioner in Charge

Registered.

N.O.R. 1406.

Muskogee, Indian Territory, November 22, 1902.

John F. Ford,

*Revised Reelgate J. F. Dec 29, 1902*  
Muscogee, Indian Territory.

Dear Sir:

You are hereby advised that on the 18th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Pleasant Bryant, et al., of which decision you were advised by registered mail on the 23d day of July, 1902.

Respectfully,

MOR 1496

COPY

Muskogee, Indian Territory, December 16, 1906.

John J. Ford,

Coal Mine, Indian Territory.

Dear Sir :

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

Commissioner.

RECORDS DIVISION

RECORDS FORWARDED DEPARTMENT

JUL 25 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

NOV 13 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARD TO APPLICANT

NOV 20 1902

FOR CHOCTAW



No. 1496

For Modification as a Mississippi Choctaw.

dat. Mich 12. 1901

Name John F. Ford

Age 40 - 1861/16

Res. Offic. Pucell, S. T.

Father: James Ford - 1

Mother: Emily J. " 1

Claims through Mother - -

Wife -

Annie Ford -

Children:

Lydia M. - 14

James A. - 11

Emily A. - 9

Jessie A. - (yil) 8

Samuel A. - 6

Grace - 3

Harrell - 2

Joseph &

Chaetow MCR 1497

Annie Pottorff

MCR 1497

**Department of the Interior,  
Commission to the Five Civilized Tribes,  
Atoka, I.T. July 12, 1901.**

**TESTIMONY OF HENRY J. FORD IN**

In the matter of the application of Henry T. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. July 12, 1901.  
M.C.R. 2224

In the matter of the application of William H. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
M.C.R. 1500.

In the matter of the application of John F. Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. ~~March 12, 1901.~~  
March 12, 1901. M.C.R. 1495

In the matter of the application of Washington Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1498

In the matter of the application of Eugene E. Ford for identification as Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
M.C.R. 1499

In the matter of the application of Annie Potomah et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1497

In the matter of the application of Edw. H. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
M.C.R. 1501.

In the matter of the application of Maggie Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1503

Henry J. Ford is identified as follows in each of the above applications by the Commission:

- 1. What is your name?
- 2. What is your age?
- 3. What is your occupation?
- 4. How do you know you are a Choctaw?
- 5. How do you know you are a Choctaw?
- 6. How do you know you are a Choctaw?
- 7. How do you know you are a Choctaw?
- 8. How do you know you are a Choctaw?
- 9. How do you know you are a Choctaw?
- 10. How do you know you are a Choctaw?

Q What was the name of your father? A My father's name was John Totten.

Q What was your mother's name? A Malinda Brown.

Q What was it when she was your mother? A Malinda Totten.

Q Through which one of your parents do you get your Choctaw blood? A Malinda Totten.

Q What was Malinda Totten's father's name? A Alfred Bryant.

Q What was her mother's name? A Nancy Bryant.

Q Through which one of her parents did she get her Choctaw blood? A Her father.

Q Were they married? A Yes, I reckon.

Q Have you any evidence that they were married? A I haven't got any except that they raised a family there.

Q Did they get a license to marry? A I don't know.

Q Do you know that they were married? A No, I reckon they was.

Q Do you know where they were married? A No, I don't know where they was married.

Q Is there anybody living who could testify as to their marriage? A I don't know of any.

Q Is there anybody living who know them personally? A I don't know any except some their children.

Q Is there anybody living any of their neighbors who lived round them when they were living together as man and wife? A I don't know.

Q You don't know them so that you could get their affidavits? A I don't know that I could; of course I was small when I lived there.

Q Do you know where Alfred Bryant lived in 1850? A No, I can't say where he lived then.

Q Do you know whether he was a Choctaw Indian? A I was always told he was Choctaw Indian.

Q Did you ever see him? A Yes.

Q Is he living? A No.

Q How old was he when he died? A I think about seventy five.

Q About how long ago did he die? A I can't tell you; it has been sometime I can't make that.

Q Do you know about how old you were when he died? A No, I don't know.

Q Was it before you were married? A No, it was since that; but I can't tell you how long ago it was.

Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1850 or where he was buried? A No, I don't.

Q Do you know whether Alfred Bryant was with the other Choctaw Indians from Mississippi by the general election in 1850 or whether he was with them in 1850? A No, I don't know.

Q Is there anybody living who could testify as to those points? A I don't know of any of your ancestors that are now living who could testify as to those points.

Q Did any of them ever get any money from the Government? A I don't know.

Q Do you any records in your family any books or papers or anything that would show that they were ever with the Government? A I don't know.

Q Do you know of any other records that would show that they were ever with the Government? A I don't know.

To applicants:

Q Is there anything more that you would like to have your mother asked? A There is nothing that I know of, nothing I think of.

Witness excused.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Vice Civilized Tribes he reported in full the above testimony on July 12, 1901, and that the above and foregoing is a full, true and correct transcript of A's stenographic notes in said testimony on said date.

Henry G. Hains

Subscribed and sworn to before me this 17 day of August, 1901.

W. H. Lincbaugh  
Notary Public.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 12, 1901.

In the matter of the application of Annie Pottorff for identification of herself and her minor children as Mississippi Choctaws.

Annie Pottorff, having been first duly sworn, upon her oath testifies as follows, -

Examination by the Commission:

- Q What is your name? A Annie Pottorff.  
 Q What is your age? A Twenty six.  
 Q What is your post office address? A Purcell.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived at Purcell? A Two weeks.  
 Q Where did you live before you lived in Purcell? A Kansas, Kansas City, Kansas.  
 Q How long did you live there? A Two years.  
 Q Where were you born? A Wilson County, Kansas.  
 Q And always lived in Kansas until you came to the territory?  
 A Yes sir.  
 Q What is your father's name? A James Ford.  
 Q What is your mother's name? A Emily J. Ford.  
 Q Are your father and mother living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities?  
 A No sir.  
 Q Did you ever make application, or any one for you, in 186 to the Dawes Commission under the act of Congress of June 17, 1896, for citizenship or enrollment in the Choctaw Nation? A No sir.  
 Q Is this the first application of any kind you have ever made either to the United States authorities or the Choctaw tribal authorities? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty do you make this application? A 1830.  
 Q Do you understand what that treaty provides? A Not altogether.  
 Q Do you claim under the whole treaty or only under part of it?  
 A Under all that is of interest to the Mississippi Choctaws.  
 Q Do you know how much is of interest to the Mississippi Choctaws?  
 A No sir.  
 Q Do you claim under article fifteen or nineteen? A I claim under article fourteen.  
 Q Do you know what that provides? A It provides a right.  
 Q Do you know what your ancestor who lived in Mississippi must have

Annie Pottorff-----2.

done in order to give you a right to make application for identification as a Mississippi Choctaw under that article? A No.

Q What is the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant.

Q Was he a full blood Choctaw Indian? A They say he was a half breed.

Q Have you any documentary evidence of that fact? --How do you know he was a half breed? A I have always been taught he was a half breed.

Q Taught in the family? A Yes sir.

Q Do you know whether he lived in Mississippi in 1830? A No.

Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a resident of the state of Mississippi? A I do not know anything about that.

Q Do you know whether he complied in any way with the provisions of article fourteen of the treaty of 1830? A No sir.

Q Was he a beneficiary under that article? A I do not know.

Q Did he claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.

Q Are you married? A Yes sir.

Q What is your husband's name? A Samuel E. Pottorff

Q Do you make any claim for him? A No sir.

Q When and where were you married to him? A In 1890, in Kansas, Fredonia, Kansas.

Q What day and month? A 12th day of November.

Q Have you any children you want to make application for? A Yes, I have two.

Q What is the name of the oldest? A Samuel O.

Q How old is he? A Eight.

Q The next? A George B., six years.

Q Is Samuel E. Pottorff the father of those children? A Yes sir

Q You are the mother? A Yes sir.

Q And you and he are living together as husband and wife? A Yes.

Q And the children are living with you at your home? A Yes sir.

Q Have you any documentary evidence you would like to introduce now and make a part of your application? A No sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

Q Is there anything further you would like to say in support of your claim? A No sir.

The decision of the commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and children will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 12th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes

Annie Petterff-----S.

of said cause on said date.

Subscribed and sworn to before me this *17* day of March 1901.

*Charles H. Sawyer*

Notary Public.



Muskogee, Indian Territory, March 30, 1901.

Annie Pottorff,

Percell, Indian Territory.

Dear Madam:

The Commission is in receipt of the following papers to be filed with your application for identification of yourself and children as Missions of the Government:

Written application of Annie Pottorff.

Certified copy of the certificate of birth of Samuel E. Pottorff.

Affidavit of the mother.

Affidavit of the father.

Affidavit of the witnesses.

The same for the children, if any, in the same part.

Yours truly,

Muskogee, Indian Territory, January 4, 1902.

Michael B. Pottorff,

Coalgate, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the first instant, stating that the post office address of Annie Pottorff, your wife, is now Coalgate, Indian Territory. You also ask when her application for identification as a Mississippi Choctaw will be considered.

In reply to your letter you are advised that it is impossible to tell at this time when this application will be reached for consideration. As soon as a decision is rendered the applicant will be advised of the action of the Commission. The change in her post office address has been made a matter of record.

Yours truly,

COPY.

M.C.R. 1497

Muskogee, Indian Territory, July 23, 1902.

Annie Potterff,  
Pursell, Indian Territory.

Dear Madam:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaws:

Pleasant Bryant,	M.C.R.	852
John W. Bryant, et al.,	•	853
Oscar Bryant,	•	854
Abigail Ford, et al.,	•	855
James Oliver Bryant, et al.,	•	856
Lizzie Lumberford, et al.,	•	857
May C. Hall, et al.,	•	858
Eliza Bryant, et al.,	•	859
Paul Bryant,	•	860
Charles J. Totten, et al.,	•	861
Estelle Starr,	•	746
Anna Cowan, et al.,	•	829
May L. Hall,	•	840
William L. Hall,	•	841
Alfred Bryant, et al.,	•	842
John L. Bryant, et al.,	•	843
John L. Bryant, et al.,	•	844
John L. Bryant, et al.,	•	845
John L. Bryant, et al.,	•	846
John L. Bryant, et al.,	•	847
John L. Bryant, et al.,	•	848
John L. Bryant, et al.,	•	849
John L. Bryant, et al.,	•	850
John L. Bryant, et al.,	•	851
John L. Bryant, et al.,	•	852

RECEIVED  
JUL 25 1902  
MUSKOGEE INDIAN TERRITORY

(A-P)

Thomas B. Ford,	M.C.R. 1499
William H. Ford,	" 1500
Ida W. Ford,	" 1501
Emily J. Ford, et al.,	" 1502
Seigle Ford, et al.,	" 1503
Henry T. Ford,	" 2924

These applications were made under the provisions of the act of Congress of June 25, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Pleasant Bryant, John W. Bryant, Jacob Bryant, Aaron Bryant, Bertha Bryant, Oscar Bryant, Abigail Ford, Minnie Alice Ford, Kneziak Ford, Margaret Ford, Joseph Ford, James Oliver Bryant, Lolla Bryant, Emma Bryant, Eliza Bryant, Gracie Bryant, Charley Bryant, Mattie Bryant, Fiddle Rutherford, Amy Rutherford, Melvina Rutherford, Mary Rutherford, Rosey Rutherford, Cepha Rutherford, Dewey Rutherford, Henry Rutherford, Clara Rutherford, Mary Caldwell, Freddie Caldwell, Eliza Bryant, Mary Bryant, Jennie Bryant, Florence Bryant, Bert Bryant, Charles J. Totten, Lee Totten, Vivian Totten, Mattie Starr, Anna Cowen, Georgia Cowen, Gladys Cowen, Mary Starr, Benjamin Starr, Alfred Totten, Emaley Totten, Alford Totten, Mary E. Totten, Elmer Starr, Frank Totten, Arthur Totten, Otis Totten, Mary Totten, Alexander Starr, William Starr, Ernest Totten, Maggie Marton, Emma Isenberg, Rosa Isenberg, Lee Isenberg, Rudie Isenberg, John F. Ford, Ida F. Ford, James F. Ford, Emily A. Ford, Jessie A. Ford, Ernest A. Ford, Grace Ford, Frank Ford, George Patteroff, Samuel O. Patteroff, George L. Patteroff, William Ford, Floyd Ford, James Ford, Louis Ford, William B. Ford, William H. Ford, Ida F. Ford, Emily J. Ford, Henry T. Ford, Seigle Ford, Olive V. Ford, Henry F. Ford, Gertrude M. Ford,

(AmP)

Walter B. Ford, Benjamin Ford, Rubin Ford, Allie Ford, Henry T. Ford, and the other persons mentioned to appear in the Commission's report on the operations of the Ford Motor Company, and to advise the Commission as to their identification as such persons as indicated, and if it is so ordered.

You are further advised that the Commission has so far as the data show, and the record in this case to the Secretary of the Inspector for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Noted stored.

M.C.R. 1407.

Muskogee, Indian Territory, December 22, 1908.

Amie Potbury

*Remailed - Conygate. J. J. Dec 29, 1908*

Muskogee, Indian Territory.

Dear Madam:

You are hereby advised that on the 18th day of November, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mischon and Chontara of the several persons included in the consolidated case of Pleasant Bryant, et al., of which decision you were advised by registered mail on the 23d day of July, 1908.

Respectfully,

C. S. P.

Acting Chairman.

M.O. . 1497.

Muskogee, Indian Territory, December 8, 1902.

Annie Pottorff,

Coalgate, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your affidavit, and the affidavit of the attending physician, to the birth of your child, Marie Pottorff, born May 4, 1902.

The same are returned to you herewith, for the reason that on November 13, 1902, the Secretary of the Interior approved the decision of the Commission refusing the application made by you for the identification of yourself and minor children as Mississippi Choctaws.

On November 22, 1902, you were duly notified of such departmental action.

Respectfully,

Acting Chairman.

Enc B I 138.

NR 2497

COPY

Muskogee, Indian Territory, December 28, 1906.

Annie Pettorff,

Coalgate, Indian Territory.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. B. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

SIGNED

*Chas. L. ...*  
Commissioner.



For Identification as a Mysterious Case.

Date Feb 12, 1901

Name Annie Pottorff,

Age 26 Blood 11/16

Post Office, Russell, I. T.

Father: James Ford - I

Mother: Emily J. " - I

Claims through Mother -

husband -

Samuel C. Pottorff -

Children:

Samuel O. - 8

George B. - 6

for self and  
children

H C Pottorff  
Iowa

RECORD FORWARDED DEPARTMENT.

JUL 23 1902

RECORD FORWARDED DEPARTMENT.

JUL 23 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 13 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 22 1902

RECORD FORWARDED DEPARTMENT.

NOV 22 1902

Choctaw MCR 1498

Washington Ford

MCR 1498

*Washington*

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I.T. July 22, 1901.

**TESTIMONY OF EMILY J. FORD IN**

In the matter of the application of Henry T. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. July 12, 1901.  
H.C.R. 1901

In the matter of the application of William H. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
H.C.R. 1901.

In the matter of the application of John F. Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. H.C.R. 1901

In the matter of the application of Washington Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. H.C.R. 1901

In the matter of the application of Thomas R. Ford for identification as Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
H.C.R. 1901

In the matter of the application of Emily J. Ford for identification as Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
H.C.R. 1901

In the matter of the application of [Name] for identification as Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
H.C.R. 1901

In the matter of the application of [Name] for identification as Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
H.C.R. 1901

Q What was the name of your father? A My father's name was John Totten.

Q What was your mother's name? A Malinda Brown.

Q What was it when she was your mother? A Malinda Totten.

Q Through which one of your parents do you get your Cheateau blood?

A Malinda Totten.

Q What was Malinda Totten's father's name? A Alfred Bryant.

Q What was her mother's name? A Nancy Bryant.

Q Through which one of her parents did she get her Cheateau blood?

A Her father.

Q Were they married? A Yes, I reckon.

Q Have you any evidence that they were married? A I haven't got any except that they raised a family there.

Q Did they get a license to marry? A I don't know.

Q Do you know that they were married? A No, I reckon they was.

Q Do you know where they were married? A No, I don't know where they was married.

Q Is there anybody living who could testify as to their marriage?

A I don't know of any.

Q Is there anybody living who knew them personally? A I don't know any except some their children.

Q Is there anybody living any of their neighbors who lived round them then who knew that they were living together as man and wife?

A I don't know.

Q You don't know then so that you could get their affidavit?

A I don't know that I could, of course I can call when I lived there.

Q Do you know where Alfred Bryant lived in 1830? A No, I can't say where he lived then.

Q Do you know whether he was a Cheateau Indian? A I was always told he was Cheateau Indian.

Q Did you ever see him? A Yes.

Q Is he living? A No.

Q How old was he when he died? A I think about seventy five.

Q About how long ago did he die? A I can't tell you it has been some - I can't answer that.

Q Do you know about how old you were when he died? A No, I don't know.

Q Was it before you were married? A No, it was since that, but I can't tell you how long ago it has been.

Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1830 or where he was living? A No, I don't.

Q Do you know whether Alfred Bryant came west with the other Cheateau Indians from Mississippi to the present Cheateau Indian in Indian Territory between 1830 to 1840? A No, I don't know whether he did or not.

Q About how long ago was that? A I can't tell you.

Q About how old was your mother in 1840? A Well, I can't say that.

Q Do you know if Alfred Bryant went to the Indian agent there in Mississippi within six months after the Cheateau Indians got told that they were to stay there in Mississippi and become a citizen of the United States? A Yes.

Q Is there anybody living who could testify on these points? A I don't know.

Q Did any of your ancestors ever see any land which they received from the Government under the treaty of 1830? A I don't know.

Q Did any of them ever get any such land from the Government? A I don't know.

Q Do you see records in your family any deeds or patents to show that they ever got any such land from the Government?

A I don't know.

Q Do you see any records in your family any deeds or patents to show that they ever got any such land from the Government?

A I don't know.

To applicants:

Q Is there anything more that you would like to have your mother asked? A There is nothing that I know of; nothing I think of.

Witness ceased.

Henry G. Harris being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the above testimony on July 22, 1901, and that the same and foregoing is a full, true and correct transcript of his stenographic notes in said testimony on said date.

Henry G. Harris

Subscribed and sworn to before me this 17 day of August, 1901.

A. H. Linebaugh.  
Notary Public.

RECEIVED  
SEP 10 1901  
U.S. DEPT. OF JUSTICE

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I. T., March 14, 1901.

In the matter of the application of Washington Ford for identification of himself and his minor children as Mississippi Choctaws.

Washington Ford, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Washington Ford.
- Q What is your age? A Thirty two.
- Q What is your post office address? A Purcell, Indian Territory.
- Q How long have you lived at Purcell? A I have lived there two weeks.
- Q Where did you live before you lived there? A In Kansas.
- Q How long have you lived in Kansas? A All my life.
- Q Born in Kansas? A Yes sir.
- Q Where did you live in Kansas? A Wilson county.
- Q What is your father's name? A James Ford.
- Q Is he living? A Yes sir.
- Q What is your mother's name? A Emily J. Ford.
- Q Is she living? A Yes sir.
- Q Through which of these parents do you claim Choctaw blood? A My mother.
- Q How much Choctaw blood do you claim? A One sixteenth.
- Q Has your mother ever lived in any Indian Territory? A No sir.
- Q Is her name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever made application for enrollment as a citizen of the Choctaw Nation in any Indian Territory? A No sir.
- Q Have you ever been enrolled as a citizen of the Choctaw Nation in any Indian Territory? A No sir.
- Q Have you ever been a member of the Choctaw Nation in any Indian Territory? A No sir.
- Q Is this the first application of any kind that you have ever made? A Yes sir.
- Q Do you seek to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or law do you make this claim? A Under the Treaty of 1830.
- Q Do you claim under the article twenty of 1830? A I claim under article twenty of the treaty of 1830.
- Q Do you claim under the fifteenth and nineteenth articles? A No sir.
- Q Do you claim under the provisions of article fourteen and? A No, sir.

Washington Ford---2.

- Q What is the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant.
- Q How much Choctaw blood did he have? A One half.
- Q What proof have you that he had one half? A I have always been taught that.
- Q Have you any documentary evidence--I mean documentary evidence of the fact that he was one half Choctaw Indian? A No, I have not.
- Q Do you know whether he complied in any way with the provisions of article fourteen of the treaty of 1830? A No, I do not.
- Q Do you know whether he was a beneficiary under that article? A No, I do not.
- Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent, Colonel Ward, who lived in Mississippi at that time, that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did he come from Mississippi to the Indian Territory in the years 1833 to 1837 when the other Indians came here? A No sir.
- Q Do you know why he did not come? A No sir.
- Q Did he ever claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Are you married? A Yes sir.
- Q What is the name of your wife? A Mabel Ford.
- Q Do you make any claim for her? A No sir.
- Q When and where were you married to her? A I was married in Canev, Montgomery County, 16th Sep. 1891.
- Q What state? A Kansas.
- Q Were you married under the laws of the state of Kansas? A Yes sir.
- Q Have you children that you desire to make application for? A Yes.
- Q What is the name of the oldest? A Floyd.
- Q How old? A Eight.
- Q The next? A James.
- Q How old is James? A Five.
- Q The next? A Larry.
- Q How old? A Two years.
- Q Is that all? A No.
- Q How old is Mabel? A Seven months.
- Q Is Mabel over the age of six years? A Yes sir.
- Q And you are the father? A Yes sir.
- Q And you and she are living together as husband and wife? A Yes.
- Q And the children are living with you? A Yes sir.
- Q Have you marriage license and certificate that you want to file? A I have a copy of marriage license.
- Q Do you wish time in which to file marriage license and certificate and other documentary evidence in support of your claim? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file marriage license and certificate and such other documentary evidence as he desires in support of his claim.

- Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this application which you make for citizenship is by a majority of the members for yourself and those of your children who are named in you as your



Washington Ford---5.

present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this *14* day of March 1901.

*Charles H. Sawyer*

Notary Public.

McAlester, Indian Territory, March 30, 1901.

Mr. Washington Ford,

Parcell, Indian Territory,

Dear Sir:

The Commission is in receipt of the following papers for filing with your application for the identification of yourself and children as Mississippi Choctaws:

Written application of Washington Ford,

Certified copy of marriage certificate between Washington Ford and Maria J. Ford,

Affidavit of Robert Lowe,

Affidavit of Robert J. Ford,

Affidavit of Henry J. Ford,

COPY

H.C.P. 1498

Muskogee, Indian Territory, July 23, 1908.

Washington Ford,

Purcell, Indian Territory.

Dear Sir:

You are hereby advised that on the 23rd day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaws:

	H.C.P.	No.
Pleasant Bryant,	•	852
John W. Bryant, et al.,	•	853
Oscar Bryant,	•	854
Alvaird Ford, et al.,	•	855
James Oliver Bryant, et al.,	•	856
Isaac Burdette, et al.,	•	857
John O. Ford, et al.,	•	858
James Bryant, et al.,	•	859
James C. Ford, et al.,	•	860
John Ford,	•	861
John Ford, et al.,	•	862
John Ford,	•	863
William Ford, et al.,	•	864
James Ford, et al.,	•	865
John Ford, et al.,	•	866
John Ford, et al.,	•	867
John Ford, et al.,	•	868
John Ford, et al.,	•	869
John Ford, et al.,	•	870
John Ford, et al.,	•	871
John Ford, et al.,	•	872
John Ford, et al.,	•	873
John Ford, et al.,	•	874
John Ford, et al.,	•	875
John Ford, et al.,	•	876
John Ford, et al.,	•	877
John Ford, et al.,	•	878
John Ford, et al.,	•	879
John Ford, et al.,	•	880
John Ford, et al.,	•	881
John Ford, et al.,	•	882
John Ford, et al.,	•	883
John Ford, et al.,	•	884
John Ford, et al.,	•	885
John Ford, et al.,	•	886
John Ford, et al.,	•	887
John Ford, et al.,	•	888
John Ford, et al.,	•	889
John Ford, et al.,	•	890
John Ford, et al.,	•	891
John Ford, et al.,	•	892
John Ford, et al.,	•	893
John Ford, et al.,	•	894
John Ford, et al.,	•	895
John Ford, et al.,	•	896
John Ford, et al.,	•	897
John Ford, et al.,	•	898
John Ford, et al.,	•	899
John Ford, et al.,	•	900



(U-7)

Ethel B. Ford, Pearley Ford, Rubie Ford, Allie Ford, Henry T. Ford, as Cherokee Indians entitled to rights in the Cherokee lands under the provisions of said article fourteen of the treaty of 1835, and that the applications for their identification cards as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Registered.

*F. P. Neelies*

Commissioner in Charge.

U S  
P O  
D E P T  
O F  
I N T E R I O R

Mustoge, Indian Territory, August 2, 1908.

Postmaster,

Farewell, Indian Territory.

Dear Sir:

On July 28, 1908, the Commission forwarded by registered mail letters addressed to Washington Ford, Eugene Ford and Jan H. Ford, Farewell, I.T.

Information has been received that the present post office address of these persons is Oklawaha, I.T. Please forward the letters to that address.

Acting Chairman.

NOV 1900  
NOV 1900  
NOV 1900

Washoe, Indian Territory, August 8, 1900.

Washington Ford,

Washoe, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd inst., advising change in post office address of yourself, Single Ford and Ida M. Ford to Washoe, I.T., and proper record has been made of the change in the post office address of the persons named.

Yours truly,

James Williams.

H. O. R. 1488.

Muskogee, Indian Territory, November 22, 1902.

Washington Ford,

Okmulgee, Indian Territory.

You are hereby notified that on the 15th day of November, 1902, the Secretary of the Interior approved the decision of the Commission relative to the application for identification as Principal Characters of the persons included in the Commission's report of the 23d day of July, 1902.

Acting Chairman.



*msm*

COPIES TO BE MADE TO THE PRESIDENT <hr/> <b>NO. 1498</b> <hr/>
--

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

Muskegee, Indian Territory, December 18, 1906.

Washington Ford,  
 Purcell, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Mina May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

  
 Commissioner.

Interior.  
Civilized Tribes,  
IND. TER.

KOC  
DEC 19  
10-AM  
1906  
IND. I.

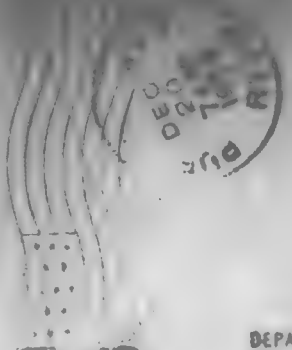


PURCEL  
JAN 21  
1907  
IND.

Washington Ford,

UNCLAIMED.

~~Parson, William T. [unclear]~~



DEPARTMENT OF THE INTERIOR.  
Commissioner to the Five Civilized Tribes.

FILED

JAN 26 1902

A handwritten signature in ink, appearing to be "W. H. H. H.", is written over the "FILED" and "JAN 26 1902" text.

Commissioner.



FOR IDENTIFICATION AS A MISSISSIPPI CITIZEN.

Date *Mich 12, 1901*

Name *Washington Ford*

Age *32* Blood *1/16*

Post Office, *Pucell, I. T.*

Father: *James Ford - 1*

Mother: *Emily J. Ford, 1*

Claims through *mother - -*

*wife -*

*Mabel Ford -*

Children:

*Floyd - 8*

*James - 5*

*Lawry (girl) - 2*

*Minnie - 7m.*

*For self and  
children -*

*H. Christen  
S. C.*



Choctaw MCR 1499

MCR 1499

Thomas B. Ford

*Handwritten mark*

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T. JULY 12, 1901.

TESTIMONY OF EMILY J. FORD IN

In the matter of the application of Henry T. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. July 12, 1901 M.C.R. 2924

In the matter of the application of William N. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901 M.C.R. 1500.

In the matter of the application of John F. Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1496

In the matter of the application of Washington Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1498

In the matter of the application of Thomas B. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901 M.C.R. 1499.

In the matter of the application of Annie Peterff et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1497

In the matter of the application of Ida M. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901. M.C.R. 1501.

In the matter of the application of Reple Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1503.

Emily J. Ford being called and sworn as a witness in these cases testified as follows in behalf of applicants:

Examination by the Commission:

- Q What is your name? A Emily J. Ford.
- Q What is your age? A I am 45 years old.
- Q What is your post office? A I live at Atoka, I.T.
- Q Are you an applicant before the Commission for identification as a Mississippi Choctaw? A Yes.
- Q Do you recognize the names of Henry T. Ford, William N. Ford, John F. Ford et al., Washington Ford et al., Thomas B. Ford, Ida M. Ford and Annie Peterff et al.?
- Q What relation are they to you? A They are my father, mother, brother and sister.
- Q All of them your children?
- Q What was the name of your father? A My father's name was Henry T. Ford.
- Q What was the name of your mother? A My mother's name was Reple Ford.
- Q What was the name of your brother? A My brother's name was John F. Ford.
- Q What was the name of your sister? A My sister's name was Annie Peterff.
- Q How long has your father been deceased?
- Q How long has your mother been deceased?
- Q How long has your brother been deceased?
- Q How long has your sister been deceased?
- Q How long have you been married?
- Q How long has your husband been deceased?
- Q How long have you been widowed?
- Q How long have you been single?
- Q How long have you been divorced?
- Q How long have you been widowed?
- Q How long have you been single?
- Q How long have you been divorced?
- Q How long have you been widowed?
- Q How long have you been single?
- Q How long have you been divorced?

- Q Do you know that they were married? A No; I reckon they was.
- Q Do you know where they were married? A No, I don't know where they was married.
- Q Is there anybody living who could testify as to their marriage?
- A I don't know of any.
- Q Is there anybody living who knew them personally? A I don't know any except some of their children.
- Q Is there anybody living any of their neighbors who lived round them then who knew that they were living together as man and wife?
- A I don't know.
- Q You don't know them so that you could get their affidavits?
- A I don't know that I could; of course I was small when I lived there.
- Q Do you know where Alfred Bryant lived in 1830? A No, I can't say where he lived then.
- Q Do you know whether he was a Choctaw Indian? A I was always told he was Choctaw Indian.
- Q Did you ever see him? A Yes.
- Q Is he living? A No.
- Q How old was he when he died? A I think about seventy five.
- Q About how long ago did he die? A I can't tell you; it has been about; I can't answer that.
- Q Do you know about how old you were when he died? A No, I don't know.
- Q Was it before you were married? A No, it was since that, but I can't tell you how long ago it has been.
- Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1830 or where he was living? A No, I don't know.
- Q Do you know whether Alfred Bryant came west with the other Choctaw Indians from Mississippi to the present Choctaw Nation in Indian Territory between 1833 to 1838? A No, I don't know whether he did or not.
- Q Where was your mother living in 1830? A I can't tell you.
- Q About how old was your mother in 1830? A Well, I can't answer that.
- Q Do you know if Alfred Bryant went to the Indian agent there in Mississippi within six months after the treaty was ratified and told him that he wanted to stay there in Mississippi and become a citizen of the United States? A No.
- Q Is there anybody living who could testify on these points? A I don't know.
- Q Did any of your ancestors ever own any land which they received from the government under this treaty of 1830? A I don't know.
- Q Did any of them ever get any scrip from the Government? A I don't know.
- Q Have you any records in your family any deeds or patents to show that they ever owned any land which they received from the Government? A I don't know. I don't think there is.
- Q You never have heard anything about it? A No.
- Q These children of yours all get their Choctaw blood through the same line of ancestors that you do? A Yes.
- (To applicant)
- Q Is there anything more that you would like to have your mother asked? A There is nothing but I can't say anything I think of.

(Witness excused)

Henry G. Haines being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he prepared in full the above testimony on the 11th day of July, 1901, and that the above foregoing is a full, true and correct transcript of his stenographic notes in said testimony on said date.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 1901.



DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 12, 1901.

In the matter of the application of Thomas B. Ford for identification as a Mississippi Choctaw.

Thomas B. Ford, having been first duly sworn, upon his oath testifies as follows-

Examination by the Commission-

- Q What is your name? A Thomas B. Ford.  
Q What is your age? A Twenty one.  
Q What is your post office address? A Purcell.  
Q Indian Territory? A Yes sir.  
Q How long have you lived at Purcell? A About two weeks.  
Q Where did you live before that? A Kansas.  
Q How long did you live in Kansas? A Twenty one years.  
Q Born in Kansas? A Yes sir.  
Q What is your father's name? A James Ford.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Emily J. Ford.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much Choctaw blood do you claim? A One sixteenth.  
Q Did your mother ever live in Indian Territory? A No sir.  
Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Did you or any one in your behalf make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
Q Did you ever before this make application for either enrollment or citizenship to any authority? A No sir.  
Q You are now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Do you claim under the treaty of Dancing Rabbit Creek? A Yes sir.  
Q Do you claim under the treaty of 1830? A No sir.  
Q Do you claim under the whole treaty of Dancing Rabbit Creek or under any particular article? A Article fourteen.  
Q Do you know what article fourteen provides? A No sir.  
Q Do you know whether you claim under article fifteen or nineteen?  
A No sir.  
Q What is the name of your ancestor who lived in Mississippi in 1857? A Alfred Bryant.

Thomas B. Ford----2.

- Q How much Choctaw blood did he have? A One half.  
Q Have you any documentary evidence of that fact? A No sir.  
Q Did he within six months after the treaty of 1830 was ratified tell the United States Indian Agent then living in Mississippi that he intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.  
Q Do you know whether he came from Mississippi to the Indian Territory when the other Indians were removed here by the United States government in the years 1833 to 1837? A No, I do not know.  
Q Did he ever claim any rights as a beneficiary under article fourteen of the treaty of 1830? A I do not know.  
Q Do you know whether he complied in any way with the provisions of article fourteen of that treaty? A No sir, I do not know.  
Q Do you know whether he ever received or claimed any land in Mississippi under article fourteen of the treaty of 1830? A I do not.  
Q Are you married? A No sir.  
Q Are you claiming for yourself alone? A Yes sir.  
Q Have you any documentary evidence that you would like to introduce now in support of your application? A No sir.  
Q Would you like 20 days time in which to file same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you desire to state? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 12th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

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

*Charles H. Sawyer*

Notary Public.

London, Indian Territory, March 28, 1901.

Dear Mr. [Name]

I have received your letter of the 27th

and am glad to hear that you are well.

I am sorry to hear that you are not well.

I hope you will get well soon.

I am, dear Mr. [Name]

Very truly yours,

[Name]

COPY

U.S.R. 1000

Muskogee, Indian Territory, July 23, 1902.

Thomas B. Ford,

Dawson, Indian Territory.

Dear Sir:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaw

(over)

Pleasant Bryant,	M.C.H. 252
John B. Bryant, et al.,	" 253
Oscar Bryant,	" 254
Amos Bryant, et al.,	" 255
James O. Bryant, et al.,	" 256
William Bryant, et al.,	" 257
William Bryant, et al.,	" 258
William Bryant, et al.,	" 259
William Bryant, et al.,	" 260
William Bryant, et al.,	" 261
William Bryant, et al.,	" 262
William Bryant, et al.,	" 263
William Bryant, et al.,	" 264
William Bryant, et al.,	" 265
William Bryant, et al.,	" 266
William Bryant, et al.,	" 267
William Bryant, et al.,	" 268
William Bryant, et al.,	" 269
William Bryant, et al.,	" 270
William Bryant, et al.,	" 271
William Bryant, et al.,	" 272
William Bryant, et al.,	" 273
William Bryant, et al.,	" 274
William Bryant, et al.,	" 275
William Bryant, et al.,	" 276
William Bryant, et al.,	" 277
William Bryant, et al.,	" 278
William Bryant, et al.,	" 279
William Bryant, et al.,	" 280
William Bryant, et al.,	" 281
William Bryant, et al.,	" 282
William Bryant, et al.,	" 283
William Bryant, et al.,	" 284
William Bryant, et al.,	" 285
William Bryant, et al.,	" 286
William Bryant, et al.,	" 287
William Bryant, et al.,	" 288
William Bryant, et al.,	" 289
William Bryant, et al.,	" 290
William Bryant, et al.,	" 291
William Bryant, et al.,	" 292
William Bryant, et al.,	" 293
William Bryant, et al.,	" 294
William Bryant, et al.,	" 295
William Bryant, et al.,	" 296
William Bryant, et al.,	" 297
William Bryant, et al.,	" 298
William Bryant, et al.,	" 299
William Bryant, et al.,	" 300

(T B F)

Thomas B. Ford,	H.C.R., 1499
William H. Ford,	" 1500
Ida M. Ford,	" 1501
Emily J. Ford, et al.,	" 1502
Seigle Ford, et al.,	" 1503
Henry T. Ford,	" 2924

These applications were made under the provisions of the act of Congress of June 30, 1890 (50 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Pleasant Bryant, John W. Bryant, Jacob Bryant, Aaron Bryant, Bertha Bryant, Oscar Bryant, Abigail Ford, Minnie Alice Ford, Emmaniah Ford, Hildegard Ford, Joseph Ford, James Oliver Bryant, Lolla Bryant, Nancy Bryant, Elisha Bryant, Gracie Bryant, Charley Bryant, Mattie Bryant, Liddie Rutherford, Amy Rutherford, Pauline Rutherford, Essie Rutherford, Rosy Rutherford, Sophia Rutherford, Henry Rutherford, Clara Rutherford, Jennie Rutherford, William Rutherford, Art Bryant, Charles J. Totten, Lee Totten, Virginia Totten, Mattie Starr, Anna Cowan, Georgia Cowan, Gladys Cowan, Mary Starr, Hester Starr, Alfred Totten, Hester Totten, Alfred Totten, Mary E. Totten, Elmer Starr, Frank Totten, Arthur Totten, Otis Totten, Mary Totten, Alexander Starr, Wilson Totten, Mattie Totten, Emma Maston, Emma Isenberg, Paul Isenberg, Lena Isenberg, Nellie Isenberg, John F. Ford, Lucy M. Ford, James A. Ford, Emily A. Ford, Joseph A. Ford, Ernest A. Ford, Grace Ford, Russell Ford, Annie Potterff, Samuel O. Potterff, George B. Potterff, Washington Ford, Floyd Ford, James Ford, Larry Ford, Linnie Ford, Thomas B. Ford, William H. Ford, Ida M. Ford, Emily J. Ford, Walter A. Ford, Seigle Ford, Olive V. Ford, Henry T. Ford, Carrie M. Ford,

(T B D)

Ethel B. Ford, Pearley Ford, Rubie Ford, Allie Ford, Henry T. Ford, as Choctaw Indians entitled to rights in the Choctaw Lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commissioner has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*J. E. J. [Signature]*

Commissioner in Charge.

Registered.

M. S. R., 1408. .

Muskogee, Indian Territory, November 20, 1902.

Thomas B. Ford,

Purcell, Indian Territory.

*Received. Muskogee I. T. Dec 29, 1902*

Dear Sir:

You are hereby advised that on the 13th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Chickasaw Indians of the several persons included in the consolidated case of *James M. Bryant, et al.*, of which decision you were advised by registered mail on the 23d day of July, 1902.

MCR 1499

COPY

Muskogee, Indian Territory, December 18, 1906.

Thomas B. Ford,

Coalgate, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Rather Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

Thomas B. Ford,  
Commissioner



No. 1499

For Identification as a Mississippi Choctaw.

Date *Feb 02 1901*

Name *Thomas B Ford*

Age *21* Blood *1/16*

Post Office, *Puerell, S. I.*

Father: *James Ford l*

Mother: *Emily J. l*

Claims through *Mother*

Children:

*for sep alone.*

*1/16*



UNITED STATES DEPARTMENT OF THE INTERIOR

NOV 1 1953

NATIONAL BUREAU OF GEOLOGICAL SURVEY

NOV 1

ENVIRONMENTAL ACTION

N.

Choctaw MCR 1500

William H. Ford

MCR 1500

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 12, 1901.

In the matter of the application of William H. Ford for identification as a Mississippi Choctaw.

William H. Ford, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A William H. Ford.  
 Q What is your age? A Twenty eight.  
 Q What is your post office address? A Purcell, Indian Territory.  
 Q How long have you lived at Purcell? A Two weeks.  
 Q Where did you live before you lived in Purcell? A In Kansas.  
 Q How long did you live in Kansas? A Twenty eight years.  
 Q Born in Kansas? A Yes sir.  
 Q And always lived in Kansas until you came to the Indian Territory? A Yes sir.  
 Q What is the name of your father? A James Ford  
 Q Is he living? A Yes sir  
 Q What is the name of your mother? A Emily J. Ford.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Did your mother ever live in Indian Territory? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Was your mother ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No sir.  
 Q Did you ever make application to the Dawes Commission under the act of Congress of June 10, 1896, for enrollment or citizenship in the Choctaw Nation? A No sir.  
 Q Is this the first application of any kind you have ever made?  
 A Yes sir.  
 Q And you now seek to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties do you claim this right? A The Treaty of 1830, article fourteen.  
 Q Do you claim anything under article nineteen? A I claim under any article that is a benefit to the Mississippi Choctaws.  
 Q Do you know of any other article in the treaty of 1830 that is beneficial except article fourteen? A I do not.  
 Q Can you recall any of the provisions of article fourteen? A I cannot.

William H. Ford---2.

- Q What is the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant.
- Q How much Choctaw blood did he have? A One half.
- Q Have you any documentary evidence of that fact? A No sir.
- Q Did he within six months after the treaty of 1830 was ratified tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did he remove from Mississippi to the Indian Territory when the other Indians came here in the years 1835 to 1837? A I do not know but I do not think he did.
- Q Do you know why? A No sir, I do not.
- Q Did he comply in any way with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Was he a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did he receive or claim any land in Mississippi as a beneficiary under article fourteen? A I do not know.
- Q Are you married? A No sir.
- Q Making claim for yourself alone? A Yes sir.
- Q Have you any documentary evidence that you would like to introduce now? A No sir.
- Q Would you like twenty days to introduce same? A Yes sir.

On motion of counsel for applicant, twenty days time from the date hereof is allowed applicant in which to submit documentary evidence in support of this application.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 12th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

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

*Charles H. Sawyer*

Notary Public.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T. JULY 12, 1901.

TESTIMONY OF EMILY J. FORD IN

In the matter of the application of Henry T. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. July 12, 1901  
M.C.R. 2924

In the matter of the application of William H. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901  
M.C.R. 1800.

In the matter of the application of John F. Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1496

In the matter of the application of Washington Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1498

In the matter of the application of Thomas B. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901  
M.C.R. 1499.

In the matter of the application of Annie Peterf et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1497

In the matter of the application of Ida H. Ford for identification as a Mississippi Choctaw, heard at Atoka, I.T. March 12, 1901.  
M.C.R. 1801.

In the matter of the application of Seigle Ford et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. March 12, 1901. M.C.R. 1803.

Emily J. Ford being called and sworn as a witness in these cases testified as follows in behalf of applicants:

Examination by the Commission:

- Q What is your name? A Emily J. Ford.  
Q What is your age? A I am fifty eight.  
Q What is your post office address? A Purcell, I.T.  
Q Are you an applicant before the Commission for identification as a Mississippi Choctaw? A Yes.  
Q Are you acquainted with the applicants, Henry T. Ford, William H. Ford, John F. Ford, Washington Ford, Thomas B. Ford, Annie Peterf, Ida H. Ford and Seigle Ford? A Yes.  
Q What relation are they to you, if any? A My children.  
Q All of them your children? A Yes  
Q What was the name of your father? A My father's name was John Tot-ten.  
Q What was your mother's name? A Malinda Brown.  
Q What was it when she was your mother? A Malinda Totten.  
Q Through which one of your parents do you get your Choctaw blood?  
A Malinda Totten.  
Q What was Malinda Totten's father's name? A Alfred Bryant.  
Q What was her mother's name? A Nancy Bryant.  
Q Through which one of her parents did she get her Choctaw blood?  
A Her father.  
Q Were they married? A Yes, I reckon.  
Q Have you any evidence that they were married? A I haven't got any except that they raised a family there.  
Q Did they get a license to marry? A I don't know.

- Q Do you know that they were married? A No; I reckon they was.
- Q Do you know where they were married? A No, I don't know where they was married.
- Q Is there anybody living who could testify as to their marriage?
- A I don't know of any.
- Q Is there anybody living who knew them personally? A I don't know any except some of their children.
- Q Is there anybody living any of their neighbors who lived round them then who knew that they were living together as man and wife?
- A I don't know.
- Q You don't know them so that you could get their affidavits?
- A I don't know that I could; of course I was small when I lived there.
- Q Do you know where Alfred Bryant lived in 1830? A No, I can't say where he lived then.
- Q Do you know whether he was a Choctaw Indian? A I was always told he was Choctaw Indian.
- Q Did you ever see him? A Yes.
- Q Is he living? A No.
- Q How old was he when he died? A I think bout seventy five.
- Q About how long ago did he die? A I can't tell you; it has been about; I can't answer that.
- Q Do you know bout how old you were when he died? A No, I don't know.
- Q Was it before you were married? A No, it was since that, but I can't tell you how long ago it has been.
- Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1830 or where he was living? A No, I don't know.
- Q Do you know whether Alfred Bryant came west with the other Choctaw Indians from Mississippi to the present Choctaw Nation in Indian Territory between 1833 to 1838? A No, I don't know whether he did or not.
- Q Where was your mother living in 1830? A I can't tell you.
- Q About how old was your mother in 1830? A Well, I can't answer that.
- Q Do you know if Alfred Bryant went to the Indian agent there in Mississippi within six months after the treaty was ratified and told him that he wanted to stay there in Mississippi and become a citizen of the United States? A No.
- Q Is there anybody living who could testify on these points? A I don't know.
- Q Did any of your ancestors ever own any land which they received from the government under this treaty of 1830? A I don't know.
- Q Did any of them ever get any scrip from the Government? A I don't know.
- Q Have you any records in your family any deeds or patents to show that they ever owned any land which they received from the Government? A I don't know. I don't think there is.
- Q You never have heard anything about it? A No.
- Q These children of yours all got their Choctaw blood through the same line of ancestors that you do? A Yes.
- ( To applicants: )
- Q Is there anything more that you would like to have your mother asked? A There is nothing that I know of; nothing I think of.

(Witness excused)

Henry G. Haines being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the above testimony on July 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said testimony on said date.

Subscribed and sworn to before me this 14<sup>th</sup> day of Sept, 1901.

Henry G. Haines  
Stenographer  
Ward, Okla.

Journal of the [illegible] Society, 1850, 1851.

[The following text is extremely faint and illegible due to the quality of the scan. It appears to be a list of entries or a table with multiple columns.]

[The following text is also extremely faint and illegible, continuing the list or table from the previous section.]



COPY.

M.C.R. 1800

Muskogee, Indian Territory, July 23, 1902.

William M. Ford,

Purcell, Indian Territory.

Dear Sir:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Cherokees:

Pleasant Bryant,	M.C.R. 852
John S. Bryant, et al.,	" 853
Osmer Bryant,	" 854
Abner Ford, et al.,	" 855
James Oliver Bryant, et al.,	" 856
Joseph Bryant, et al.,	" 857
Wm. Bryant, et al.,	" 858
Abner Bryant, et al.,	" 859
Abner Bryant, et al.,	" 860
Abner Bryant, et al.,	" 861
Abner Bryant, et al.,	" 862
Abner Bryant, et al.,	" 863
Abner Bryant, et al.,	" 864
Abner Bryant, et al.,	" 865
Abner Bryant, et al.,	" 866
Abner Bryant, et al.,	" 867
Abner Bryant, et al.,	" 868
Abner Bryant, et al.,	" 869
Abner Bryant, et al.,	" 870
Abner Bryant, et al.,	" 871
Abner Bryant, et al.,	" 872
Abner Bryant, et al.,	" 873
Abner Bryant, et al.,	" 874
Abner Bryant, et al.,	" 875
Abner Bryant, et al.,	" 876
Abner Bryant, et al.,	" 877
Abner Bryant, et al.,	" 878
Abner Bryant, et al.,	" 879
Abner Bryant, et al.,	" 880
Abner Bryant, et al.,	" 881
Abner Bryant, et al.,	" 882
Abner Bryant, et al.,	" 883
Abner Bryant, et al.,	" 884
Abner Bryant, et al.,	" 885
Abner Bryant, et al.,	" 886
Abner Bryant, et al.,	" 887
Abner Bryant, et al.,	" 888
Abner Bryant, et al.,	" 889
Abner Bryant, et al.,	" 890
Abner Bryant, et al.,	" 891
Abner Bryant, et al.,	" 892
Abner Bryant, et al.,	" 893
Abner Bryant, et al.,	" 894
Abner Bryant, et al.,	" 895
Abner Bryant, et al.,	" 896
Abner Bryant, et al.,	" 897
Abner Bryant, et al.,	" 898
Abner Bryant, et al.,	" 899
Abner Bryant, et al.,	" 900



(V E Y)

Ethel B. Ford, Penzley Ford, Rubie Ford, Allie Ford, Henry T. Ford, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior and that you will be informed in due time of such action as may be taken thereon.

Yours truly,

Registered.

*I. B. Nesdick*

Commissioner in Charge.

H.C.R. 1500.

Muskogee, Indian Territory, November 22, 1902.

William H. Ford,

*Remailed Corryate, I. T. Dec 27, 1902*

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on the 15th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Pleasant Bryant, et al., of which decision you were advised by registered mail on the 23d day of July, 1902.

Respectfully,

(SIGNED)

Acting Chairman,

MCR 1500

COPY

Muskogee, Indian Territory, December 16, 1906.

William H. Ford,

Coalgate, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

Commissioner.

No. 1741

For Identification as a Mississippi Choctaw.

Date *Mich 12, 1901*

Name *William H. Ford*

Age *28* Blood *1/16*

Post Office, *Purcell, D.T.*

Father: *James Ford - l.*

Mother: *Emily J " l.*

Claims through *mother -*

*Claims for self*  
~~Children:~~ *alone -*

*W. C. Anderson*

UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

JUL 23 1902

FORWARDED DEPARTMENT.

JUL 23 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 13 1902

FOR DEPARTMENTAL ACTION  
BY APPLICANT.

NOV 22 1902

Choctaw MCR 1501

Id M. Ford

MCR 1501



N. C. 1861.

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Asoka, I.T., March 12, 1901.

In the matter of the application of Ida M. Ford for identification as a Mississippi Choctaw.

Ida M. Ford, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Ida M. Ford.  
Q What is your age? A Thirty.  
Q What is your post office address? A Purcell, Indian Territory.  
Q How long have you lived there? A Two weeks.  
Q Where did you live before you lived at Purcell? A Kappa.  
Q Were you born in Kansas? A Yes sir.  
Q And always lived in Kansas until you came to the territory? A Yes sir.  
Q What is your father's name? A James Ford.  
Q Living? A Yes sir.  
Q What is your mother's name? A Emily J. Ford.  
Q Living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A One sixteenth.  
Q Did your mother ever live in Indian Territory? A No sir.  
Q Was she ever recognized by the Choctaw Tribal authorities as a Choctaw Indian? A No sir.  
Q Is your name on any of the tribal rolls of the Choctaw nation?  
A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the Choctaw Tribal Council or the Choctaw Tribal Council?  
A No sir.  
Q Did you ever make application for citizenship or enrollment to the Dawes Commission under the act of Congress of June 16, 1897?  
A No sir.  
Q Is this the first application you have ever made either to the Dawes Commission or to the Choctaw tribal authorities?  
A Yes sir.  
Q Are you now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty or treaties do you make this claim? A Treaty of 1830.  
Q Under the whole treaty? A Yes sir.  
Q Do you not claim under article fourteen? A Yes sir.  
Q Do you claim under that alone? A Yes sir.  
Q You said that you claimed under the whole treaty--do you claim under the whole treaty or only article fourteen?  
A I claim under the whole treaty and article fourteen.  
Q Article fourteen alone? A Yes sir.

Ida M. Ford---2.

- Q Do you claim under article fifteen or nineteen? A Article fourteen.
- Q Do you claim under the supplement of the treaty? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant.
- Q Was he a full blood Choctaw Indian? A One half.
- Q Did he within six months after the treaty of 1830 was ratified tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did he come from Mississippi to the Indian Territory in the years 1835 to 1837 when the other Indians came here? A I do not know.
- Q Do you know whether he complied in any way with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Was he a beneficiary under that article, do you know? A No sir.
- Q Did he claim or receive any land in Mississippi under article fourteen of the treaty of 1830 that you know of? A No sir.
- Q Are you married? A No sir.
- Q Are you claiming for yourself alone? A Yes sir.
- Q Have you any documentary evidence you would like to introduce now? A No sir.

On motion of counsel for applicant, twenty days time from the date hereof is allowed in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that he is a member of the Commission to the Choctaw and Chickasaw Tribes in regard to land claims and in his report submitted to the Secretary of War at Washington, D. C., and that the notes of said case on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 14<sup>th</sup> day of March 1901.

*Charles L. Sawyer*

Notary Public.

*See 7/14/24*

**MEMORANDUM OF THE INVESTIGATOR,  
CONCERNING THE FIVE CRIMINALS KNOWN AS  
ABRAM, I.C., JULY 14, 1902.**

**TESTIMONY OF HARRY J. FORD IN**

In the matter of the application of Henry T. Ford for identification as a Mississippi Choctaw, heard at Abbeville, I.T. July 12, 1902  
M.C.R. 1902

In the matter of the application of William H. Ford for identification as a Mississippi Choctaw, heard at Abbeville, I.T. March 12, 1903  
M.C.R. 1903.

In the matter of the application of John F. Ford et al., for identification as Mississippi Choctaws, heard at Abbeville, I.T. March 12, 1904, M.C.R. 1904

In the matter of the application of Washington Ford et al., for identification as Mississippi Choctaws, heard at Abbeville, I.T. March 12, 1904, M.C.R. 1904

In the matter of the application of Thomas H. Ford for identification as a Mississippi Choctaw, heard at Abbeville, I.T. March 12, 1904  
M.C.R. 1904.

In the matter of the application of Annie Roberts et al., for identification as Mississippi Choctaws, heard at Abbeville, I.T. March 12, 1904, M.C.R. 1904

In the matter of the application of Ida M. Ford for identification as a Mississippi Choctaw, heard at Abbeville, I.T. March 12, 1904,  
M.C.R. 1904.

In the matter of the application of Willie Ford et al., for identification as Mississippi Choctaws, heard at Abbeville, I.T. March 12, 1904, M.C.R. 1904.

Harry J. Ford being called and sworn as a witness in these cases testified as follows in regard to application:

**Examination by the Commissioner**

- Q What is your name? A Harry J. Ford.
- Q What is your age? A I am fully grown.
- Q What is your birth date? A January 1, 1872.
- Q Are you an applicant under the Choctaw Act for identification as a Choctaw? A Yes.
- Q Do you know any of the applicants named in the cases mentioned in the foregoing questions? A Yes, I know some of them.
- Q How long have you known them? A I have known some of them since they were children.
- Q How long have you known John F. Ford et al.? A I have known John F. Ford et al. since they were children.
- Q How long have you known William H. Ford? A I have known William H. Ford since he was a child.
- Q How long have you known John F. Ford et al.? A I have known John F. Ford et al. since they were children.
- Q How long have you known Thomas H. Ford? A I have known Thomas H. Ford since he was a child.
- Q How long have you known Annie Roberts et al.? A I have known Annie Roberts et al. since they were children.
- Q How long have you known Ida M. Ford? A I have known Ida M. Ford since she was a child.
- Q How long have you known Willie Ford et al.? A I have known Willie Ford et al. since they were children.

- Q Do you know that they were married? A No; I reckon they was.
- Q Do you know where they were married? A No, I don't know where they was married.
- Q Is there anybody living who could testify as to their marriage?
- A I don't know of any.
- Q Is there anybody living who knew them personally? A I don't know any except some of their children.
- Q Is there anybody living any of their neighbors who lived round them then who knew that they were living together as man and wife?
- A I don't know.
- Q You don't know them so that you could get their affidavits?
- A I don't know that I could; of course I was small when I lived there.
- Q Do you know where Alfred Bryant lived in 1830? A No, I can't say where he lived then.
- Q Do you know whether he was a Choctaw Indian? A I was always told he was Choctaw Indian.
- Q Did you ever see him? A Yes.
- Q Is he living? A No.
- Q How old was he when he died? A I think bout seventy five.
- Q About how long ago did he die? A I can't tell you; it has been about; I can't answer that.
- Q Do you know bout how old you were when he died? A No, I don't know.
- Q Was it before you were married? A No, it was since that, but I can't tell you how long ago it has been.
- Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1830 or where he was living? A No, I don't know.
- Q Do you know whether Alfred Bryant came west with the other Choctaw Indians from Mississippi to the present Choctaw Nation in Indian Territory between 1830 to 1835? A No, I don't know whether he did or not.
- Q Where was your mother living in 1830? A I can't tell you.
- Q About how old was your mother in 1830? A Well, I can't answer that.
- Q Do you know if Alfred Bryant went to the Indian agent there in Mississippi within six months after the treaty was ratified and told him that he wanted to stay there in Mississippi and become a citizen of the United States? A No.
- Q Is there anybody living who could testify on these points? A I don't know.
- Q Did any of your ancestors ever own any land which they received from the government under this treaty of 1830? A I don't know.
- Q Did any of them ever get any scrip from the Government? A I don't know.
- Q Have you any records in your family any deeds or patents to show that they ever owned any land which they received from the Government? A I don't know. I don't think there is.
- Q How long did they live there? A No.
- Q How long did they live there? A No.
- Q Is there anything more that you would want to ask your witness asked? A There is nothing that I know of, nothing I think of.

Henry G. Harris being duly sworn on his oath deposes that he knows nothing of the facts in the above case, and that he has no knowledge of the same.

*Henry G. Harris*

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_.

Lawrence, Indian Territory, March 30, 1901.

Ida H. Ford,

Pawnee, Indian Territory,

Dear Madam:

In accordance with the request of the following names to

be placed in the file of the names of the Indian Territory, as a

Special Agent:

- Mr. J. H. Ford,
- Mr. J. H. Ford,
- Mr. J. H. Ford,
- Mr. J. H. Ford,
- Mr. J. H. Ford.

and to be a part of the record

COPY:

M.C.R. 1901

Muskogee, Indian Territory, July 23, 1902.

Ida M. Ford,

Purcell, Indian Territory.

Dear Madam:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaws:

Pleasant Bryant,	M.C.R.	842
John W. Bryant, et al.,	"	843
Oscar Bryant,	"	844
Abigail Ford, et al.,	"	845
James Oliver Bryant, et al.,	"	846
Liddie Rutherford, et al.,	"	847
Mary Caldwell, et al.,	"	848
Elisha Bryant, et al.,	"	849
Bert Bryant,	"	840
Charles J. Totten, et al.,	"	841
Mattie Starr,	"	796
Anna Cowen, et al.,	"	829
Mary Starr,	"	830
Benjamin Starr,	"	831
Alfred Totten, et al.,	"	832
Russ Starr,	"	833
Paul Totten, et al.,	"	844
Alexander Starr,	"	835
William Totten, et al.,	"	836
Mary Totten,	"	837
Edna Totten, et al.,	"	838
John F. Starr, et al.,	"	1486
Anna Totten, et al.,	"	1487
Washington Ford, et al.,	"	1488

(I M F)

Thomas B. Ford,	K.C.N. 1499
William H. Ford,	" 1500
Ida M. Ford,	" 1501
Emily J. Ford, et al.,	" 1502
Seigle Ford, et al.,	" 1503
Henry T. Ford,	" 2924

These applications were made under the provisions of the act of Congress of June 28, 1899 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Pleasant Bryant, John W. Bryant, Jacob Bryant, Aaron Bryant, Bertha Bryant, Oscar Bryant, Abigail Ford, Minnie Alice Ford, Ezequiah Ford, Hildegard Ford, Joseph Ford, James Oliver Bryant, Lolla Bryant, Nancy Bryant, Elisha Bryant, Gracie Bryant, Charley Bryant, Mattie Bryant, Lizzie Rutherford, Amy Rutherford, Emaeline Rutherford, Mary Rutherford, Rosy Rutherford, Cecelia Rutherford, Dewey Rutherford, Henry Rutherford, Clara Rutherford, Mary Caldwell, Freddie Caldwell, Elisha Bryant, Mary Bryant, Jennie Bryant, Flossie Bryant, Bert Bryant, Charles J. Totten, Lee Totten, Vivian Totten, Mattie Starr, Anna Cowen, Georgia Cowen, Gladys Cowen, Mary Starr, Benjamin Starr, Alfred Totten, Emzley Totten, Alfred Totten, Mary E. Totten, Elmer Starr, Frank Totten, Arthur Totten, Otis Totten, Mary Totten, Alexander Starr, Wilson Totten, Metell Totten, Maggie Maston, Emma Isenberg, Rena Isenberg, Lena Isenberg, Rudie Isenberg, John F. Ford, Lena M. Ford, James A. Ford, Emily A. Ford, Jess A. Ford, Ernest A. Ford, Grace Ford, Russell Ford, Annie Potterff, Samuel S. Potterff, George S. Potterff, Washington Ford, Floyd Ford, James Ford, Larry Ford, Minnie Ford, Thomas B. Ford, William H. Ford, Ida M. Ford, Emily J. Ford, Walter L. Ford, Seigle Ford, Olive V. Ford, Henry F. Ford, Carrie M. Ford,

(I M F)

Ethel B. Ford, Pearley Ford, Rubie Ford, Allie Ford, Henry T. Ford, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

T. B. Needles

Registered.

T. B. Needles.

Commissioner in Charge.



NOV 1908  
NOV 1908  
NOV 1908

Mustagee, Indian Territory, August 6, 1908.

Postmaster,

Furcell, Indian Territory.

Dear Sir:

On July 23, 1908, the Commission forwarded by registered mail letters addressed to Washington Ford, Beigie Ford and Ida W. Ford, Furcell, I.T.

Information has been received that the present post office address of these persons is Ocaliga, I.T. Please forward the letters to that address.

Acting Chairman

NOV 1900  
NOV 1900  
NOV 1900

Lawrence, Indian Territory, August 2, 1900.

Washington Ford,

Sealgate, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd inst., advising change in post office address of yourself, Beagle Ford and Ida H. Ford at Sealgate, I.T., and proper record has been made of the change in the post office addresses of the persons named.

Yours truly,

Acting Chairman.

M. C. R., 1501.

Muskogee, Indian Territory, November 23, 1902.

John M. Ford,

Coalmine, Indian Territory.

Dear Madam:

You are hereby advised that on the 15th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Pleasant Bryant, et al., of which decision you were advised by registered mail on the 22d day of July, 1902.

Respectfully,

(SIGNED)

*James H. Hasty*

Acting Chairman.

MCR 1601

COPY

Muskogee, Indian Territory, December 16, 1906.

Ida M. Ford,

Coalgate, Indian Territory.

Dear Madam:--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

Commissioner.

No. 1501

For Identification as a Mississippi Choctaw.

Date Mich 12, 1901

Name *Ida M. Ford*

Age 30 Blood 1/16

Post Office, *Pruett, D. T.*

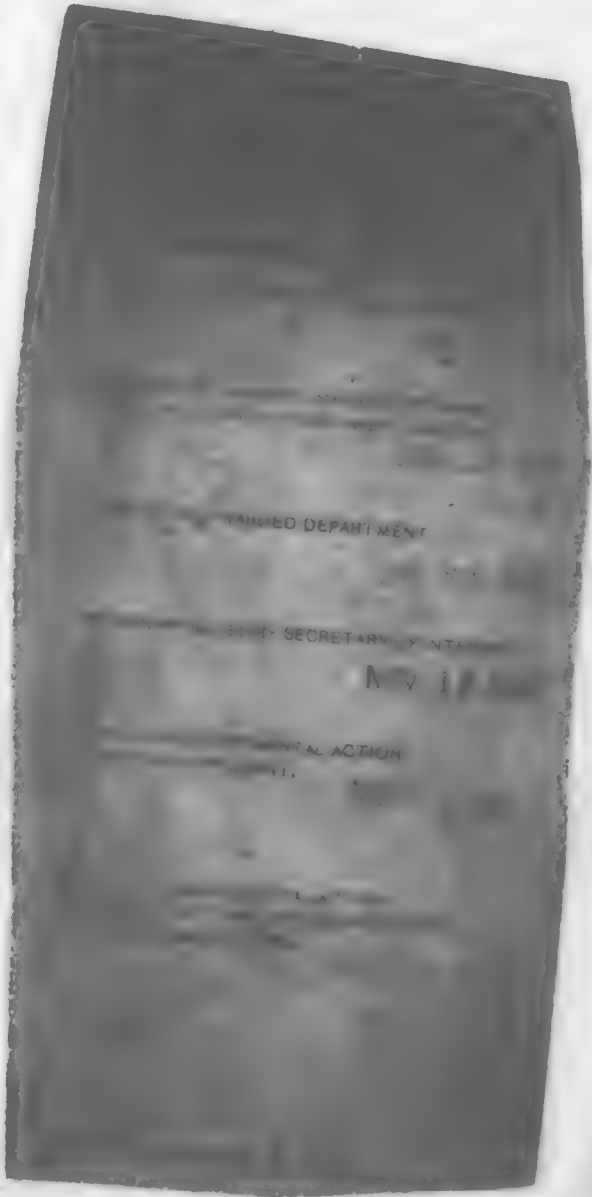
Father: *James Ford, I*

Mother: *Emily J. " I*

Claims through *mother*

*for self alone*

~~Children:~~



Chuteau MER-1502

Emily J Ford

MER 1502

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 12, 1901.

In the matter of the application of Emily J. Ford for identification for herself and her minor child as Mississippi Cheetaws.

Emily J. Ford, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Emily J. Ford.
- Q What is your age? A Fifty eight.
- Q What is your post office address? A P. W. Cell.
- Q Indian Territory? A Indian Territory.
- Q How long have you lived at P. W. Cell? A I have been there about three weeks.
- Q Where did you live before you lived there? A In Kansas.
- Q Were you born in Kansas? A I was born in Illinois and came to Kansas when I was young, in 1855.
- Q Were you born in Illinois? A Yes sir.
- Q Where in Illinois? A Fulton County.
- Q Did you ever live in any other state except Kansas and Illinois until you came to the Indian Territory? A No sir.
- Q What is your father's name? A John Totten.
- Q Is he living? A No sir.
- Q What is your mother's name? A Malinda Totten.
- Q Is she living? A No sir.
- Q Through which one of these parents do you claim Cheetaw blood? A My mother.
- Q How much do you claim? A One half-my grandfather was one half.
- Q Did your mother ever live in the Indian Territory? A Yes, My mother I believe did-No, I guess she never did, she lived in Oklahoma.
- Q Is your name on any of the tribal rolls of the Cheetaw Nation? A No sir.
- Q Have you ever made application before this for citizenship in the Cheetaw Nation to the Dawes Commission under the act of Congress of June 18, 1900? A No sir.
- Q Have you ever made application for either citizenship or enrollment in the Cheetaw Nation to the Cheetaw tribal authorities? A No.
- Q Were you ever admitted to citizenship in the Cheetaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Cheetaw tribal authorities? A No sir.
- Q Is this the first application of any description that you have ever made? A Yes sir.
- Q Are you now seeking to be identified as a Mississippi Cheetaw? A Yes sir.
- Q Under what treaty or treaties are you making this application? A Under the treaty of 1825, article fourteen.
- Q Do you claim under any other part of that treaty? A No sir. Yes, under any part is of benefit to the Cheetaws.
- Q Do you know that article is of benefit to the Cheetaws? A That is what I have been told, if you.
- Q Do you know in what way? A I could not read it myself, so I had to have others read it.



Emily J. Ford--2.

- Q Do you remember anything of it? A No, I could not tell that at all.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant, my grandfather.
- Q Was he a full blood Choctaw Indian? A He was one half.
- Q Have you any documentary evidence of that fact? A No sir.
- Q Did he within six months after the treaty of 1830 was ratified tell the United States Indian Agent who lived in Mississippi at that time that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did he comply in any way with the provisions of Article fourteen of the treaty of 1830? A I do not know.
- Q Was he a beneficiary under that article? A I do not know.
- Q Did he claim or receive any land as a beneficiary under article fourteen of the treaty of 1830? A No sir.
- Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A James Ford.
- Q Do you make any claim for him? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you wish to make application for. A Yes sir, I have one that is under age, and one that is in the war that I would like to put in; through the papers I have received word that he will sail the 15th of this month for home.
- Q What is the name of the child who is at home? A Walter L.
- Q How old is he? A He is nineteen.
- Q What is the name of your son who is now serving in the Philippines? A Henry T.

The rule of the Commission is that persons who are over twenty one years of age should make application for themselves, but there are certain exceptions to that--One is where a person over twenty one years of age is serving as a soldier in the United States army and stationed for duty outside the Indian Territory, but in that case the application must be made for them through one of his relatives under a power of attorney. You will have to have a power of attorney to make application for him. If you will get a power of attorney and then come before the Commission we will take the application. As he will be here so soon, probably this will not be necessary, but if you have reason to believe after waiting a reasonable time for him to come that he will not be here, then get a power of attorney from him appointing you, or some other person to act for him, and application for identification can be made.

- Q Have you any documentary evidence you would like to introduce now? A No sir.
- Q Would you like time? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

Edly J. Ford---5.

Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this application which you make for identification for yourself and this minor child as Mississippi Cheestaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, states upon oath: 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 12th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 16 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Madison, Indian Territory, March 30, 1901.

Dear Mr. Ford,  
Cottrell, Indian Territory.  
Dear Madam

The Commission is in receipt of the following papers for  
filing in support of your application for the identification of your-  
self and your minor children as Mississippi Choctaws:

- Written application of Emily J. Ford.
- Joint affidavit of A. Totten and Mary Starr.
- Affidavit of Henry Starr.

with the other records in

Yours truly,

COPY.

M.C.R., 1502

Muskogee, Indian Territory, July 23, 1902.

Emily J. Word,

Purcell, Indian Territory.

Dear Madam:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaws:

Pleasant Bryant,	M.C.R.	852
John W. Bryant, et al.,	"	853
Oscar Bryant,	"	854
Abigail Ford, et al.,	"	855
James Oliver Bryant, et al.,	"	856
Lizzie Rutherford, et al.,	"	857
Mary Caldwell, et al.,	"	858
Elisha Bryant, et al.,	"	859
Bert Bryant,	"	860
Charles J. Totten, et al.,	"	861
Mattie Starr,	"	796
Anna Cowen, et al.,	"	829
Mary Starr,	"	830
Benjamin Starr,	"	831
Alfred Totten, et al.,	"	832
Elmer Starr,	"	833
Frank Totten, et al.,	"	834
Alexander Starr,	"	835
Wilson Totten, et al.,	"	836
Maggie Maston,	"	837
Ema Isom, et al.,	"	838
John F. Ford, et al.,	"	1476
Annie Potte, et al.,	"	1477
Washington Ford, et al.,	"	1478

(M J 4)

Thomas B. Ford,	M.C.R. 1499
William H. Ford,	• 1500
Ida M. Ford,	• 1501
Emily J. Ford, et al.,	• 1502
Seigle Ford, et al.,	• 1503
Henry T. Ford,	• 2924

These applications were made under the provisions of the act of Congress of June 27, 1892 (50 Stats., 436) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Pleasant Bryant, John W. Bryant, Jacob Bryant, Aaron Bryant, Bertha Bryant, Oscar Bryant, Abigail Ford, Minnie Alice Ford, Kneziiah Ford, Hildegard Ford, Joseph Ford, James Oliver Bryant, Lolla Bryant, Nancy Bryant, Elisha Bryant, Gracie Bryant, Charley Bryant, Mattie Bryant, Lizzie Rutherford, Amy Rutherford, Emeline Rutherford, Mary Rutherford, Rosy Rutherford, Cecelia Rutherford, Dewey Rutherford, Henry Rutherford, Clara Rutherford, Mary Caldwell, Freddie Caldwell, Elisha Bryant, Mary Bryant, Jennie Bryant, Flossie Bryant, Bert Bryant, Charles J. Totten, Lee Totten, Vivian Totten, Mattie Starr, Anna Cowen, Georgia Cowen, Gladys Cowen, Mary Starr, Benjamin Starr, Alfred Totten, Hazel Totten, Alfred Totten, Mary E. Totten, Elmer Starr, Frank Totten, Arthur Totten, Otis Totten, Mary Totten, Alexander Starr, Wilson Totten, Estell Totten, Maggie Easton, Emma Isenberg, Rena Isenberg, Lena Isenberg, Rudie Isenberg, John F. Ford, Lyda E. Ford, James A. Ford, Emily A. Ford, Jessie A. Ford, Ernest A. Ford, Grace Ford, Russell Ford, Annie Pottorff, Samuel O. Pottorff, George B. Pottorff, Washington Ford, Floyd Ford, James Ford, Lawr. Ford, Minnie Ford, Thomas B. Ford, William H. Ford, Ida M. Ford, Emily J. Ford, Walter L. Ford, Seigle Ford, Olive V. Ford, Henry P. Ford, Carrie M. Ford,

(E J P)

Ethel B. Ford, Pearley Ford, Rubie Ford, Allie Ford, Henry T. Ford, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

*T. E. Needles*

Commissioner in Charge.

A.C.R. 1502.

Muskogee, Indian Territory, November 20, 1902.

Emily J. Ford,

*Received by Special Agent J. W. Gre 29. 1902.*  
Parcell, Indian Territory.

Dear Madam:

You are hereby advised that on the 15th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Pleasant Bryant, et al., of which decision you were advised by registered mail on the 23d day of July, 1902.

Respectfully,

(SFD)

Acting Chairman.

MCR 1502

COPY

Muskogee, Indian Territory, December 18, 1906.

Emily J. Ford,

Coalgate, Indian Territory.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Benjamin Starr, Mary Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

Commissioner.



No. 1312

For Identification as a Mississippi Claimant

Date *Mich 12 190*

Name *Emily J. Ford*

Age *58* Blood *1/8*

Post Office, *Pucell. I T.*

Father: *John Totten d*

Mother: *Melinda " d*

Claims through *Mother.*

*Husband - James Ford.*

Children:

*Walter L. - 19*

*For self & Child.*

AND ORIGINAL  
JUL 23 1902  
FORWARDED DEPARTMENT.

JUL 23 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

NOV 13 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

NOV 22 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED FOR CHOCTAW  
AND CRACKAW NATIONS.

C. R. 852

Christaw MCR 1503

Sergie Ford

MCR 1503

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 12, 1901.

In the matter of the application of Seigle Ford, for identification for himself and his minor children, as Mississippi Choctaws.

Seigle Ford, having been first duly sworn, upon his oath testifies as follows-

Examination by the Commission.-

- Q What is your name? A Seigle Ford.  
Q What is your age? A Thirty eight.  
Q What is your post office address? A Purcell.  
Q Indian Territory? A Yes sir.  
Q How long have you lived there? A About two week months.  
Q Where did you live before you lived at Purcell? A Kansas.  
Q How long did you live in Kansas? A I lived in Kansas all my life except four years.  
Q Where were you born? A In Kansas.  
Q Where did you live those four years? A In Oklahoma.  
Q Never lived in Mississippi? A No sir.  
Q What is your father's name? A James Ford.  
Q Living? A Yes sir.  
Q What is the name of your mother? A Emily J. Ford.  
Q Living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much do you claim? A One sixteenth.  
Q Did your mother ever live in the Indian Territory? A No sir.  
Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever before this made application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes acting under the act of Congress of June 10, 1896? A No sir.  
Q Did you ever make application for citizenship or enrollment to the Choctaw tribal authorities? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A If I understand it, I was not.  
Q You could not have been if you never made application? A No sir, I never made application.  
Q Is this the first application you have ever made of any kind?  
A Yes sir.  
Q You now seek to be identified as a Mississippi Choctaw? A Yes  
Q Under what treaty or treaties do you make this application?  
A 1830.  
Q Under the whole treaty? A Article fourteen.  
Q What is the name of your ancestor who lived in Mississippi in 1830? A Alfred Bryant.  
Q Was he a full blood Choctaw Indian? A Half breed.

Seigle Ford---2.

Q What evidence have you that you are lineally descended from him?

A I have always been taught that way, raised that way, and taught that way by my relatives.

Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agents then living in Mississippi, that he intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I could not tell you what he said.

Q Could not tell what he said to the Indian Agent? A No sir.

Q Do you not know that is one of the things that must be proven by you--what he did say to the United States Indian Agent? A I understand that he never did.

Q You understand that he did not but have you any proof---you were not there to hear him? A No sir.

Q Do you not know that under article fourteen of the treaty of 1830 before you would have the right to be identified as a Mississippi, you must prove that he did go to the United States Indian Agent and tell him that he wanted to stay in Mississippi and wanted to take land there? A I understand he went there.

Q What is your answer to that question? A I understand that he did go there.

Q How did you understand that he went to Colonel Ward, the United States Indian Agent, and declared his intention--how do you know it?

A I have been taught that way in the family.

Q Did he ever receive or claim any land in Mississippi under article fourteen of that treaty? A Not that I know of.

Q Did he ever comply with the provision of article fourteen of the treaty of 1830, in any manner? A Not that I know of.

Q But you said he went to him and told the agent that he wanted to stay in Mississippi and take land there--you said he declared his intention to become a citizen of the United States. A I understand he was in Mississippi at that time--whether he went or what he did, I do not know.

Q So you will qualify that a little--you did say that he went to Colonel Ward and declared his intention? A If I did, I made a mistake.

Q You do not know about that? A No, and I do not want to state anything I do not know.

Q Do you know whether he or any of your ancestors ever complied with any of the provisions of article fourteen of the treaty of 1830? A I do not know.

Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Ada V. Ford.

Q Do you claim anything for her? A No sir.

Q Have you children under twenty one years of age and unmarried?

A Yes sir.

Q What is the name of the eldest? A Olive V.

Q How old? A Twelve.

Q The next? A Henry P.

Q How old? A Ten.

Q The next? A Carrie N.

Q How old? A Eight; then, Ethel B.

Q How old is Ethel B? A Six

Q The next? A Pearl,

Q A boy? A No, a girl.

Wesley Ford---3.

- Q How old is Pearl? A Four.  
Q Is that all? A No sir, Rubie.  
Q How old? A Two.  
Q Boy or girl? A Girl.  
Q Any others? A Allie.  
A How old? A Two months.  
Q Ada V. Ford is the mother of these children? A Yes sir.  
Q And you are the father? A Yes sir.  
Q You and she are living together as husband and wife? A Yes sir.  
Q And the children are a l living with you at your home? A Yes sir  
Q Have you any documentary evidence you want to introduce now?  
A No sir.  
Q Would you like twenty days? A Yes sir, I have marriage license and certificate.

Twenty days time from the date hereof is allowed applicant in which to file marriage license and certificate or certified copy thereof, also documentary evidence in support of his application.

- Q Is there anything further you would like to state? A No sir.

The decision of the commission in regard to this application which you make for identification for yourself and these minor children as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 12th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 16 day of March 1901

*H. C. Risteen*  
*Charles H. Sawyer*  
Notary Public.

Department of the Interior,  
Commission to the Five Civilized Tribes,  
Atoka, I.T., July 12, 1901

TESTIMONY OF HENRY J. BOND IN

In the matter of the application of Henry T. Bond for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1901, H.C.R. 2984.

In the matter of the application of William H. Bond for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1901, H.C.R. 1900.

In the matter of the application of John H. Bond et al., for identification as Mississippi Choctaws, heard at Atoka, I.T., March 12, 1901, H.C.R. 1498.

In the matter of the application of Washington Bond et al., for identification as Mississippi Choctaws, heard at Atoka, I.T., March 12, 1901, H.C.R. 1498.

In the matter of the application of Robert P. Bond for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1901, H.C.R. 1498.

In the matter of the application of Lydia Bond et al., for identification as Mississippi Choctaws, heard at Atoka, I.T., March 12, 1901, H.C.R. 1497.

In the matter of the application of Ida M. Bond for identification as a Mississippi Choctaw, heard at Atoka, I.T., March 12, 1901, H.C.R. 1494.

In the matter of the application of George Bond et al., for identification as Mississippi Choctaws, heard at Atoka, I.T., March 12, 1901, H.C.R. 1494.

Atoka, I.T., July 12, 1901.

Henry J. Bond

Witness my hand and seal at Atoka, I.T., this 12th day of July, 1901.

Q What was the name of your father? A My father's name was John Totten.

Q What was your mother's name? A Malinda Brown.

Q What was it when she was your mother? A Malinda Totten.

Q Through which one of your parents do you get your Choctaw blood?  
A Malinda Totten.

Q What was Malinda Totten's father's name? A Alfred Bryant.

Q What was her mother's name? A Nancy Bryant.

Q Through which one of her parents did she get her Choctaw blood?

A Her father.

Q Were they married? A Yes, I reckon.

Q Have you any evidence that they were married? A I haven't got any except that they raised a family there.

Q Did they get a license to marry? A I don't know.

Q Do you know that they were married? A No; I reckon they was.

Q Do you know where they were married? A No, I don't know where they was married.

Q Is there anybody living who could testify as to their marriage?

A I don't know of any.

Q Is there anybody living who knew them personally? A I don't know any except some their children.

Q Is there anybody living any of their neighbors who lived round them then who knew that they were living together as man and wife?

A I don't know.

Q You don't know them so that you could get their affidavits?

A I don't know that I could; of course I was small when I lived there.

Q Do you know where Alfred Bryant lived in 1850? A No, I can't say where he lived.

Q Do you know whether he was a Choctaw Indian? A I was always told he was Choctaw Indian.

Q Did you ever see him? A Yes.

Q Is he living? A No.

Q How old was he when he died? A I think about seventy five.

Q About how long ago did he die? A I can't tell you; it has been a long time; I can't answer that.

Q Do you know about how old you were when he died? A No, I don't know.

Q Was it where you were married? A No, it was since that, but I can't tell you how long ago it has been.

Q Do you know of anybody living who knew your grandfather and would be able to tell if he was living in Mississippi in 1850? He was a Choctaw. A No, I don't.

Q Do you know whether Alfred Bryant came west with the other Choctaw Indians to the present Choctaw reservation in Mississippi?  
A No, I can't know that.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.

Q Do you know where he lived in Mississippi? A I don't know.



To applicants:

Q Is there anything more that you would like to have your mother asked? A There is nothing that I know of; nothing I think of.

Witness excused.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the above testimony on July 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said testimony on said date.

*Henry G. Hains*

Subscribed and sworn to before me this 17 day of August, 1901.

*W. H. Hinesbaugh*  
Notary Public.

Muskogee, Indian Territory, March 30, 1901.

Mr. Seigle Ford,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of the following papers offered in support of your application for the identification of yourself and your minor children as Mississippi Choctaws:

Written application of Seigle Ford.

Call book copy of services certificate between Seigle Ford and Mrs. Emma Maxwell.

Account of labor laws.

Statement of Emily J. Ford.

Statement of Henry Oliver.

These have been duly filed and are a part of the record.

In your own interest,

Yours truly,

Acting Chairman.

COPY.

N.C.R. 1503

Muskogee, Indian Territory, July 23, 1902.

Beagle Post,

Purcell, Indian Territory,

Dear Sir:

You are hereby advised that on the 23rd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Pleasant Bryant, et al., embracing the following applications for identification as Mississippi Choctaws:

Pleasant Bryant,	N.C.R.	852
John W. Bryant, et al.,	"	853
Oscar Bryant, &	"	854
Asaail Ford, et al.,	"	855
James Oliver Bryant, et al.,	"	856
Lillian R. Ford, et al.,	"	857
Mary S. Ford, et al.,	"	858
Robert S. Ford, et al.,	"	859
Bert Bryant,	"	860
Charles S. Cotton, et al.,	"	861
Thomas S. Cotton,	"	798
John S. Cotton, et al.,	"	862
William S. Cotton,	"	863
James S. Cotton, et al.,	"	864
Robert S. Cotton, et al.,	"	865
Thomas S. Cotton, et al.,	"	866
William S. Cotton, et al.,	"	867
James S. Cotton, et al.,	"	868
Robert S. Cotton, et al.,	"	869
Thomas S. Cotton, et al.,	"	870
William S. Cotton, et al.,	"	871
James S. Cotton, et al.,	"	872
Robert S. Cotton, et al.,	"	873
Thomas S. Cotton, et al.,	"	874
William S. Cotton, et al.,	"	875
James S. Cotton, et al.,	"	876
Robert S. Cotton, et al.,	"	877
Thomas S. Cotton, et al.,	"	878
William S. Cotton, et al.,	"	879
James S. Cotton, et al.,	"	880
Robert S. Cotton, et al.,	"	881
Thomas S. Cotton, et al.,	"	882
William S. Cotton, et al.,	"	883
James S. Cotton, et al.,	"	884
Robert S. Cotton, et al.,	"	885
Thomas S. Cotton, et al.,	"	886
William S. Cotton, et al.,	"	887
James S. Cotton, et al.,	"	888
Robert S. Cotton, et al.,	"	889
Thomas S. Cotton, et al.,	"	890
William S. Cotton, et al.,	"	891
James S. Cotton, et al.,	"	892
Robert S. Cotton, et al.,	"	893
Thomas S. Cotton, et al.,	"	894
William S. Cotton, et al.,	"	895
James S. Cotton, et al.,	"	896
Robert S. Cotton, et al.,	"	897
Thomas S. Cotton, et al.,	"	898
William S. Cotton, et al.,	"	899
James S. Cotton, et al.,	"	900

(8-J)

Thomas B. Ford,	M.C.R., 1499
William H. Ford,	• 1500
Ida M. Ford,	• 1501
Emily J. Ford, et al.,	• 1502
Seigle Ford, et al.,	• 1503
Henry T. Ford,	• 2924

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Pleasant Bryant, John W. Bryant, Jacob Bryant, Aaron Bryant, Bertha Bryant, Oscar Bryant, Abigail Ford, Minnie Alice Ford, Amosiah Ford, Hildegard Ford, Joseph Ford, James Oliver Bryant, Lella Bryant, Edney Bryant, Eliska Bryant, Gracie Bryant, Charley Bryant, Mattie Bryant, Lidaie Rutherford, Amy Rutherford, Emeline Rutherford, Mary Rutherford, Rosy Rutherford, Cecelia Rutherford, Dewey Rutherford, Henry Rutherford, Clara Rutherford, Mary Caldwell, Freddie Caldwell, Eliska Bryant, Mary Bryant, Jennie Bryant, Flossie Bryant, Bert Bryant, Charles J. Totten, Lee Totten, Vivian Totten, Mattie Starr, Anna Cowen, Georgia Cowen, Gladys Cowen, Mary Starr, Benjamin Starr, Alfred Totten, Maxley Totten, Alfred Totten, Mary E. Totten, Elmer Starr, Frank Totten, Arthur Totten, Otis Totten, Mary Totten, Alexander Starr, Wilson Totten, Estell Totten, Maggie Maston, Emma Isenberg, Rena Isenberg, Lana Isenberg, Rudie Isenberg, John F. Ford, Lydia N. Ford, James A. Ford, Emily A. Ford, Jessalia A. Ford, Ernest A. Ford, Grace Ford, Maxwell Ford, Annie Pottorff, Samuel O. Pottorff, George B. Pottorff, Washington Ford, Floyd Ford, James Ford, Mary Ford, Annie Ford, Thomas B. Ford, William T. Ford, Henry T. Ford, Edna Ford, Walter Ford, Sophie Ford, George T. Ford, Henry S. Ford, Charles H. Ford,

(S-7)

Michael B. Ford, Hearley Ford, Rubie Ford, Allie Ford, Henry T. Ford, and George Ford are entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1832, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered,

*T. B. Nease.*

Commissioner in Charge.

RECEIVED  
SEP 1 1904

Winnipeg, Indian Territory, August 8, 1904.

Washington Ford,  
Winnipeg, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd inst., advising change in post office addresses of yourself, Edna Ford and Ida E. Ford to Winnipeg, I.T., and proper receipt has been made of the change in the post office addresses of the persons named.

Yours truly,

Winnipeg, Indian Territory.

M. C. R. 1503.

McKogee, Indian Territory, November 28, 1902.

Single Ford,

Coalgate, Indian Territory.

Dear Sir:

You are hereby advised that on the 15th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Pleasant Bryant, et al., of which decision you were advised by registered mail on the 28d day of July, 1902.

Respectfully,

(SIGNED)

Acting Chairman.

100-1100  
100-1100  
100-1100

Washington, Indian Territory, August 8, 1902.

Postmaster,

Lawson, Indian Territory.

Dear Sir:

On July 22, 1902, the Commission forwarded by Registered  
mail letters addressed to Washington Post, Edgins Post and Lee H.  
Post, Lawson, I.T.

Information has been received that the present post office  
addresses of these persons are Delight, I.T. Please forward the  
letters to that address.

Yours truly,

Acting Chairman,



1503

COPY

Muskogee, Indian Territory, December 28, 1906.

Seigle Ford,

Coalgate, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on December 6, 1906, denied a petition filed with this office by Robt. E. Lee, attorney at law, Ardmore, Indian Territory, under the Act of Congress approved April 26, 1906, for a reopening of the applications of Mattie Starr, Mary Starr, Benjamin Starr, Elmer Starr, Alexander Starr, Anna Cowen, Georgia Edna May Cowen and Gladys Esther Aaron Cowen, applicants in the consolidated Mississippi Choctaw case of Pleasant Bryant, et al.

Respectfully,

SIGNED *Van D. Isley.*

Commissioner.

No. 15063

For Identification as a Mississippi Choctaw.

Date *Mich 12.1901*

Name *Seigle Ford*

Age *38* Blood *1/6*

Post Office, *Purcell, D.T.*

Father: *James Ford* l

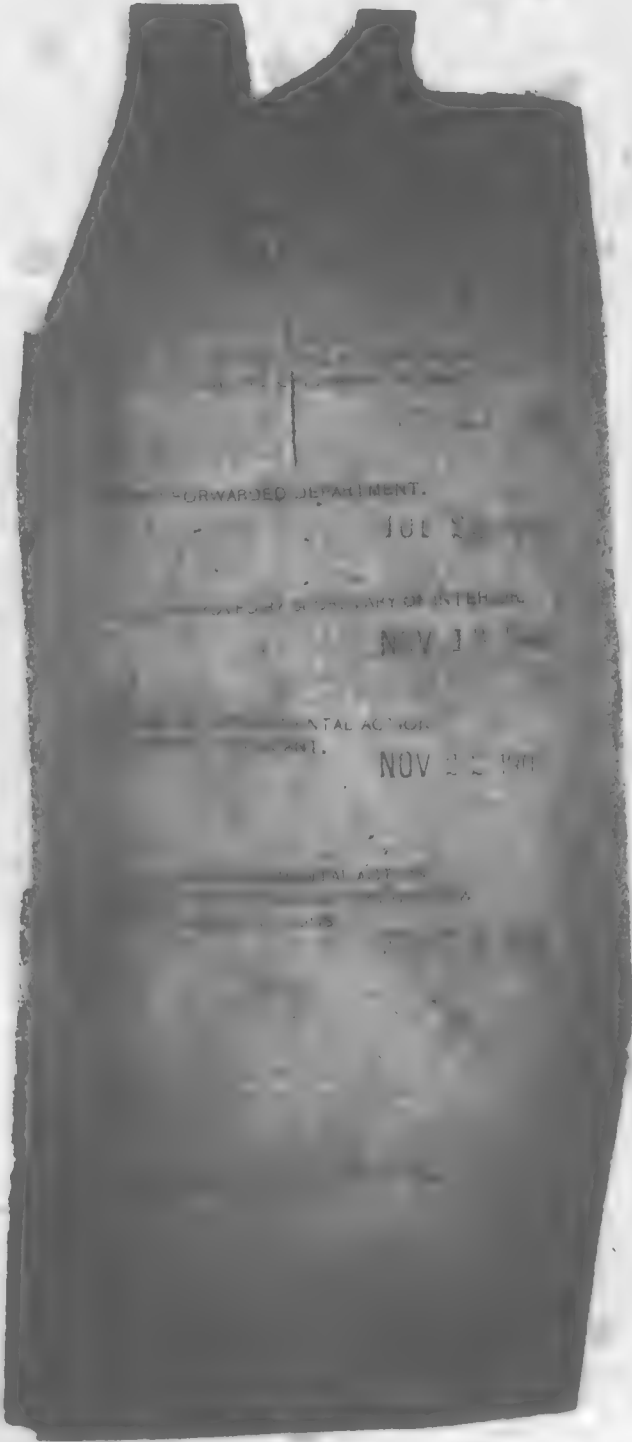
Mother: *Emily J.* l.

Claims through *brother*  
*wife*  
*Ada V. Ford.*

Children:

<i>Oliver D. V.</i>	<i>12</i>
<i>Henry F.</i>	<i>10</i>
<i>Carrie M.</i>	<i>8</i>
<i>Esther B.</i>	<i>6</i>
<i>Pearley (girl)</i>	<i>4</i>
<i>Rubie</i>	<i>2</i>
<i>Allie</i>	<i>2 m</i>

*for my 2*  
*children*  
*of Choctaw*  
*blood*



FORWARDED DEPARTMENT.

NOV 22 1901

DEPARTMENT OF INTERIOR

NOV 22 1901

DEPARTMENT OF AGRICULTURE

NOV 22 1901

DEPARTMENT OF AGRICULTURE

NOV 22 1901

Choctaw MCR 1504

John M. Sims

See MCR 1350

MCR 1504

*m*  
**REFUSED**

DECISION RENDERED. JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11

REFER TO M. O. R. 1350

No. 1504

For Identification as a Mississippi Choctaw.

Date *Mich 13. 190*

Name *John M. Sims*

Age *23* Blood *1/6*

Post Office. *Red Rock, Texas*

Father: *Sylvester P. Sims -*

Mother: *Louisa Sims -*

Claims through *father -*

*wife.*

*Myrtle B. Sims*

Children:

*Sylvia P. - 5 m.*

*For sub and  
child -*

M.C.1504.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 13, 1901.

In the matter of the application of John M. Sims for identification of himself and his minor child as Mississippi Choctaws.

John M. Sims; having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A John M. Sims.  
Q What is your age? A Twenty three.  
Q What is your post office address? A Red Rock, Texas.  
Q How long have you lived at Red Rock? A Thirteen years.  
Q Where did you live before you lived there? A Gonzales, Texas? A Yes sir.  
Q Where were you born? A Gonzales.  
Q Born in Texas? A Yes sir.  
Q And always lived in Texas? A Yes sir.  
Q What is your father's name? A Sylvester P. Sims.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Louisa Sims.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much Choctaw blood do you claim? A One sixteenth  
Q Did your father ever live in the Indian Territory? A No sir, not that I know of.  
Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
Q Have you ever made application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Have you ever made application for either citizenship or enrollment in the Choctaw Nation to the Commission to the Five Civilized Tribes acting under the act of Congress of June 10, 1896? A No sir.  
Q Is this the first application you have ever made? A Yes sir.  
Q You now seek to be identified as a Mississippi Choctaw? A Yes  
Q Under what treaty or treaties are you making this application?  
A Treaty of 1830.  
Q Do you claim under the whole treaty or under any particular part of it? A Under the whole treaty.  
Q You do not claim under article fourteen particularly, then? A No.  
Q Do you claim under article fifteen or nineteen of that treaty?  
A Yes sir---No sir.  
Q But you said you claimed under the whole treaty? A I meant the treaty of 1830.

John M. Sims----2.

- Q If you claim under the treaty of 1830, don't you claim under those articles? A Yes sir.
- Q Do you claim under the supplement of the treaty of 1830? A Yes.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha Ellen Hatchett.
- Q Did she live in Mississippi in 1830? A Yes sir
- Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Do you know whether she came from Mississippi to the Indian Territory with the other Indians in the years 1833 or 1837? A I do not know.
- Q Do you know whether she complied in any manner with the provisions of the fourteenth article of the treaty of 1830? A I do not think she did.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Do you know whether she or any of your ancestors claimed any land in Mississippi under article fourteen? A No, I do not know.
- Q Can you recall any of the provisions of article fourteen of the treaty of 1830? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Myrtle Sims.
- Q Do you make any claim for her? A No sir, she will make her own claim.
- Q Have you any children you wish to make application for? A Yes, I have one.
- Q What is the name? A Sylva P. Sims.
- Q How old is she? A Five months.
- Q This is the only child you have? A Yes sir.
- Q Myrtle Sims is the mother of this child? A Yes sir.
- Q And you are the father? A Yes sir.
- Q And you and she are living together as husband and wife? A Yes sir.
- Q Have you any documentary evidence you want to introduce? A I have marriage certificate of that will do any good.
- Q Do you want to introduce that now? A Yes sir.
- Q You have not the license with you? A No sir.

Marriage certificate between J. M. Sims and Miss Myrtle Bowen introduced by applicant, received, filed, marked Exhibit A and made a part of the record in this case.

- Q Have you any other documentary evidence you want to introduce now?  
A No sir.
- Q Do you wish any time in which to introduce documentary evidence?  
A Yes sir.
- Q Twenty days? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application

- Q Is there anything further you would like to state? A I believe not.



John M. Sims---3.

The decision of the Commission in regard to this application which you make for identification for yourself and this minor child will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 15th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 16 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 2, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas,

Dear Sir:

The Commission is in receipt of affidavits for filing in support of the following applications for identification as Mississippi Choctaws:

John W. Sims, et al	1504
Fannie C. Sims	1506
Willie P. Sims	1507
Mattie Frankum, et al	1508
Inez Wilkerson	1509

The same have been duly filed with the other records in the cases above named, and will receive the consideration of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,

Muskogee, Indian Territory, April 3, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas,

Dear Sir:

The Commission is in receipt of your letter without date, inclosing affidavits of Richard White for filing in the following cases:

John H. Sims	1506
Fannie C. Sims	1506
Willie P. Sims	1507
Mattie Frankum	1508
Inez Wilkerson	1509

The same have been duly filed in support of the above applications for identification as Mississippi Choctaws, and will receive the consideration of the Commission in determining themselves.

Yours truly,

Acting Chairman.

COPY

M C R 1504

Mustagee, Indian Territory, July 10, 1902.

John M. Sims,  
Red Rock, Texas.

Dear Sir:

You are hereby advised that on the 15th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., embracing the following applications for identification as Mississippi Choctaws:

Sylvester P. Sims, et al.,	M C R 1550
John M. Sims, et al.,	M C R 1504
Fannie C. Sims,	M C R 1506
Willie P. Sims,	M C R 1507
Mattie Franklin, et al.,	M C R 1508
Ines Wilkinson,	M C R 1509
Jessie H. Moore,	M C R 1510
Josephine Campbell,	M C R 1511
Leah O. Stovall, et al.,	M C R 1512
Yale W. Stovall, et al.,	M C R 1513
Yessie Campbell,	M C R 1514.

These applications were made under the provision of the act of Congress of June 20, 1898, (30 Stat., 485) which is as follows:

"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

J N S—2

hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sylvester P. Sims, Marcus E. Sims, Nora E. Sims, Myrtle Sims, John W. Sims, Sylva P. Sims, Pannie O. Sims, Willie P. Sims, Mattie Frankum, Arthur L. Frankum, Ines Wilkerson, John M. Moore, Josephine Campbell, Lema O. Standifer, Edgar Standifer, Volma W. Biggs, Louie Biggs and Vernon Campbell as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNATURE)

Acting Chairman.

Registered.

COPY.

M. C. R. 1804.

Muskogee, Indian Territory, October 11, 1902.

John M. Sims,

Red Rock, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

*E. L. Woodcock*  
Commissioner in Charge.

Choctaw MCR 1505

Myrtle Sims

MCR 1505

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 13, 1901.

In the matter of the application of Myrtle Sims for identification as a Mississippi Chectaw.

Myrtle Sims, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Myrtle Sims.  
 Q What is your age? A Eighteen.  
 Q What is your post office address? A Red Rock.  
 Q Texas? A Yes sir.  
 Q How long have you lived at Red Rock? A I have lived there all my life.  
 Q Born in Texas? A Yes sir.  
 Q Born in Red Rock? A Yes sir.  
 Q What is your father's name? A Henry Bowen.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Ellen A. Bowen.  
 Q Is she living? A Yes sir.  
 Q Through which eye of these parents do you claim Chectaw blood?  
 A My father.  
 Q How much Chectaw blood do you claim? A I could not tell you how much I claim, I do not know.  
 Q About how much do you think? A About one sixteenth,--one thirty-second may be; I could not tell you.  
 Q You think that is about right--one sixteenth? A Yes sir.  
 Q Is the name of your father on any of the tribal rolls of the Chectaw Nation? A No sir.  
 Q Has he ever been recognized by the Chectaw tribal authorities as a Chectaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Chectaw Nation?  
 A No sir.  
 Q Have you ever made application for citizenship in the Chectaw Nation to the Chectaw tribal authorities? A No sir.  
 Q Have you ever made application to the Chectaw tribal authorities for enrollment as a citizen of the Chectaw Nation? A No sir.  
 Q Have you ever been admitted to citizenship in the Chectaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Chectaw tribal authorities? A No sir.  
 Q Have you ever made application to the Commission to the Five Civilized Tribes for enrollment or citizenship in the Chectaw Nation under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application of any kind that you have ever made?  
 A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Chectaw?  
 A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A I do not know.  
 Q Have you ever heard of the treaty of 1830? A Yes, some I have.  
 Q Do you know whether that is the treaty you are making this application under? A I think so.



Myrtle Sims-----2.

- Q Are you making this application under the whole treaty or under any particular article? A I do not know.
- Q You do not know much about the treaty? A No sir.
- Q Did you ever hear about the treaty? A Only a little.
- Q Did any person ever explain to you the law under which you make this application? A Same.
- Q What is the name of your ancestor who lived in Mississippi and that you make this application under? A Bradshaw, I think.
- Q What is the full name? A Rebecca Bradshaw
- Q What kin was she to you? A Great grandmother on my father's side
- Q Did she within six months after the treaty of 1830 was ratified tell the United States Indian agent who lived in Mississippi at that time that she intended to remain in Mississippi, take land there, and become a citizen of the state of Mississippi? A I do not know.
- Q Do you know whether she came from Mississippi, to the Indian Territory when the other Choctaw Indians were removed here by the United States government in the years 1833 and 1837? A No sir, I do not know, but I think she did.
- Q Do you know whether she was a beneficiary under article fourteen of the treaty of 1830? A No sir.
- Q Do you know whether she ever complied with the provisions of that article? A No sir.
- Q Did she ever receive or claim land from the United States government in Mississippi as a beneficiary under article fourteen? A I do not know.
- Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A I do not know.
- Q You know whether you did or not? A I never did.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A John Sims.
- Q Do you make application for him? A No sir, he made his own.
- Q He did make his own? A Yes sir, just now.
- Q He made application for your child? A Yes sir.
- Q You do not desire to make application for that child? A No, I suppose not.
- Q You are making application for yourself alone? A Yes---I would like to make application for my child.

The record shows that your husband, John M. Sims, made application for your child, Sylva P. Sims.

- Q Have you any documentary evidence you want to introduce now in support of your claim? A No sir.
- Q Do you want time in which to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you want to state? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw, will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath

Myrtle Sims----3.

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 13th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. Christie*

Subscribed and sworn to before me this 16 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 9, 1903.

Myrtle Sims,

Red Rock, Texas.

Dear Madam:

You are hereby advised that on the 9th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Jonathan G. Eppler, et al., embracing the following applications for identification as Mississippi Choctaws:

Jonathan G. Eppler,	M.C.R.3182;
Mary E. Nixon, et al.,	M.C.R.3183;
James F. Gould,	M.C.R.1540;
Myrtle Sims,	M.C.R.1505.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Jonathan G. Eppler, Mary E. Nixon, Ella Nixon, Jack Nixon, Joe Nixon, Erwin Nixon, Alta Nixon, Carl Nixon, James F. Gould and Myrtle Sims as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen

M. S., 2.

of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

James S. [unclear]  
Chairman.

Registered.

COPY. H.C.R.1505.

Muskogee, Indian Territory, August 25, 1903.

Myrtle Sims,

Red Back, Texas.

Dear Madam:

You are hereby notified that on the 8th day of August, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Jonathan G. Eppler, et al., of which decision you were advised by registered mail on the 9th day of April, 1903.

Respectfully,

[A large, dark, rectangular area, possibly a redacted page or a very dark scan of a document, containing faint, illegible text.]

18

ROBERT...

...

No. 1505

For Identification as a Mississippi Choctaw.

Date Mich 13. 1901

Name Myrtle Sims

Age 18 Blood about 1/16

Post Office, Cedar Rock, Texas.

Father: Henry Bowen I

Mother: Ellen A. " I

Claims through father

Neumann

John Sims -

Children:

For self alone

Choctaw MCR 1506

Fannie C. Sims

MCR 1506



**REFUSED**

DECISION RENDERED. JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 1350

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 13, 1901.

In the matter of the application of Fannie O. Sims for identification as a Mississippi Choctaw.

Fannie O. Sims having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Fannie O. Sims.  
 Q What is your age? A Twenty six.  
 Q What is your post office address? A Red Rock, Texas.  
 Q How long have you lived at Red Rock? A I have lived there all my life very near it--about thirteen years, I guess.  
 Q Where were you born? A Bastrop county, Texas?  
 Q Yes sir.  
 Q What is your father's name? A Sylvester P. Sims.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Louisa A. Sims.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much Choctaw blood do you claim? A One sixteenth, I guess.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Was he ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application for either citizenship or enrollment as a Choctaw to the Dawes Commission acting under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application of any kind that you have ever made?  
 A Yes sir.  
 Q Are you now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties? A Treaty of 1830 I suppose.  
 Q Do you know about that treaty? A I do not know anything much.  
 Q Do you claim under the whole treaty or under any particular part of it? A Under the whole treaty, I suppose.  
 Q Do you claim under article fifteen and nineteen? A I do not know.  
 Q Well, if you claim under the whole treaty, you claim under articles fifteen and nineteen do you not? A I suppose so.  
 Q Do you also claim under the supplement? A I suppose so, yes sir

Fannie C. Sims-- 2.

- Q What is the name of your ancestor who lived in Mississippi in 1830  
A Martha Ellen Hatchett.  
Q Was she a full blood Choctaw Indian? A I do not know.  
Q What kin was she to you? A Great grandmother.  
Q On your father's side. A Yes sir.  
Q Do you know whether she within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A No sir.  
Q Do you know whether she complied in any way with the provisions of article fourteen of the treaty of 1830? A No sir, I do not.  
Q Do you know whether she was ever a beneficiary under that article? A No sir.  
Q Did she claim or receive any land in Mississippi under article fourteen? A Not that I know of.  
Q If she had you would have been apt to have heard of it? A Yes.  
Q Did she come from Mississippi to the Indian Territory when the other Choctaw Indians came here in the years 1833 to 1837? A No sir.  
Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.  
Q Are you married? A No sir.  
Q Making this claim for yourself alone? A Yes sir.  
Q Have you any documentary evidence you want to introduce now? A No.  
Q Would you like time in which to introduce same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

The Decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 15th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*  
Subscribed and sworn to before me this 16th day of March 1901.

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 2, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas,

Dear Sir:

The Commission is in receipt of affidavits for filing in support of the following applications for identification as Mississippi Choctaws:

John H. Sims, et al	1604
Fannie C. Sims	1606
Willie P. Sims	1607
Mattie Frankum, et al	1608
Inez Wilkerson	1609

The same have been duly filed with the other records in the cases above named, and will receive the consideration of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,

Lawton, Indian Territory, April 5, 1901.

Mr. [Name],  
[Address],  
[City], Texas.

Dear Sir:

The Commission is in receipt of your letter without date, enclosing affidavits of Richard White for filing in the following cases:

John H. [Name]	1504
Fannie G. [Name]	1506
Willie [Name]	1507
Martha [Name]	1508
[Name]	1509

Very respectfully,  
[Signature]

COPY.

N O B 1908

Langston, Indian Territory, July 16, 1908

Francis W. Sims,

Red Rock, Texas

Dear Madam:

You are hereby advised that on the 16th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., embracing the following applications for identification as Missions of Cherokee:

Sylvester P. Sims, et al.	N O B 1908
John W. Sims, et al.	N O B 1908
Francis W. Sims	N O B 1908
William L. Sims	N O B 1908
Charles W. Sims, et al.	N O B 1908
John W. Sims	N O B 1908
William L. Sims	N O B 1908
Charles W. Sims, et al.	N O B 1908

These applications were filed with the Commission on the 15th day of July, 1908, and the Commission rendered its decision thereon on the 16th day of July, 1908. The Commission's decision is hereby published for the information of the public.

7 6 3

witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sylvester P. Sims, Hubert E. Sims, Nora E. Sims, Myrtle Sims, John M. Sims, Sylvia P. Sims, Fannie G. Sims, Willie P. Sims, Mattie Frankum, Arthur L. Frankum, Lina Wilkerson, John M. Moore, Inez Campbell, Lona G. Standifer, Edgar Standifer, Velma Standifer, Louis Sims and Vernon Campbell as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Acting Chairman.

Registered.

COPY.

M.C.B. 1868

Muskogee, Indian Territory, October 11, 1902.

Marie G. Sims,

Red Bank, Tennessee

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester B. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

SIGNED

H. D. Medico.

Commissioner in Charge



FOR REGISTRATION AS A MISSISSIPPI CLAIMANT

Date *Mich 13 1901*

Name *Fannie C. Sims*

Age *26*

Blood *1/16*

Post Office, *Red Rock, Texas,*

Father: *Sylvester P. Sims &*

Mother: *Louisa A. " &*

Claims through *father -*

~~Children:~~

*for sale*

*H. Christen*

Charlow MCR 1507

Willie P. Sims

See MCR 1500

MCR 1507

*mid*  
**REUSED**

**DECISION RENDERED. JUL 16 1902**

**NOTICE OF DECISION MAILED APPLICANT.**

**JUL 16 1902**

**NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.**

**JUL 16 1902**

**RECORD FORWARDED DEPARTMENT.**

**JUL 16 1902**

**ACTION APPROVED BY SECRETARY OF INTERIOR**

**OCT 1 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT**

**OCT 11 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.**

**OCT 11 1902**

**REFER TO M. C. R. 1350**

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 13, 1901.

In the matter of the application of Willie P. Sims for identification as a Mississippi Choctaw.

Willie P. Sims, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Willie P. Sims.  
 Q What is your age? A Twenty two.  
 Q What is your post office address? A Red Rock, Texas.  
 Q How long have you lived in Red Rock? A Thirteen years.  
 Q Where did you live before you lived there? A Gonzales, Texas.  
 Q Born in Texas, and at Gonzales, Texas? A Yes sir.  
 Q What is your father's name? A Sylvester P. Sims.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Louisa A. Sims.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Was your father ever a resident of the Indian Territory? A I do not know.  
 Q Is his name on any of the tribal rolls of the Choctaw Nation?  
 A No sir, not as I know of.  
 Q Have you ever been recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir, not as I know of.  
 Q Has your father? A No sir, not as I know of.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory or appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application you have ever made either to the United States authorities or the Choctaw tribal authorities? A Yes.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty are you making this application? A 1830.  
 Q What does 1830 mean. A I do not know.  
 Q When was that treaty made? A I do not know, without it was made in 1830.  
 Q Is there any other name that treaty is known by? A I do not know

Willie P. Sims---2.

- Q Did you ever hear of the treaty of Dancing Rabbit Creek? A No sir.
- Q Do you know whether the treaty of 1830 and the treaty of Dancing Rabbit Creek are the same? A No sir.
- Q What is the name of your ancestor who lived in Mississippi? A Martha Ellen Hatchett White---Martha Ellen Hatchett.
- Q What made you say "White"? A She married a White.
- Q Do you claim under the whole treaty of 1830? A Under the whole treaty.
- Q Under articles, fourteen, fifteen and nineteen? A Yes, I reckon so.
- Q You claim under the supplement of that treaty? A Yes sir, I reckon so.
- Q Did your ancestor under whom you claim the right to be identified as a Mississippi Choctaw, within six months after the ratification of the treaty of 1830, notify the United States Indian Agent that she intended to stay in Mississippi and take land there. A I do not know.
- Q She did not come from Mississippi to the Indian Territory with the other Indians in the years 1833 to 1837, did she? A I do not know, I do not think she did.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Do you know whether she ever complied with the provisions of that article? A No sir.
- Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not think she did.
- Q Are you married? A No sir.
- Q Making claim for yourself alone? A Yes sir.
- Q Have you any documentary evidence that you would like to introduce now? A No sir.
- Q Would you like time to introduce same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported on full all proceedings had in the above entitled cause on the 13th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 16 day of March 1901.

*H. C. Risteen*  
*Charles T. Sawyer*  
Notary Public.

Muskogee, Indian Territory, April 2, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas,

Dear Sir:

The Commission is in receipt of affidavits for filing in support of the following applications for identification as Mississippi Choctaws:

John W. Sims, et al	1504
Pannie C. Sims	1506
Willie P. Sims	1507
Wattie Frankum, et al	1508
Inez Wilkerson	1509

The same have been duly filed with the other records in the cases above named, and will receive the consideration of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,

Muskogee, Indian Territory, April 3, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas.

Dear Sir:

The Commission is in receipt of your letter without date, inclosing affidavits of Richard White for filing in the following cases:

John M. Sims	1804
Rennie G. Sims	1806
Willie P. Sims	1807
Mattie Frankum	1808
Inez Wilkerson	1809

The same have been duly filed in support of the above cases, and will receive the consideration of the Commission in determining the same.

Acting Chairman

COPY.

W O R 1507

Muskogee, Indian Territory, July 16, 1908.

Willie P. Sims,  
Red Rock, Texas.

Dear Sir:

You are hereby advised that on the 16th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., embracing the following applications for identification as Mississippi

Chattaws:

Sylvester P. Sims, et al.,	W O R 1360
John M. Sims, et al.,	W O R 1504
Francis O. Sims,	W O R 1506
Willie P. Sims,	W O R 1507
Martha Franklin, et al.,	W O R 1508
John W. Sims,	W O R 1509
John M. Sims,	W O R 1510
John M. Sims,	W O R 1511
John M. Sims, et al.,	W O R 1512
Vernon W. Sims, et al.,	W O R 1513
Vernon Campbell,	W O R 1514.

These applications were made under the provisions of the act of Congress of June 22, 1906, (34 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Cherokee Indians signing papers in the Cherokee lands under article fourteen of the treaty between the United States and



V P 2-2

the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said Decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of [unclear] E. Sims, [unclear] E. Sims, Nora E. Sims, Myrtle Sims, John M. Sims, Alfred P. Sims, Francis H. Sims, Willie M. Sims, Mattie [unclear], Arthur L. Prather, Isaac [unclear], John H. Moore, Jacob [unclear], [unclear], Lema O. [unclear], [unclear] [unclear], Volney D. [unclear], [unclear] and [unclear] [unclear] as Choctaw Indians and that [unclear] in the Choctaw land [unclear] the provisions of said article [unclear] of the [unclear] of [unclear] [unclear] and that [unclear] [unclear] for [unclear] [unclear] as such should be [unclear], and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

MATTIE [unclear]

Acting Chairman.

Registered.

COPY.

M.C.R. 1887

Mustagee, Indian Territory, October 11, 1902.

Willie P. Sims,  
Red Rock, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

(SIGNED)

Commissioner in Charge

Date *Dec 13, 1901*

Name *Willie P. Sims*

Age *2 2* Sex *M*

Residence *Red Rock, Texas.*

Father: *Sy. Lester P. Sims L*

Mother: *Louisa A. " L*

Claims through *father*

Children:

*for self alone*

*H. C. Ritten*  
*Agent.*

Choctaw MCR 1508

Mattie Frankum

See MCR 1509

MCR 1509

REF

DECISION RENDERED JUL 14 1902  
NOTICE OF DECISION MAILED ATTORNEYS

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCOMA AND CHOCOMA PATENTS

JUL 16 1902

RECORDS FORWARDED DEPARTMENT

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS  
AND CHOCOMA PATENTS

OCT 11 1902

REFER TO M. C. R. 1350

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES,  
Atoka, I.T., March 13, 1901.

#1508.

In the matter of the application of Mattie Frankum for identification for herself and her minor child as Mississippi Choctaws. Mattie Frankum being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mattie Frankum.  
Q What is your age? A Eighteen.  
Q What is your post-office address? A Uhland, Texas.  
Q How long have you lived at Uhland? A About six months.  
Q Where did you live before that? A Bastrock County.  
Q Where were you born? A Coleman, Texas.  
Q You never lived out of the State of Texas? A No sir.  
Q What is your father's name? A Sylvester P. Sims.  
Q Is he living? A Yes sir.  
Q What is your mother's name? A Louisa A. Sims.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much blood do you claim? A 1/16  
Q Did your father ever live in Indian Territory? A No sir.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application for citizenship or enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court on appeal from the decisions of either the United States authorities or the Choctaw tribal authorities?  
A No sir.  
Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission acting under act of Congress of June 10, 1896? A No sir.  
Q Is this the first application of any description that you have ever made? A Yes sir.  
Q Are you now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty or treaties are you making this application?  
A Well under no particular part only; under it all.  
Q Do you know anything about the law or treaties? A No sir.  
Q Did you ever hear of article fourteen of the treaty of 1830?  
A No sir.  
Q Did you ever have the treaty of 1830 explained to you? A No sir.  
Q What is the name of your ancestor who lived in Mississippi in 1830?  
A Martha A. Hatchet.  
Q Was she a Choctaw Indian? A That's what they always told me.  
Q Have you any documentary evidence of that fact?  
A I don't know only what I was taught by my father.  
Q Do you know whether this ancestor under whom you claim within six months after the ratification of the treaty of 1830 told the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi and take up land there and become a citizen of the United States? A I don't know.  
Q Do you know whether she came to the Indian Territory from Mississippi with the other Indians who were moved here in 1833 or 1837 or the years between these two dates?

Mattie Frankum-----2

- A No sir.  
Q Do you know why she didn't? A No sir.  
Q Was she a beneficiary under article fourteen of the treaty of 1830?  
A I don't know.  
Q Did she ever comply in any way with the provisions of that article?  
A I don't know.  
Q Did she claim or receive any lands in Mississippi under that article?  
A I don't know.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A James Frankum.  
Q Do you make any claim for him? A No sir.  
Q Have you any children under age and unmarried for whom you want to make application? A I have one child.  
Q What is the name of that child? A Arthur J. Frankum.  
Q How old is he? A Seven months.  
Q Have you any documentary evidence that you want to introduce now?  
A I have the license or marriage certificate.  
(Marriage certificate between James Frankum and <sup>James</sup> Mattie Smith received presented by applicant, received, filed and marked Exhibit "A", and made a part of the records of this case.)  
Q Have you any other documentary evidence? A No sir.  
Q Would you like time to introduce it? A Yes sir.  
(Twenty days time from the date hereof is allowed the applicant in which to file necessary documentary evidence in support of her application.)  
Q Is there anything further that you want to say now? A No sir.

The decision of the Commission in reference to the claim you make for yourself and minor child for identification as Mississippi Choctaws will be mailed to you at your present post-office address.

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Henry G. Hains being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 13th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Henry G. Hains

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

Charles W. Sawyer

Notary Public.

Muskogee, Indian Territory, April 2, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas,

Dear Sir:

The Commission is in receipt of affidavits for filing in support of the following applications for identification as Mississippi Choctaws:

John M. Sims, et al	1504
Pannie C. Sims	1506
Willie P. Sims	1507
Mattie Frankum, et al	1508
Inez Wilkerson	1509

The same have been duly filed with the other records in the cases above named, and will receive the consideration of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,



Muskogee, Indian Territory, April 3, 1901.

Mr. Sylvester P. Sims,  
 Red Rock, Texas,

Dear sir:

The Commission is in receipt of your letter without date,  
 enclosing affidavits of Richard White for filing in the following  
 cases:

John W. Sims	1804
Fannie C. Sims	1806
Willie P. Sims	1807
Matilda Wrennack	1808
Inez Willerson	1809

The same have been duly filed in support of the above applica-  
 tions for identification as Mississippi Choctaws, and will receive  
 the consideration of the Commission in determining thereon.

Yours truly,

Acting Chairman.

CONFIDENTIAL

M O R 1500

Muskogee, Indian Territory, July 18, 1903.

Mattie Frankum,  
Uhland, Texas.

Dear Madam:

You are hereby advised that on The 16th day of July, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., embracing the following applications for identification as Mississippi Choctaws:

Sylvester P. Sims, et al.,	M O R 1350
John M. Sims, et al.,	M O R 1304
Fannie O. Sims,	M O R 1306
Willie P. Sims,	M O R 1307
Mattie Frankum, et al.,	M O R 1308
Ines Wilkinson,	M O R 1309
John V. Moore,	M O R 1510
Josephine Goodell,	M O R 1511
Loma O. Starnes, et al.,	M O R 1512
Verna W. Baker, et al.,	M O R 1513
Verna Campbell,	M O R 1514

These applications were made under the provisions of the act of Congress of June 25, 1900, (30 Stat., 495) which is as follows:

\*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 twenty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sylvester P. Sims, Hubert E. Sims, Nora E. Sims, Myrtle Sims, John M. Sims, Sylvester P. Sims, Fannie O. Sims, Willie P. Sims, Mattie Frankum, Arthur E. Frankum, Inez Wilkerson, John M. Moore, Josephine Campbell, Lona O. Standifer, Edgar Standifer, Valma W. Biggs, Louie Biggs and Vernon Campbell as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Acting Chairman.

Registered.

COPY

M.C.R. 1508

Muskogee, Indian Territory, October 11, 1902.

Mattie Frankum,  
Uhland, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

(SIGNED)

F. D. J. [Signature]

Commissioner in Charge.

No. 10

For Identification as a Mississippi Choctaw.

Date Mich 13, 1901

Name Mattie Frankum

Age 18 Blood 1/16

Post Office, Whland, Texas -

Father: Sylvester P. Lewis L

Mother: Sonnia A. " L

Claims through Father

husband

James Frankum

Children:

Arthur L. - 7 m.

for sup & child

Henry G. Hain  
Steno.

Choctaw MCR 1509

Inez Wilkerson

See MCR 1350

MCR 1509

*W. H. ...*  
**REFUSED**

DECISION RENDERED, JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 1350

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 13, 1901.

In the matter of the application of Inez Wilkerson for identification as a Mississippi Choctaw.

Inez Wilkerson, having been first duly sworn, upon her oath testifies as follows-

Examination by the Commission:

- Q What is your name? A Inez Wilkerson.  
 Q What is your age? A Sixteen.  
 Q What is your post office address? A Red Rock, Texas.  
 Q Are you married? A Yes sir.  
 Q How long have you lived at Red Rock? A All of my life very near?  
 Q Where were you born? A Brown County.  
 Q In Texas? A Yes sir.  
 Q What is your father's name? A Sylvester P. Sims/  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Louisa Sims.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Was your father ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either enrollment of citizenship to the Dawes Commission under the act of Congress of June 10, 1897? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application that you have ever made? A Yes sir.  
 Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty are you making this application? A I do not know.  
 Q Did you ever hear of the treaty of Dancing Rabbit Creek? A No.  
 Q Did you ever hear of the treaty of 1830? A Yes, just what my father taught me.  
 Q Under what treaty are you making this claim then? A I do not know--1830, I suppose.  
 Q Do you claim under the whole treaty of 1830? A Yes sir.  
 Q Do you claim under articles fifteen and nineteen as well as under article fourteen? A No sir.  
 Q What difference is there then as you claim? A I do not know.



Ines Wilkerson----2.

- Q Do you claim under the supplement to the treaty of 1830? A Yes sir I do.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha Ellen Hatchett.
- Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Do you know whether she came from Mississippi to the Indian Territory when the other Indians came here in the years 1833 and 1837? A No sir, I do not think she did.
- Q Do you know why she did not? A No sir.
- Q Was she a beneficiary under article 14 of the treaty of 1830? A No sir.
- Q Did she comply with any of the provisions of that article? A I do not know.
- Q Do you know if she received or claimed any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A I do not know.
- Q Did you? A No sir.
- Q You are married? A Yes sir.
- Q What is your husband's name? Willie Wilkerson.
- Q Are you making any claim for him? A No sir.
- Q Have you children? A No sir.
- Q Making claim for yourself alone? A Yes sir.
- Q Have you any documentary evidence you want to introduce now? A No sir--I have this.
- Q You wish to introduce this paper? A Yes sir.

Marriage certificate between W.T. Wilkerson and Ines Sims introduced by applicant, received, filed, marked Exhibit A and made a part of the record in this case.

- Q Have you any other documentary evidence you would like to introduce now? A No sir.
- Q Would you like time in which to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

- Q Is there anything further you would like to state? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 13th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 6 day of March 1901.  
Charles W. Sawyer

Muskogee, Indian Territory, April 2, 1901.

Mr. Sylvester P. Sims,  
Red Rock, Texas,

Dear Sir:

The Commission is in receipt of affidavits for filing in support of the following applications for identification as Mississippi Choctaws:

John M. Sims, et al	1504
Frankie J. Sims	1505
Willie P. Sims	1507
Hattie Frankum, et al	1508
Inez Wilkerson	1509

The same have been duly filed with the other records in the cases above named, and will receive the consideration of the Commission in determining the rights of these applicants to identification as Mississippi Choctaws.

Yours truly,

... Territory, April 3, 1901.

... in receipt of your letter ...  
of Richard ... for filing ... the ...

...	...
...	...
...	...
...	...
...	...

COPY.  
COPY.

M G R 1502

Muskogee, Indian Territory, July 16, 1902.

Mrs Wilkerson,

Red Rock, Texas.

Dear Madam:

You are hereby advised that on the 16th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., embracing the following applications for identification as Mississippi Choctaws:

Sylvester P. Sims, et al.,	M G R 1550
John M. Sims, et al.,	M G R 1554
Parable O. Sims,	M G R 1555
Willie P. Sims,	M G R 1557
Mattie Franklin, et al.,	M G R 1558
James Wilkerson,	M G R 1559
John H. McCoy,	M G R 1510
Josephine Campbell,	M G R 1511
Louise A. Stinson, et al.,	M G R 1512
Vernon H. Stinson, et al.,	M G R 1513
Vernon Campbell,	M G R 1514

These applications were made under the provisions of the act of Congress of June 28, 1900, (30 Stat., 455) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands in or about fourteen of the States between the United States and the Choctaw Nation, obtained September twenty-eighth, 1830."

I 7-1-2

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said Decision concludes as follows:

"It is therefore the opinion of this Commission that the Commission is authorized to determine the identity of the persons named in the above list, to wit: Mera E. Sims, Thelie Sims, John M. Sims, Willie P. Sims, Mattie Simmons, L. Frank Simmons, John M. Moore, J. M. Simmons, Bell, Lona C. Sims, and Vernor Sims, and to issue orders to the Choctaw Indians who are the heirs of said parties deceased under the treaty of 1801 and 1802, and that the said persons should be identified as such should be returned, and it is so ordered."

You are further advised that the Commission has on this date forwarded the report in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours faithfully,

(SIGNED)

Acting Chairman.

Registered.

COPY.

M.C.R. 1509

Mustogee, Indian Territory, October 11, 1902.

John Wilkerson,

Red Bank, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester F. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

SIGNED

T. D. Needles.

Commissioner in Charge.

Date Feb 13, 1901

Name Inez W. Wilkerson.

Age 16 Blood 1/16

Post Office, Red Rock, Texas

Father: Sylvester P. Lewis l

Mother: Louie A. " l

Claims through father

Nearest

Millie Wilkerson

Children:

for self alone

H. C. Carter

Choctaw MCR 1510

John M. Moore

See MCR 1350

MCR 1510



*John M.*  
**REFUSED**

DECISION RENDERED. JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 1350

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 13, 1901.

In the matter of the application of John M. Moore for identification as a Mississippi Choctaw.

John M. Moore, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A John M. Moore.  
 Q What is your age? A Twenty six.  
 Q What is your post office address? A Smithville, Texas.  
 Q How long have you lived in Smithville? A Since 1888.  
 Q Where did you live before you lived there? A Bastrop County  
 Q Have you lived in Texas all your life? A All my life.  
 Q Born in Texas? A Yes sir.  
 Q What is your father's name? A William L. Moore.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Josephine Moore.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Did your mother ever live in Indian Territory? A No sir.  
 Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A Not that I know anything about.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application you have ever made for citizenship in the Choctaw Nation? A Yes sir.  
 Q Are you now making application for identification as Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties do you make this application?  
 A I am not very well posted as to that, but I presume under 1830 and any treaties that pertain to the rights of the Mississippi Choctaws.  
 Q Do you claim under the whole treaty or under any particular article of that treaty? A To the best of my information I claim under the fourteenth article.  
 Q Do you claim alone under the fourteenth article of the treaty of 1830 or under all the treaty or under any other treaty besides the treaty of 1830? A Really I could not tell you; I just claim the rights; I am not posted on the law at all.

John M. Moore----2.

- Q What is the name of your ancestor who lived in Mississippi in 1830? A Her name was Martha White.
- Q What relation was she to you? A Grandmother.
- Q On your mother's side? A Yes sir.
- Q Was she a full blood Choctaw Indian? A No sir.
- Q What portion of Choctaw blood did she have? A One quarter.
- Q Did she within six months after the treaty of 1830 was ratified tell the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi and take land there? A I do not know; she left there---to the best of my knowledge she left there in thirty-five, I believe.
- Q Did she remove from Mississippi to the Indian Territory with the other Indians? A No sir.
- Q Where did she go in 1835? A To Texas.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Do you know whether she complied with any of the provisions of that article? A I do not know.
- Q Do you know whether she ever received or claimed any land in Mississippi under article fourteen of that treaty? A No sir, I do not know.
- Q Do you understand what article fourteen of the treaty of 1830 provided? A Not fully, no sir.
- Q The treaty of 1830 was made between the United States government and the Choctaw Indians living in Mississippi at that time and was made for the purpose of removal of the Indians from Mississippi to the Indian Territory. Of course, some of them did not care to come, and the government did not compel them to come, and article fourteen was made expressly for those who did not desire to remove at that time from Mississippi. That is the reason why you should claim particularly under article fourteen. There is not any other part of that treaty that has anything to do with your right to make this application. The conditions of article fourteen were these, that those who stayed in Mississippi could do so under that article, but they should relinquish all claims and all rights as Choctaw Indians, and they must declare their intentions within six months after the treaty was ratified, to Colonel Ward, who was United States Indian Agent in Mississippi at that time, to remain in Mississippi, take land there and become citizens of the state of Mississippi or of the United States. In other words, article fourteen secured those Indians who did not wish to remove to the Indian Territory for United States citizenship. If he did these things, neither he nor his descendants would be deprived from their rights to land in the Indian Territory; so that is the reason why I ask you if and all other applicants if their ancestor ever complied with the provisions of article fourteen of the treaty of 1830?--Do you know about that?
- A No sir.
- Q Are you married? A No sir.
- Q Are you making application for yourself alone? A Yes sir.
- Q Have you any documentary evidence you want to submit now? A No.
- Q Would you like time to present documentary evidence? A Yes sir.
- Q Twenty days? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

John H. Moore----3.

Q Is there anything further you would like to state? A Nothing, only I might give you my great grandmother's name--her name was Hatchett.

Q What is the full name? A I do not know; my great uncle told me that he thought her name was Martha Hatchett, and she married a White.

Q She had how much Choctaw blood? A One half.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Rietsen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 13th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Rietsen*

Subscribed and sworn to before me this 16 day of March 1901.

*Charles H. Sawyer*

Notary Public.

COPY.

M C R 1510.

Mustang, Indian Territory, July 19, 1908.

John W. Moore,  
Sudthville, Texas

Dear Sir:

You are hereby advised that on the 16th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., regarding the following applications for identification as Mississippi Choctaws:

Sylvester P. Sims, et al.	M C R 1380
John W. Sims, et al.	M C R 1384
Fannie G. Sims,	M C R 1386
Willie P. Sims,	M C R 1387
Leatie Franklin, et al.	M C R 1388
Leas Wilkerson,	M C R 1389
John W. Moore,	M C R 1510
James Lee [unclear],	M C R 1511
Leas G. [unclear], et al.	M C R 1512
Verona W. [unclear], et al.	M C R 1513
Verona [unclear],	M C R 1514

These applications were made under the provision of the act of Congress of June 23, 1906, (34 Stat., 406) which is as follows:

...

COPY

Secretary of the Interior

James C. Frank, Isaac C. Korman, John N. Moore, Josephine George  
bell, Leon O. Standifer, Roger S. ... Valma W. ... Louis  
B. ... and Vernon ... as ... Indians entitled to lands in  
the Cheater Lands under the provisions of said article fourteenth  
of the treaty of eighteen hundred and thirty, and that the applica-  
tions for their identification as such should be refused, and  
it is so ordered.

You are further advised that the Commission has on this  
date forwarded the record in this case to the Secretary of the  
Interior for review, and you will be informed in due time of such  
action as may be taken by him.

Yours truly,

(SIGNED)

James Dixon  
Acting Chairman

Registered

COPY.

M.C.R. 1510

Muskogee, Indian Territory, October 11, 1902.

John H. Moore,

Smithville, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

(SIGNED).

*I. D. Widdles.*

Commissioner in Charge.

IN DEPARTMENT OF THE INTERIOR,  
BUREAU OF LANDS.

Date Feb, 18, 1901

Name John M. Moore,

Age 26 Blood W/C

Post Office Smithville, Texas,

Father: William L. Moore

Mother: Josephine " "

Claims through Mother

~~Children:~~

For self alone

W. H. ...  
...



Choctaw MCR 1511

Josephine Campbell

See MCR 1350

MCR 1511

*Applied for*  
**REFUSED**

DECISION RENDERED: JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKSAW NATIONS.

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKSAW NATIONS.

OCT 11 1902

REFER TO H. C. R. 1350

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 13, 1901.

In the matter of the application of Josephine Campbell for identification as a Mississippi Choctaw.

Josephine Campbell, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Josephine Campbell.
- Q What is your age? A Fifty four.
- Q What is your post office address? A NoDade/ Texas.
- Q How long have you lived at NoDade? A Twenty four years.
- Q Where did you live before you lived there? A I lived in Brenham a while before that.
- Q How long have you lived in Texas? A All my life.
- Q Born in Texas? A Yes sir.
- Q And always lived there? A Yes sir.
- Q What is your father's name? A James P. Wallace.
- Q Is he living? A No sir.
- Q What is your mother's name? A Harriet Wallace.
- Q Is she living? A No sir.
- Q Through which one of these parents do you claim Choctaw blood? A My mother.
- Q How much do you claim? A One eighth.
- Q Had your mother ever live in the Indian Territory? A No sir.
- Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.
- Q Had you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Had you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Had you ever admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities in Indian Territory or several States, Territories or either the House Commission or the Choctaw tribal authorities? A No sir.
- Q Had you ever made application for either citizenship or enrollment in the Choctaw Nation to the House Commission acting under the act of Congress of June 18, 1897? A No sir.
- Q Is this the first application you have ever made? A Yes sir.
- Q How did you seek to be identified as a Mississippi Choctaw? A Yes sir.
- Q How was your applying as a Choctaw by blood for enrollment? A No.
- Q How did you seek to be identified as a Choctaw by blood? A By the Choctaw--my great grandmother was one half Choctaw.
- Q How is it by blood--under what law? A I do not know, only that she was the Choctaw. I was not under it.
- Q How did you seek to be identified as a Choctaw by blood? A By the Choctaw--my great grandmother was one half Choctaw.

Josephine Campbell-----2.

- Q What treaty was that do you remember? A No sir;  
Q What treaty are you claiming under now? A Fourteenth, I guess.  
Q Fourteenth treaty? A I do not understand it myself.  
Q Fourteenth is an article--what treaty does that article belong to? A I do not know.  
Q Did you ever hear of the treaty of 1830? A I have heard my mother speak of it, but was not old enough to remember what it would amount to.  
Q Have not had it explained to you since? A No sir.  
Q What is the name of your ancestor who lived in Mississippi in 1830? A White.  
Q Is that the maiden name? A No, Hatchett.  
Q What is the first name? A Martha Ellen.  
Q What relation was she to you? A Grandmother.  
Q Was she a full blood? A No sir, half breed.  
Q Have you any documentary evidence of that fact? A No sir.  
Q Do you know whether she within six months after the ratification of the treaty of 1830 told Colonel Ward, the United States Indian Agent then living in Mississippi, that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A No sir, I do not know.  
Q Did she come from Mississippi to the Indian Territory with the other Indians between the years 1833 and 1837? A No sir.  
Q Did she ever comply with the provisions of article fourteen of the treaty of 1830? A I do not know.  
Q Was she a beneficiary under that treaty that you knew of? A No sir, not that I know of.  
Q Did she ever claim or receive land in Mississippi under the fourteenth article of that treaty? A No, not that I know of.  
Q Have you or your ancestors ever received any benefits in the Indian territory as Choctaw Indians? A No sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Neal F. Campbell.  
Q Do you make any claim for him? A No sir.  
Q When and where were you married to him? A Bastrop County, in 1864.  
Q What day of the month? A 18th day of March.  
Q Have you children you wish to make application for? A They are here to make application for themselves.  
Q Your children are all of age? A Yes sir.  
Q And you are making this application for yourself alone? A Yes sir.  
Q Have you any documentary evidence you wish to submit now? No sir.  
Q Would you like time in which to submit same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

The Decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Eitzen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause

Josephine Campbell----3.

on the 13th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. H. H. H. H.*

Subscribed and sworn to before me this 13<sup>th</sup> day of March 1901.

*Charles Heston*

Notary Public.

COPY

U S R 1411

McIntosh, Indian Territory, July 28, 1908.

Josephine Campbell,  
Mabaco, Texas.

Dear Madam:

You are hereby advised that on the 15th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., concerning the following applications for identification as Mixed-blood Cherokees:

Sylvester P. Sims, et al.	U S R 1400
John A. Sims, et al.	U S R 1401
[Redacted]	U S R 1402
[Redacted]	U S R 1403
[Redacted]	U S R 1404
[Redacted]	U S R 1405
[Redacted]	U S R 1406
[Redacted]	U S R 1407
[Redacted]	U S R 1408
[Redacted]	U S R 1409
[Redacted]	U S R 1410
[Redacted]	U S R 1411

These applications were made under the provisions of the Act of Congress of June 23, 1906, (34 Stat., 225) which is as follows:

Whoever shall have been identified as a mixed-blood Cherokee of the Five Civilized Tribes under the provisions of the Act of Congress of June 23, 1906, (34 Stat., 225) shall be entitled to the same rights and benefits as the other members of said tribes.

the Chectaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sylvester P. Sims, Darius H. Sims, Ezra H. Sims, Martin Sims, John H. Sims, Sylvie P. Sims, Pernie C. Sims, Willie P. Sims, Marshall Simmons, Arthur L. Freeman, Inos Wilkerson, John H. Moore, Josephine Campbell, Louis C. Staudifer, Edgar Staudifer, Velma V. Sims, Louis Sims and Vernon Campbell as Chectaw Indians entitled to rights in the Chectaw lands under the provisions of said article fourth of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Acting Chairman.

Registered.

COPY.

M.C.R. 1611

Muskogee, Indian Territory, October 11, 1902.

Josephine Campbell,

McDade, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

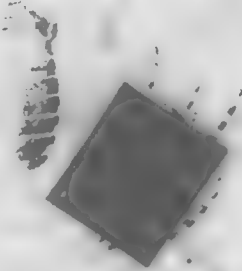
Respectfully,

Yours,

A. D. J. [Signature]

Commissioner in Charge





Department of the Interior.  
 Commission to the Five Civilized Tribes,  
**MUSKOGEE, IND. TER.**  
 OFFICIAL BUSINESS.  
 Penalty for private use, \$300.

*Reg. no 18  
 18*

~~Josephine Campbell~~  
~~McBride,~~



552

**UNCLAIMED**

**Texas.**

No. 1511

For Identification as a Mississippi Choctaw.

Date *Mich 13. 1901*

Name *Josephine Campbell*

Age *54* - Blood *1/8*

Post Office *McKade, Texas*

Father: *James P. Wallace, d*

Mother: *Barrett " d*

Claims through *Mother,*

*Husband*

*Neal F. Campbell*

Children:

*for self alone*

Choctaw MCR 1512

Loma O. Standifer

See MCR 1350

MCR 1512

**REFUSED**

DECISION RENDERED. JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR OMOOTAW AND CHICKASAW NATIONS.

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR OMOOTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 1350

W.C.1512.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 13, 1901.

In the matter of the application of Loma O. Standifer for identification for herself and her minor child as Mississippi Choctaws.

Loma Standifer, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Loma O. Standifer.  
Q What is your age? A Thirty.  
Q What is your post office address? A Smithville, Texas.  
Q How long have you lived at Smithville? A Three years.  
Q Where did you live before you lived there? A Elgin, Texas? A Yes sir.  
Q How long have you lived in Texas? A All my life.  
Q What is your father's name? A Neak P. Campbell.  
Q Is he living? A No, sir.  
Q What is your father's name? A Josephine Campbell.  
Q Is she living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood? A My mother.  
Q How much Choctaw blood do you claim? A One sixteenth.  
Q Did your mother ever live in the Indian Territory? A No sir.  
Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir, not as I know of.  
Q Is your name on any of the tribal rolls of the Choctaw Nation? A Not as I know of.  
Q Have you ever made application for enrollment or citizenship to the Choctaw tribal authorities? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Have you ever made application for either enrollment or citizenship in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1896? A No sir.  
Q Is this the first application that you have ever made either to the United States authorities or to the Choctaw tribal authorities? A Yes sir.  
Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
Q You do not come here as an applicant for enrollment as a Choctaw by blood. There is a difference, and do you know what the difference is? The difference is that if you claim as a Choctaw by blood, you would claim to be enrolled, and you should have made your application to the Dawes Commission under the law that was in the act of Congress of June 10, 1896, between June 10, 1896 and June 10, 1901, and no one would be enrolled after that; but since that act of Congress known as the Curtis Bill provided that all those who claimed to be identified as Mississippi Choctaws should make application for identification, and I suppose that is what you are claiming now--the right to be identified as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty do you make application now? A I do not know.

Lena G. Standifer----2.

N.C.

- Q Do you know anything about the treaty of 1830? A No sir.  
Q Or Article fourteen of the treaty of 1830? A No sir.  
Q Did you ever hear it talked of? A No, I do not know what it is.  
Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha H. White, her maiden name was Hatchett.  
Q What portion of Choctaw blood did she have? A One quarter.  
Q And she is what relation to you? A She is my great grandmother.  
Q Do you know whether she within six months after the treaty of 1830 was ratified told the United States Indian agent that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.  
Q Do you know whether she came from Mississippi to the Indian Territory between the years 1833 and 1837? A I do not know.  
Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.  
Q Did she ever comply with the provisions of article fourteen?  
A I do not know.  
Q Did she ever claim or receive land in Mississippi under that article? A I do not know.  
Q Did you ever receive any benefits in the Indian Territory as a Choctaw Indian? A No sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Samuel Standifer.  
Q Do you make any claim for him? A No sir.  
Q When and where were you married to him? A Bastrop County,--- at Melade, Texas.  
Q Have you children you wish to make application for? A Yes, one, Edgar.  
Q How old? A Three years.  
Q That is all? A Yes sir.  
Q Samuel Standifer is the father of Edgar? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q And you and your husband and this child are all living together?  
A Yes sir.  
Q And the basis of the child's claim is the same as yours? A Yes  
Q Have you any documentary evidence you would like to introduce now  
A No sir.  
Q Would you like time to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

The decision of the commission in regard to this application which you make for identification of yourself and this minor child as Mississippi Choctaws will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 13th day of March 1881, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 13th day of March 1881.

*H. G. Risteen*  
*Charles H. Hays*

Notary Public.

COPY

H O B 15100

Postage, Indian Territory, July 16, 1900.

Wm O. Stedman,

Smithville, Texas.

Dear Madam:

You are hereby advised that on the 16th day of July, 1900, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., etc., granting the following applications for identification as Hicciaw-issi Choctaws:

Sylvester P. Sims, et al.,	H	O	B	15100
John W. Sims, et al.,	H	O	B	15101
James W. Sims,	H	O	B	15102
William P. Sims,	H	O	B	15103
John W. Sims, et al.,	H	O	B	15104
John W. Sims,	H	O	B	15105
John W. Sims,	H	O	B	15106
John W. Sims, et al.,	H	O	B	15107
John W. Sims, et al.,	H	O	B	15108
John W. Sims,	H	O	B	15109
John W. Sims,	H	O	B	15110

These applications were made under the provision of the act of Congress of June 20, 1900, (31 Stat., 475) which is as follows:

That any person who has been identified as a member of the Hicciaw-issi Choctaw band of the Five Civilized Tribes, and who has been granted a certificate of citizenship by the Commission to the Five Civilized Tribes, may, upon the application of such person, and upon the approval of the Commission to the Five Civilized Tribes, be granted a certificate of citizenship by the Commission to the Five Civilized Tribes, and such certificate shall be valid for all purposes.

20

The Commission has considered the applications for the  
land in question and has determined that the same should be  
withdrawn from the public domain and reserved for the  
benefit of the University of the State of New York.

Said decision is as follows:

Application for the land in question is made by the following persons:  
George P. King, Marcus W. King, Fred B. King, Lewis King, John  
H. King, Sylvia P. King, Robert G. King, Willie P. King, Annie  
Franklin, Arthur L. Franklin, Isaac W. Franklin, John H. King, Charles  
Lee Franklin, Lena O. Franklin, Robert Franklin, Walter L. King,  
Louis King and Vernon Franklin as trustees of the University of the  
State of New York under the provisions of said article  
fourteen of the constitution of the State of New York, and that  
the applications for their identification as such should be re-  
fused, and it is so ordered.

You are further advised that the Commission has on this  
date forwarded the record in this case to the Secretary of the  
Interior for review and you will be informed in due time of such  
action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.



COPY.

M.C.R. 2612

Muskogee, Indian Territory, October 11, 1902.

Lem G. Standifer,  
 Smithville, Tenn.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the same collected case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

(SIGNATURE)

Commissioner in Charge.

No. 1512

For Identification as a Mississippi Choctaw.

Date Mich 13. 1901

Name Loma C. Standifer

Age 30 - Blood 1/16

Post Office, Smithville, Texas

Father: Neal F. Campbell, d

Mother: Josephine " l

Claims through Mother

Husband

Samuel Standifer. -

Children:

Edgar - 3

For self and  
Child.

Not for husband

Choctaw MCR 1513

Velma W. Biggs

See MCR 1350

MCR 1513

REFUSED.

DECISION RENDERED JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 16 1902

RECORD FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 1 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 1350

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 13, 1901.

In the matter of the application of Velma W. Biggs for identification for herself and her minor child as Mississippi Choctaws.

Velma W. Biggs, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Velma W. Biggs.  
Q What is your age? A Twenty five.  
Q What is your post office address? A Elgin, Texas.  
Q How long have you lived at Elgin? A Five years past.  
Q Where did you live before you lived there? A McDade's Texas.  
Q How long did you live there? A All my life.  
Q You never lived outside of Texas? A No sir.  
Q What is your father's name? A Neal F. Campbell.  
Q Is he dead or living? A He is dead.  
Q What is your mother's name? A Josephine Campbell.  
Q She is living? A Yes sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My mother.  
Q How much Choctaw blood do you claim? A One sixteenth.  
Q Was your mother ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
Q Did you ever make application to the Dawes Commission for citizenship or enrollment under the act of Congress of June 10, 1896? A No sir.  
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Is this the first application you have ever made either to the Choctaw tribal authorities or to the United States authorities?  
A Yes sir.  
Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
Q You understand the difference between an application for enrollment as a Choctaw by blood and an application for identification as a Mississippi Choctaw as I have explained it? A Yes sir.  
Q And you are now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty or law are you making this application?  
A Fourteenth, I guess.  
Q Fourteenth, what? Fourteenth treaty? A I guess so, I do not understand.  
Q You mean fourteenth article do you not? A I do not know.  
Q As far as you knew? A As far as I knew.  
Q Do you understand much about the fourteenth article of the treaty of 1830? A No sir.

Velma W. Biggs----2.

- Q Never have read it? A No sir.  
Q And never have heard it discussed? A No sir.  
Q Then you cannot say whether you claim under that treaty of 1830 and article fourteen particularly? A No sir.  
Q But you claim under any treaties and laws that give you a right as a Choctaw Indian? A Yes sir.  
Q As a matter of fact you were not aware that there was no law anywhere except that contained in article fourteen of the treaty of 1830 that would give you a right to be identified? A I do not know.  
Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha White--her maiden name was Hatchett.  
Q What relation was she to you? A Great grandmother.  
Q Did she live in Mississippi in 1830? A Yes sir.  
Q Did she comply with the provisions of article fourteen of the treaty of 1830? A I do not know.  
Q Do you know whether she within six months after that treaty was ratified told the United States Indian Agent, then living in Mississippi, Colonel Ward, that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.  
Q Did she come from Mississippi to the Indian Territory when the other Indians came here in the years 1833 to 1837? A No sir.  
Q Was she a beneficiary under article fourteen? A No sir.  
Q Did she comply with the provisions of that article? A I do not know.  
Q Did she receive or claim any land in Mississippi under that article? A I do not know.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Seth Biggs.  
Q Do you make any claim for him? A No sir.  
Q When were you married to him? A 1895.  
Q What day and month? A 21st of April.  
Q In Texas? A Yes sir.  
Q Under the laws of the state of Texas? A Yes sir.  
Q Have you children you wish to make application for? A Yes sir.  
Q How many? A One.  
Q What is the name? A Louie.  
Q That is a boy? A Yes sir.  
Q How old? A Three years.  
Q Seth T. Biggs is the father of Louie? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q And you are all living together at your home? A Yes sir.  
Q And the basis of this child's claim is the same as yours? A Yes  
Q Have you any documentary evidence that you want to introduce now?  
A No sir.  
Q Would you like time to introduce same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

Q Is there anything further you would like to state in support of this claim? A No sir.

The decision of the commission in regard to this application which you make for identification for yourself and this

Volna W. Biggs---3.

minor child as Mississippi Chestaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 15th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this *17* day of March 1901.

*Charles H. Sawyer*

Notary Public.

COPY.

W O W 1013

Wattage, Indian Territory, July 16, 1902.

Walter W. Riggs,

Wigin, Texas.

Dear Madam:

You are hereby advised that on the 16th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Sylvester P. Sims, et al., approving the following applications for identification as Mississippi Choctaws:

Sylvester P. Sims, et al.,	W O W 1013
Juan M. Sims, et al.,	W O W 1014
Francis P. Sims,	W O W 1015
William P. Sims,	W O W 1016
Martha Simmons, et al.,	W O W 1017
John Simmons,	W O W 1018
Juan M. Sims,	W O W 1019
James M. Sims,	W O W 1020
John M. Sims, et al.,	W O W 1021
John M. Sims, et al.,	W O W 1022
John M. Sims, et al.,	W O W 1023
John M. Sims,	W O W 1024

These applications were made under the provision of the act of Congress of April 20, 1891, (26 Stat., 73) which is as follows:

That whenever any person or persons shall apply to the Commission to the Five Civilized Tribes for identification as Mississippi Choctaws, the Commission shall have authority to identify such person or persons as Mississippi Choctaws if they shall be found to be of the blood of the Choctaw people of Mississippi.



Y S 2-1-19

hundred and thirty, and to that end my assistants and I, under  
direction, get together all other maps necessary thereto and send  
them to the Secretary of the Interior.

Said decision concludes as follows:

It is therefore the opinion of this Commission that the  
evidence herein is insufficient to determine the  
rights of the parties named in the application, to-wit:  
James P. Sims, Thomas W. Sims, George P. Sims, and the heirs of  
Arthur L. Frankum, Inos Wilkerson, John S. Moore, Josephine Camp-  
bell, Louis O. Standifer, Sugar Standifer, Velma W. Biggs, Louis  
Biggs and Vernon Campbell as Choctaw Indians entitled to rights in  
the Choctaw lands under the provisions of said article fourteen  
of the treaty of eighteen hundred and thirty, and that the applica-  
tions for their identification as such should be refused, and it  
is so ordered.

You are further advised that the Commission has on this  
date forwarded the record in this case to the Secretary of the  
Interior for review, and you will be informed in due time of such  
action as may be taken by him.

Yours truly,

(SIGNED)

James Dixey,  
Acting Chairman.

Registered.

COPY.

M.C.R. 1513

Mustang, Indian Territory, October 21, 1902.

Valma W. Higg,  
Higin, Texas.

Dear Madam:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Cheetaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

Yours,

I. P. JESSICO.

Commissioner in Charge

Application to U.S. Citizenship

Date *Mich 13, 1901*

Name *Velma W. Biggs*

Age *25* - Blood *1/16*

Post Office, *Elgin, Texas.*

Father: *Neal F. Campbell, d*

Mother: *Josephine " "*

Claims through *mother*

*Wm T. Biggs -*  
(*Husband*)

Children:

*Louie* — boy *3*

*For self only*  
*Child*

*H. K. Steen*  
*Steno.*

Chapel Hill MCR 1514

Vernon Campbell

See MCR 1350

MAR 1514

**REFUSED**

NOTICE RENDERED. JUL 16 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 16 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 16 1902

RECORDS FORWARDED DEPARTMENT.

JUL 16 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. O. R. 1350

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 13, 1901.

In the matter of the application of Vernon Campbell for identification as a Mississippi Choctaw.

Vernon Campbell, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Vernon Campbell.
- Q What is your age? A Twenty two.
- Q What is your post office address? A Smithville, Texas.
- Q How long have you lived at Smithville? A About a year.
- Q Where did you live before you lived there? A McDade, Texas.
- Q How long did you live at McDade? A All my life.
- Q Born in Texas? A Yes sir.
- Q And at McDade? A Yes sir.
- Q What is your father's name? A Neak F. Campbell.
- Q Is he dead? A Yes sir.
- Q What is your mother's name? A Josephine Campbell.
- Q Living? A Yes sir.
- Q Through which one of these parents do you claim Choctaw blood?
- A My mother.
- Q How much Choctaw blood do you claim? A One sixteenth.
- Q Is your name on any of the tribal rolls of the Choctaw Nation?
- A No sir.
- Q Is your mother's? A No sir.
- Q Was she ever recognized as an Indian by the Choctaw tribal authorities? A No sir.
- Q Is this the first application you have ever made of any kind? A Yes sir.
- Q You never made application for enrollment or citizenship to the Choctaw tribal authorities? A No sir.
- Q You never made application for enrollment or citizenship in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1897? A No sir.
- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q You are now seeking to be identified as a Mississippi Choctaw?
- A Yes sir.
- Q Under what treaty or treaties are you making this application?
- A I do not know, any that will give me my rights.
- Q Did you ever hear of the treaty of Hanging Rabbit Creek? A No sir.
- Q Do you know whether that is the same as the treaty of 1829? A No.
- Q Did you ever hear of the treaty of 1830? A No sir.
- Q Wasn't that treaty passed? A I do not know.
- Q Do you ever hear of the treaty under the fourteenth article of the treaty of 1830? A I do not know.
- Q Did you ever hear of article fourteen of the treaty of 1830? A No.

Vernon Campbell----2.

- Q What is the name of your ancestor who lived in Mississippi in 1830  
A Martha E. White--her maiden name was Hatchett.  
Q What proportion of Choctaw blood did she have? A One quarter.  
Q What relation is she to you? A Great grandmother.  
Q Did she ever comply with the provisions of article fourteen of the treaty of 1830? A Not that I know of.  
Q Was she a beneficiary under article fourteen? A No sir, not that I know of.  
Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A No sir.  
Q Do you know if she removed from Mississippi to the Indian Territory in the years 1833 to 1837 when the other Indians came here? A No sir.  
Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A Not that I know of, no sir.  
Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A No sir, I have not.  
Q Are you married? A No sir.  
Q Making claim for yourself alone? A Yes sir.  
Q Have you any documentary evidence you want to introduce now? A No sir.  
Q Would you like time? A Yes sir.

On motion of applicant, twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to state? A No sir.

The Decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

Hi C: Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 13th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 17 day of March 1901.

*Charles H. Sawyer*

Notary Public.

COPY.

M O R 1314.

Langhoo, Indian Territory, July 16, 1900.

Vernon Campbell,  
Smithville, Texas.

Dear Sir:

You are hereby advised that on the 16th day of July, 1900, the Commission to the Five Civilized Tribes rendered a decision in the aforementioned case of Sylvester P. Sims, et al., embracing the following applications for identification as Mississippi Choctaws:

Sylvester P. Sims, et al.,	M O R 1309
John M. Sims, et al.,	M O R 1314
Francis O. Sims,	M O R 1306
William P. Sims,	M O R 1307
James P. Sims, et al.,	M O R 1308
John H. Sims,	M O R 1309
John W. Sims,	M O R 1310
Marshall Campbell,	M O R 1311
James O. Campbell, et al.,	M O R 1312
Thomas W. Sims, et al.,	M O R 1313
Vernon Campbell,	M O R 1314

These applications were made under the provision of the act of Congress of June 20, 1900, (32 Stat., 400) which is as follows:

Special Commission shall have authority to determine the identity of Choctaw, Creek, and Seminole persons in the Choctaw, Creek, and Seminole portions of the lands between the United States and the Choctaw Nation concluded September twenty-seventh, 1890.



7

hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make reports to the Secretary of the Interior."

Said decision concludes as follows:

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Sylevector P. Sims, Hubert E. Sims, Ezra H. Sims, Myrtle Sims, John H. Sims, Spivey P. Sims, Fannie C. Sims, William P. Sims, Arthur L. Frankler, Inez Valkerson, John H. Moore, Josephine Campbell, Louie O. Standifer, Edgar Standifer, Velma H. Hines, Louise Sims and Vernon Campbell as Choctaw Indians entitled to rations in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

James Dwyer

Acting Chairman

Registered

M.C.R. 1514

COPY.

Muskogee, Indian Territory, October 11, 1902.

Vernon Campbell,

Smithville, Texas

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Sylvester P. Sims, et al., of which decision you were advised by registered mail on the 16th day of July, 1902.

Respectfully,

(SIGNED)

T. D. Neelso.

Commissioner in Charge.

No. 1514

For Identification as a Mississippi Choctaw.

Date *July 13, 1901*

Name *Vernon Campbell*

Age *22* Blood *1/6*

Post Office, *Smithville, Texas*

Father: *Neal F. Campbell, d.*

Mother: *Josephine " L.*

Claims through *Mother*

*Claims for self  
alone*

Children.

Choctaw MCR 1515

Jacob C. Lee

MCR 1515

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, N.T., March 14, 1901. M.C.1515.

In the matter of the application of Jacob C. Lee for identification for himself and his minor children as Mississippi Choctaws.

Jacob C. Lee, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Jacob C. Lee.  
Q What is your age? A Fifty.  
Q What is your post office address? A Wertham, Texas? A Yes sir.  
Q How long have you lived at Wertham? A About twenty three years.  
Q Where were you born? A Mississippi.  
Q Where in Mississippi? A Newton County.  
Q When did you remove from Mississippi? A 1865.  
Q Where did you go to? A Texas.  
Q And have lived since in Texas? A Yes sir.  
Q What is your father's name? A Jacob Lee.  
Q Is he living? A No sir.  
Q What is your mother's name? A My mother's name was Nancy Lee.  
Q Is she living? A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much Choctaw blood do you claim? A One eighth.  
Q Was your father ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A Yes sir.  
Q Did he ever live in the Indian Territory? A No sir.  
Q How could he have been recognized by the Choctaw tribal authorities?  
A He lived in Mississippi.  
Q You do not know whether he was recognized by the Choctaw tribal authorities in Mississippi; what do you know about that? A Yes sir.  
Q They had no tribal authorities in Mississippi? A I do not know as to that.  
Q I am asking you--do you know whether he has ever been recognized as a Choctaw Indian by the tribal authorities of the Choctaw Nation not in Mississippi, but in the Indian Territory? A No sir.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application for citizenship in the Choctaw nation to the Choctaw tribal authorities? A No sir, not as I know.  
Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of the Choctaw Nation? A No sir.  
Q Did you ever make application to the Dawes Commission acting under the act of Congress of June 10, 1896, for either citizenship or enrollment in the Choctaw Nation? A No sir.  
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
Q Is this the first application of any kind you have ever made?  
A Yes sir.  
Q Are you now seeking to be identified as Mississippi Choctaw? A Yes sir.  
Q Under what treaty are you making this application? A Treaty of 1830.

Jacob C. Lee-----2.

Q Under the whole treaty? A Under treaty of peace between the United States and the Choctaw Indians.

Q Under what part of the treaty of 1830? A Treaty of peace between the United States and the Indians.

Q Do you claim under any particular part of the treaty of 1830?

A Just treaty of 1830.

Q You claim under the whole treaty then? A No sir.

Q I have asked you that and you said yes--I want to know under what part of the treaty you claim? A I claim under the treaty made between the United States and the Choctaws.

Q I have asked you what part of the treaty you are claiming under, if you know? A It is a treaty of peace.

Q I do not care what kind of a treaty it was---what part of the treaty of 1830? A I do not probably understand what you are trying to get at?

Q Did you ever hear of article fourteen of the treaty of 1830? A Yes sir, article fourteen.

Q What does article fourteen provide? A It provides protection of citizenship in the United States.

Q What is the name of your ancestor under whom you claim the right to be identified as a Mississippi Choctaw? A My grandmother.

Q What is the name? A Annie Lee.

Q Did she live in Mississippi in 1830? A Yes sir.

Q Was she a full blood Choctaw? A No she was half.

Q Have you documentary of that fact? A Got some letters and affidavits.

Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent who then lived in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the United States? A I do not know. Not that I know of.

Q Did she come from the Mississippi to the Indian Territory when the other Indians came here between the years 1833 and 1837? A Not that I know of.

Q Was she a beneficiary under article fourteen of the treaty of 1830? A Not that I know of.

Q Did she comply in any way with the provisions of article fourteen? A I do not know.

Q Did she claim or receive any land in Mississippi as a beneficiary under article fourteen of that treaty? A Not that I know of.

Q Are you married? A Yes sir.

Q What is your wife's name? A Cynthia A. Lee.

Q Do you make any claim for her? A No sir.

Q Have you children you want to make claim for---under twenty one and unmarried? A Yes sir.

Q What is the name of the oldest? A William.

Q How old is William? A Sixteen.

Q The next? A Ray.

Q How old? A Fourteen.

Next? A Jessie D.

Q Boy or girl? A Girl.

Q How old? A Ten.

Q Next? A Jacob W.

Q How old? A Seven.

Q Any others? A Clairbel.

Q How old? A Two.

Q That is all? A Yes sir.

Jacob C. Lee--S.

- Q Is Cynthia A. Lee the mother of these children? A Yes sir.  
Q You are the father? A Yes sir.  
Q She and you are living together as husband and wife. A Yes sir.  
Q And the children are living with you at your home? A Yes sir.  
Q And the basis of their claim is the same as yours? A Yes sir.  
Q Have you a marriage license and certificate you wish to introduce? A Yes sir.  
Q Do you wish time in introduce them? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application; also marriage license and certificate or certified copy thereof.

- Q Is there anything further you want to state? A No sir.

The Decision of the Commission in regard to this application which you make for identification for yourself and these minor children as Mississippian Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 14th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 18 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Wagoner, Indian Territory, March 25, 1901.

Messrs Hudson & Arnold,

Armore, Indian Territory.

Gentlemen:

The Commission is in receipt of your letter of March 24, enclosing affidavits to be filed in the following cases:

- MC 1515 John S. Lee, et al
- MC 1516 Jacob T. Lee, et al
- MC 1517 Jacob T. Lee, et al
- MC 1518 Jacob T. Lee, et al
- MC 1519 Shave Gore

Also certified copy of the marriage license and certificate between Jacob Lee and Cythara Reynar, to be filed in support of case MC 1515 Jacob T. Lee et al, for identification as Mississ-

*... and ...*



Muskogee, Indian Territory, May 31, 1901.

Mr. F. H. Wynn,  
Prospect, Texas,

Dear Sir:

The Commission is in receipt of your letter of May 27, in which you ask how persons may obtain rights in the Indian Territory. You also ask if a man can appear for his wife who is an invalid, and state that your wife is a niece of Jake and Robert Lee who have just proved their rights.

In reply to your letter, you are advised that the records of the Commission show that on March 5, 1901, Robert R. Lee, of Wortham, Texas, fifty three years old, son of Jacob and Nancy Lee, appeared before the Commission at Atoka, Indian Territory, and applied for the identification of himself and five minor children. On March 14, 1901, Jacob C. Lee, of Wortham, Texas, fifty years old, son of Jacob and Nancy Lee, appeared before the Commission at Atoka, Indian Territory, and applied for identification of himself and five children as Mississippi Choctaws. No decision has been rendered by the Commission in either of these cases.

The rules of the Commission require that each applicant must appear for himself, at which time he will be examined and a record made of his case. You could not be permitted to appear in behalf of your wife, unless she is totally and permanently disabled.

E.H.V. 2

in which case, it would be necessary for you to furnish the certificate of a physician to such permanent disability.

Applicants for identification as Mississippi Choctaws, who might be identified by the Commission, would then, under the act of May 31, 1900, be entitled to appear before the Commission as applicants for enrollment as citizens of the Choctaw Nation. This act provides as follows relative to Mississippi Choctaws:

"That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have the right, at any time prior to the approval of the final rolls of the Choctaws and Chickasaws by the Secretary of the Interior, to make settlement within the Choctaw-Chickasaw country, and on proof of the fact of bona fide settlement may be enrolled by the said United States Commission, and by the Secretary of the Interior as Choctaws entitled to allotment."

The lands of the Choctaw-Chickasaw country will be allotted in accordance with the treaty of April 23, 1807, which is as follows:

"That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of said tribes so as to give each member of these tribes as far as possible a fair and equal share thereof, considering the industry and fertility of the soil and the location and value of the lands."

Article fourteen of the treaty of 1830, under which applicants for identification as Mississippi Choctaws now claim provides that persons who claim under this article shall not lose the privilege of Choctaw citizens, if they ever remove to the Indian Territory, but shall not be entitled to any portion of the Choctaw annuities.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, June 18, 1901.

Mr. Frank C. Lee,

Midland, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of June 6 from Muskogee, Ind. T., in which you state that your present post office address is Midland, Indian Territory. This change has been made a matter of record.

You state that you had expected to receive the decision of the Commission in regard to your case before this time. You are advised that the decision has not yet been rendered in your case. This is regrettable, and will receive a copy of the same as soon as the post office address.

*W. H. Murray*

COMMISSIONERS  
HENRY L. BOWEN  
TAMM BRYCE  
THOMAS B. HEDGECOCK  
C. B. BUCKENBERG

ALLISON L. AYLERWORTH,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M. C. B. 2818

Muskogee, Indian Territory, January 23, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Jacob C. Lee,

Wortham, Texas,

You are hereby advised that on the 23rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C B	2807
Robert E. Lee, et al.,	M C B	1488
Melissa Boyd,	M C B	1488
Ethel Sherrer,	M C B	1488
Fred Lee,	M C B	1491
Vernie Lee,	M C B	1492
Jacob C. Lee, et al.,	M C B	1518
Nannie Wood, et al.,	M C B	1516
Claudia Murray, et al.,	M C B	1517
George W. Lee, et al.,	M C B	1518
Shade Gore,	M C B	1519
Nancy A. Williams, et al.,	M C B	1743
Hiram Blakeley, et al.,	M C B	2841
William Lee, et al.,	M C B	2859
Jacob H. Lee,	M C B	2894
Nancy A. Schmidt, et al.,	M C B	2895
Fred B. Lee,	M C B	2896
Lillian Thomas, et al.,	M C B	2898
Margie Adams, et al.,	M C B	2854
Oral Boyd, et al.,	M C B	2855
William D. Williamson, et al.,	M C B	2856
Arcada DuBose, et al.,	M C B	2858
Albert Edward Boyd,	M C B	2859
Oliver Smith, et al.,	M C B	2858
William Perry DuBose,	M C B	2860
J. Dale Adams,	M C B	2868
William L. Blakeley,	M C B	2890
Sarah M. Adams, et al.,	M C B	2901
Merle C. Adams, et al.,	M C B	2902
Thomas B. Ross, et al.,	M C B	2903
Arthur A. Ross, et al.,	M C B	2904
Mattie Forsythe, et al.,	M C B	2997
Marie Gibson, et al.,	M C B	3130
Lawrence L. Boyd, et al.,	M C B	3134
Joseph K. Boyd, et al.,	M C B	3148
Eora B. Hilley,	M C B	3156
William F. Walker,	M C B	3157
John Owens,	M C B	3168

William J. Adams,	M C R	3654
Cynthia Adams Hill, et al.,	M C R	3663
William M. Blakeley, et al.,	M C R	4143
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleek Blackledge, et al.,	M C R	1490
Lula Hashino, et al.,	M C R	1489
John Jordan, et al.,	M C R	1469
Frances O. Volentine, et al.,	M C R	5063
John T. Volentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5085
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5878
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Charbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Elisha A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred E. Lee, Lillian Thomas, Jessie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, Leila N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sallie Lou

Adams, Oral Boyd, Ananda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Royd, Olive Smith, Charlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Sconie Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mallia Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blacklidge, Aleck Blacklidge, Ellen Blacklidge, Lee Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert R. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Chare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

*James D. Doby*

Acting Chairman.

Registered.

H.G.R. 1516

COPY.

Kuskagee, Indian Territory, July 23, 1903.

Jacob C. Lee,

Wortham, Texas.

Dear Sir:

You are hereby notified that on the 18th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. Needles.*

Muskogee, Indian Territory, July 24, 1901.

Mr. J. G. Lee,

Mill Creek, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th of June, wherein you state that you are a Mississippi Choctaw Indian and have complied with the law by removing to the Indian Territory and settling as a citizen thereof, but that you find the land has been taken up by a few Indians who have non-citizens stationed on large tracts, and you desire instructions as to how you shall proceed to secure for yourself and children allotments of land.

Replying to your inquiry you are informed that the Commission cannot at this time consider any controversies relative to the possession of any certain tracts of land in the Choctaw-Chickasaw country by the citizens of these two nations. Matters of this character will be considered when an allotment office shall have been established for the Choctaw and Chickasaw Nations for the purpose of allowing citizens of these two nations to make selections of and file upon their prospective allotments.

It is probable that when such allotment is made it will only be to the persons whose names appear upon the final roll of the



J. C. Lee-2.

citizens of the Choctaw and Chickasaw Nations as approved by the Secretary of the Interior, and it appears from our records that your status is only that of an applicant for identification as a Mississippi Choctaw, and that no decision has yet been rendered by the Commission relative to your rights to identification.

Yours truly,

Commissioner in Charge.

MS 1818

Miss. Choctaw 1518

Muskogee, Indian Territory, April 10, 1902.

J. C. Lee,

Wortham, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 7, in which you state that when you made application for identification as a Mississippi Choctaw you made no claim on the Blakely side, and you ask the status of the claim of Hiram Blakely in order that you may know whether you should appear again before the Commission and make application claiming descent through the Blakelys.

In reply to your letter you are advised that your application has been made a part of the consolidated case of the Applicants claiming descent from Elizabeth Blakely, and it will therefore not be necessary for you to make another application for identification as a Mississippi Choctaw. No decision has yet been reached nor opinion rendered relative to the rights of these applicants as Mississippi Choctaws. As soon as a decision is reached you will be notified of the action taken by the Commission.

Yours truly,

Muskogee, Indian Territory, February 7, 1903.

Jacob C. Lee,  
Wortham, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 3, in which you ask if a notice has been received from Mr. John Blakeley of Mississippi stating that your ancestors are on record in Washington.

In reply to your letter you are informed that the Commission has received a communication from John Blakeley wherein it is stated that the name of John Smith, his great-grandfather, has been found upon the records at Washington.

You are further advised that on January 23, 1903, the Commission rendered its decision refusing the application of the several persons included in the consolidated Mississippi Choctaw case of Temple McAlester, et al., of which your application has been made a part, and you were advised that you would be allowed fifteen days within which to submit arguments to be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

You are informed that on February 9, 1903, the record in this case, together with such arguments as may have been submitted,

J.C. Lee, -cc-2

will go forward to the Secretary of the Interior.

respectfully,

Acting Chairman.

MUR 1518

Muskogee, Indian Territory, December 6, 1906.

Jacob C. Lee,

Wortham, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

0432-1901, J.C. Lee,  
Mill Creek, I.  
June 26, 1901.

MS 1915, Jacob S. Lee, et  
al.

On March 14, 1901, Jacob S.  
Lee of Wortham, Texas, ap-  
peared before the Commis-  
sion at Atoka, I.T. and ap-  
plied for identification  
of himself and five minor  
children as Mississippi  
Chickens. No decision has  
been rendered in this case.

Atoka, July 19, 1901.

n. 1515

For Modification of a Marriage Contract.

date Mich 14, 1901

Name Jacob C. Lee.

Age 50      Stud 18

Post Office, Wortham, Texas

Father: Jacob Lee &

Mother: Nancy &

Claims through father —

wife

Cynthia A. Lee —

Children:

William — 16

Ray — 13

Jessie A. — 10

Jacob W. — 7

Christell — 2

for use only  
children

17th St. N.W.  
WASH. D.C.  
JAN 22 1943  
FEB 19 1943  
MAY 20 1943  
JUL 12 1943  
JUL 17 1943  
JUL 18 1943



Choctaw MCR 1516

Mannie Wood

MCR 1516

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 14, 1901.

In the matter of the application of Nannie Wood for identification for herself and her minor children as Mississippi Choctaws.

Nannie Wood, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Nannie Wood.  
 Q What is your age? A Twenty three.  
 Q What is your post office address? A Britton, Texas.  
 Q How long have you lived at Britton? A About two years.  
 Q Where did you live before you lived there? A Wertham.  
 Q Born in Texas? A Yes sir.  
 Q And always lived in Texas? A Yes sir.  
 Q Where were you born? A Wertham.  
 Q What is your father's name? A Jacob Lee.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Cynthia Lee.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Is his name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Was he ever recognized as by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is this the first application you have ever made for enrollment or citizenship? A Yes sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment or citizenship? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes acting under the act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship by judgment of the United States Court in Indian Territory or from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No.  
 Q This is the first application you have made? A Yes sir.  
 Q And you now seek to be identified as a Mississippi Choctaw? A Yes.  
 Q Under what treaty? A 1830.  
 Q Do you claim under the whole treaty? A No sir.  
 Q Under what article? A Fourteen.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Jacob Lee.  
 Q What relation was he to you? A Grandfather.  
 Q Is your father's name? A Yes sir.  
 Q Did you ever reside in within six months after the ratification of the Treaty of 1830 with the Choctaw Nation?

Nannie Wood-----2.

as I know of.

- Q Was he a beneficiary under article fourteen? A No sir.  
Q Did he comply with any of the provisions of that article? A No, not that I know of.  
Q Did he receive or claim any land in Mississippi under article fourteen? A No sir.  
Q Have you or your ancestors ever received any benefits in Indian Territory as Choctaw Indians? A No sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A John W. Wood.  
Q Do you claim anything for him? A No sir.  
Q Have you children? A Yes sir.  
Q Do you wish to make application for them? A Yes sir.  
Q What is the name of the oldest? Sybil.  
Q How old? A Three.  
Q The next? A Lula H.  
Q How old? A Two.  
Q Is that all? A Yes sir.  
Q Is John W. Wood the father of these children? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q And you and your husband are living together as husband and wife? A Yes sir.  
Q And these children are living with you at your home? A Yes sir.  
Q Have you any documentary evidence you would like to introduce now in support of this application? A No sir.  
Q Do you wish time? A Yes sir.

Twenty days time from the date hereof is granted applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to say? A No sir.

The decision of the commission in regard to this application which you make for identification for yourself and the children as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 1st day of March 1901 and the above and foregoing is a full and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 18th day of March 1901

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, March 21, 1901.

Messrs Hudson A. Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 16, enclosing affidavits to be filed in the following cases:

MC 1225 Jacob C. Lee, et al.  
 MC 1226 Fannie Wood, et al.  
 MC 1227 Cora M. Murray, et al.  
 MC 1228 George W. Lee, et al.  
 MC 1229 [unclear]

Also enclosed copy of the marriage license and certificate between Jacob Lee and Cythann Raper, to be filed in support

of claim MC 1225 Jacob C. Lee et al. for identification as Miscellaneous. The same has been filed with the

Yours truly,

[Signature]

*AM*

COMMISSIONERS

HENRY L. DAWES.  
TAMM BIXBY.  
THOMAS B. NEEDLES.  
C. R. BRACKINRIDGE.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1516

ALLISON L. AYLESWORTH,  
SECRETARY

Muskogee, Indian Territory, January 28, 1908.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**Nannie Wood,**  
**Britton, Texas.**

You are hereby advised that on the 28rd day of January, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R 2857
Robert E. Lee, et al.,	M C R 1468
Melissa Boyd,	M C R 1485
Ethel Sherrer,	M C R 1486
Fred Lee,	M C R 1491
Vernile Lee,	M C R 1492
Jacob C. Lee, et al.,	M C R 1515
Nannie Wood, et al.,	M C R 1516
Claudia Murray, et al.,	M C R 1517
George W. Lee, et al.,	M C R 1518
Shade Gore,	M C R 1519
Nancy A. Williams, et al.,	M C R 1743
Hiram Blakeley, et al.,	M C R 2541
William Lee, et al.,	M C R 2559
Jacob H. Lee,	M C R 2694
Nancy A. Schmidt, et al.,	M C R 2696
Fred B. Lee,	M C R 2696
Lillian Thomas, et al.,	M C R 2853
Margie Adams, et al.,	M C R 2854
Oral Boyd, et al.,	M C R 2855
William D. Williamson, et al.,	M C R 2856
Arcada DuBose, et al.,	M C R 2858
Albert Edward Boyd,	M C R 2859
Olive Smith, et al.,	M C R 2888
William Cary DuBose,	M C R 2889
J. Dale Adams,	M C R 2898
William L. Blakley,	M C R 2890
Sarah M. Adams, et al.,	M C R 2901
Merlin C. Adams, et al.,	M C R 2902
Thomas B. Ross, et al.,	M C R 2903
Arthur A. Ross, et al.,	M C R 2904
Mattie Forsythe, et al.,	M C B 2997
Maria Gipeon, et al.,	M C R 3139
Lawrence L. Boyd, et al.,	M C R 3154
Joseph K. Boyd, et al.,	M C R 3155
Nora B. Hilley,	M C R 3156
William F. Walker,	M C R 3157
John Owens,	M C R 3158

William J. Adams,	M C R	3854
Cynthia Adams Hill, et al.,	M C R	3868
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blacklidge,	M C R	1489
Aleek Blacklidge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollentine, et al.,	M C R	5068
John T. Vollentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rupe, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (80 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Remah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernie Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Enmit Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Annie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Emma A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Schmidt, Johnnie H. Schmidt, Fred B. Lee, Lillian Thomas, Jessie Thomas, Charles Porter Thomas, William Vernon Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, Leila N. Adams, Willie M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sullie Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Curlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vounie Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommia Ross, Media Ross, Mullia Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blacklidge, Aleck Blacklidge, Ellen Blacklidge, Lee Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Lungston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert R. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etna May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha June Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

*C. R. Beckwith*  
Commissioner in Charge.  
Acting Commissioner.

Registered.

99

COMMISSIONERS  
TAMM BIXBY,  
THOMAS B. NEEDLES,  
C. R. BRECKINRIDGE,  
W. E. STANLEY.

REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES. , M.C.R. 1516.

ALLISON L. AYLESWORTH,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, July 13, 1903.

Hannie Wood,

Britton, Texas.

Dear Madam:

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,



Commissioner in Charge.



716M

REFER IN REPLY TO THE FOLLOWING:

MCR 1516

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

Muskogee, Indian Territory, December 6, 1906.

Hannie Wood,

Britton, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

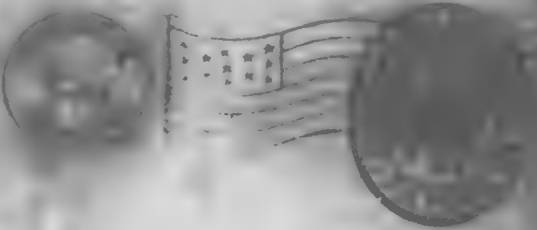
W. O. Beall

Acting Commissioner.

Department of the Interior.

Commissioner to the Five Civilized Tribes,

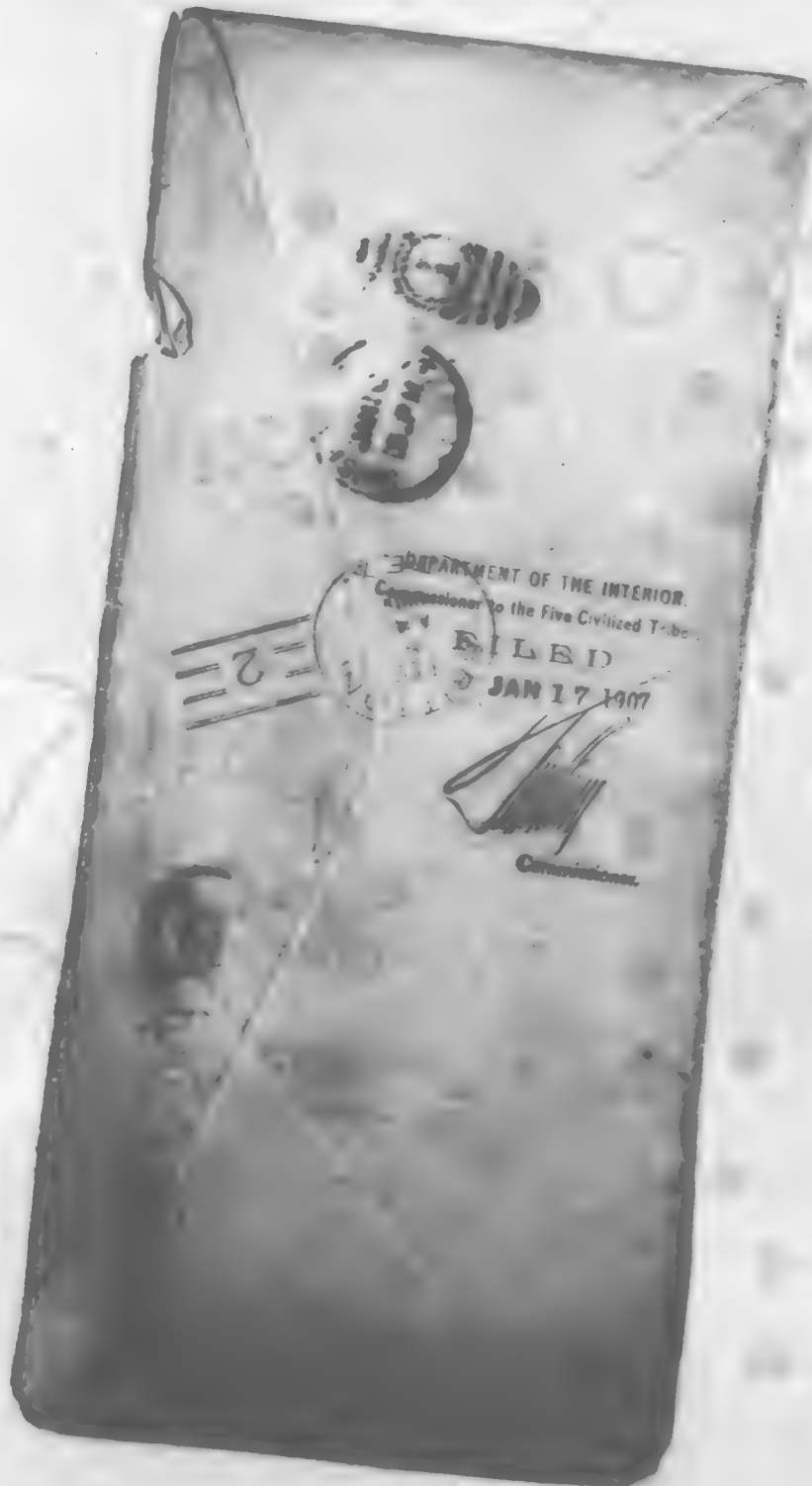
MUSKOGEE, IND. TER.



*Handwritten:*  
J. H. ...  
J. H. ...  
Muskogee

~~Went to~~ Wood,  
Britton, Texas.





DEPARTMENT OF THE INTERIOR.  
Commissioner to the Five Civilized Tribes.

2

FILED  
JAN 17 1907

*[Signature]*  
Commissioner

General Office Mer.  
Advising that Sec. of Int. has  
affirmed Commission's decision

*Leah*

JUL 10 Recd

*Wallerburg*

Nannale Wood,

ST. LOUIS, MO.  
TO  
BRITTON, TEX.

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DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE PUBLIC LANDS  
FILED  
AUG 27 1903

*[Handwritten signature]*  
August 27

CHAIRMAN

RECEIVED  
AUG 27 1903

JAN 23 1903

NOTICE OF DENIAL ON FORWARDING  
ATTORNEY FOR APPLICANTS

JAN 23 1903

NOTICE OF DENIAL ON FILED AT TOMB  
FOR CHOCTAW AND CHICKASAW NATIONS

JAN 23 1903

RECORD FORWARDED DEPARTMENT

FEB 29 1903

ACTION APPROVED BY SECRETARY OF INTERIOR

MAY 20 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDING ATTORNEY

JUL 13 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDING ATTORNEY FOR APPLICANT

JUL 13 1903

NOTICE OF DEPARTMENTAL ACTION  
FORWARDING ATTORNEY FOR CHOCTAW

No. 1516

For Identification as a Mississippi Choctaw.

Date Mich 14, 1901

Name *Nannie Wood*

Age *23* Blood *1/16*

Post Office, *Britton, Texas*

Father: *Jacob Lee, l.*

Mother: *Cynthia, l.*

Claims through *Father - -*

*husband*

*John W. Wood -*

Children:

*Sibyl - 3*

*Lula H. 2*

*for sup and  
children*

*H. R. Steen*

*Steno.*

Choctaw MCR 1517

Claudia Murray

MCR 1517



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES?  
 Atoka, I.T., March 14, 1901.

In the matter of the application of Claudia Murray for identification for herself and her minor child as Mississippi Choctaws.

Claudia Murray, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Claudia Murray.  
 Q What is your age? A Twenty.  
 Q Are you married? A Yes sir.  
 Q What is your post office address? A Wortham, Texas.  
 Q How long have you lived at Wortham? A All my life.  
 Q Born there? A Yes sir.  
 Q What is your father's name? A Jacob Lee.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Cynthia Lee.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much Choctaw blood do you claim? A One sixteenth.  
 Q Was your father ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A Not that I knew of.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Dawes Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?  
 A No sir.  
 Q Is this the first application you have ever made for enrollment or citizenship either to the United States authorities or the Choctaw authorities? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes.  
 Q Under what treaty or treaties do you make this application? A 1830.  
 Q Under the whole treaty? A No sir.  
 Q Under what part? A Article fourteen.  
 Q What is the name of your ancestor who lived in Mississippi in 1830?  
 A Jacob Lee.  
 Q Was he a full blood Choctaw Indian? A No sir.  
 Q How much Choctaw blood did he have? A One quarter.  
 Q Did he within six months after the ratification of the Treaty of 1830 tell the United States Indian Agent that he intended to come to Mississippi and take land there and become a citizen of the State of Mississippi? A No sir.  
 Q Did he remove from Mississippi to the Indian Territory with the other Choctaw Indians who came here in years 1845 or 1846? A No sir.  
 Q Do you know why he did not come? A No sir.

Claudia Murray---2.

- Q Did he comply with the provisions of article fourteen of the treaty of 1830? A No sir.
- Q Was he a beneficiary under that article? A No sir.
- Q Did he claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A No sir.
- Q Do you understand the provision of article fourteen? A Not much
- Q A Little? A Yes sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Lacy B. Murray.
- Q Do you make any claim for him? A No sir.
- Q Have you children you want to make application for? A Yes, I have one child.
- Q What is its name? A Emmet.
- Q How old? A One year.
- Q Is that all? A Yes sir.
- Q Lacy B. Murray is the father of this child? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q You and your husband are living together as husband and wife? A Yes sir.
- Q And this child is living with you? A Yes sir.
- Q Have you any documentary evidence you would like to introduce now? A No sir.

On motion of counsel for applicant, twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to state? A No sir.

The Decision of the Commission in regard to this application which you make for identification of yourself and this minor child as Mississippi Choctaws will be mailed to you at your present post office address.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the five Civilized Tribes he reported in full what was said and done in the above entitled case on the 14th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of this case on said date.

*H.C. Risteen*

Subscribed and sworn to before me this 15th day of March 1901.

*Charles W. Sawyer*

Notary Public.

Winnipeg, Manitoba Territory, March 28, 1901.

My dear Mr. [Name],  
Winnipeg, Indian Territory.

The enclosed is a copy of your letter of March 25, 1901, and the enclosed is a copy of the same.

Also certified copy of the marriage license and certificate of the same, to be filed in support of the same.

COMMISSIONERS  
HENRY L. DAWES,  
TAMM SIXBY,  
THOMAS B. NEEDLES,  
C. R. BRICKNIDGE.

ALLISON L. AYLESWORTH,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1517

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**Claudia Murray,**  
**Wortham, Texas.**

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBois, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Cary DuBois,	M C R	2889
J. Dale Adams,	M C R	2896
William L. Blakley,	M C R	2890
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Forsythe, et al.,	M C R	2997
Maria Gipson, et al.,	M C R	3130
Lawrence L. Boyd, et al.,	M C R	3154
Joseph K. Boyd, et al.,	M C R	3155
Nora B. Hilley,	M C R	3156
William F. Walker,	M C R	3157
John Owens,	M C R	3158



Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carrie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnice Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mollie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas L. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (?), Iru J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Lee Blackledge, Leonard Blackledge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollentine, Alice A. Vollentine, Edgar O. Vollentine, Mattie L. Vollentine, Ernest E. Vollentine, John T. Vollentine, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert B. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope E. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

Tams Dixby.

Acting Chairman.

Registered.

H.O.R. 1517.

McAlester, Indian Territory, July 15, 1903.

and are being notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Bureau and returned the photographs for identification as to whether they were of the several persons included in the consolidated case of Temple Williams, et al., of which decision you were advised by registered mail on the 1st day of January, 1903.

Respectfully,

T. D. Needles,

Assistant Secretary.

MOR 1517

Muskogee, Indian Territory, December 6, 1906.

Claudia Murray,

Wortham, Texas.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

Acting Commissioner.



FOR REGISTRATION AS A MISSISSIPPI ORIGIN.

Date *Mich 14, 1901*

Name *Claudia Murray*

Age *20* Blood *1/6*

Post Office, *Wortham, Texas,*

Father: *Jacob Lee - 1*

Mother: *Leymaria .. 1*

Claims through *father -*

*Husband*

*Lacy C. Murray -*

Children:

*Emmit - 1*

*for step and child*

*W. K. Steen*  
*Stens.*

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Choctaw MCR 1518

George W. Lee

MCR 1518

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 114, 1901.

In the matter of the application of George W. Lee for identification for himself and his minor children as Mississippi Choctaws

George W. Lee, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A George W. Lee.  
 Q What is your age? A Forty five.  
 Q What is your post office address? A Flo, Leon County, Texas? A Yes sir.  
 Q How long have you lived at Flo? A Have lived there twelve years  
 Q Where did you live before you lived at that place? A Navarre County, Texas? A Yes sir.  
 Q How long have you lived in Texas? A Since '68.  
 Q Where did you live before that? A Mississippi.  
 Q What place in Mississippi? A Newton County.  
 Q Born in Mississippi? A Yes sir.  
 Q What is your father's name? A Jacob Lee.  
 Q Living? A No sir.  
 Q What is your mother's name? A Nancy Lee.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood  
 A My father.  
 Q How much Choctaw blood do you claim? A One eighth.  
 Q Was your father ever recognized in the Indian Territory by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.  
 Q Did you ever make application for enrollment as a Choctaw citizen to the Choctaw tribal authorities. A No sir?  
 Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Did you ever make application to the Dawes Commission under the act of Congress of June 10, 1896, for citizenship or enrollment in the Choctaw Nation?  
 Q Is this the first application of any kind you have ever made for either enrollment or citizenship to either the Choctaw tribal authorities or the United States authorities? A Yes sir.  
 Q Are you now seeking to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty? A 1830.  
 Q Under the whole treaty? A Fourteen.  
 Q Fourteen?--Fourteen what? A Fourteen article.  
 Q Do you claim under the fifteenth and nineteenth articles? A No.  
 Q Under the supplement of the treaty? A No sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830  
 A Jacob Lee.

George W. Lee---2.

- Q Was he a full blood Chectaw Indian? A No sir.  
Q What proportion of Chectaw blood did he have? A One quarter.  
Q What relation was he to you? A My father.  
Q Did he within six months after the treaty of 1830 was ratified declare to the United States Indian Agent then living in Mississippi, Colonel Ward, his intention to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A No sir.  
Q Was he in any way a beneficiary under article fourteen? A No sir.  
Q Did he comply in any manner with the provisions of article fourteen? A No sir.  
Q Did he claim any land or receive any land in Mississippi under article fourteen? A No sir.  
Q Do you know whether he came to the Indian Territory from Mississippi in the years 1833 to 1837 when the other Indians came here? A No sir.  
Q Are you married? A Yes sir.  
Q What is your wife's name? A Mary T. Lee.  
Q Do you claim anything for her? A No sir.  
Q Have you children you wish to make application for? A Yes sir.  
Q What is the name of the oldest child that is under twenty one and unmarried? A Mary A.  
Q How old? A Twenty.  
The next? A Laura M.  
Q How old? A Sixteen.  
Q The next? A Jacob W.  
Q How old? A Thirteen.  
Q The next? A George E.  
Q How old? A He is nine.  
Q The next? A William S.  
Q How old? A He is six.  
Q The next? A Benjamin  
Q How old? A Four.  
Q Any others? A Yes sir; Winnie.  
Q A girl? A Yes sir.  
Q How old is Winnie? A Seven months.  
Q Is Mary T. Lee the mother of these children? A Yes sir.  
Q And you are the father? A Yes sir.  
Q And you and she are living together as husband and wife? A Yes sir.  
Q And these children are all living with you at your home? A Yes sir.  
Q And the basis of their claim is the same as yours? A Yes sir.  
Q Have you marriage license and certificate that you want to introduce?  
Q Would you like time to introduce it later? A Yes sir.  
Q Have you any documentary evidence you would like to introduce now? A No sir.  
Q Would you like time in which to introduce that also? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application; also marriage license and certificate or certified copy thereof.

- Q Is there anything further you would like to say? A No sir.

The decision of the Commission in regard to this application shall govern the identification of yourself and

George W. Lee--3.

these children as Mississippi Choctaws will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 14th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. G. Risteen*

Subscribed and sworn to before me this 8 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Indian Territory, March 25, 1902.

Dear Sir,

Enclosed for you are the following documents:

1. Certificate

2. Report in regard to the letter of March 18,

1902, and the same to be filed in the following cases:

Case No. 10,000

Case No. 10,001

Case No. 10,002

Case No. 10,003

Very respectfully,  
Special Agent in Charge

Yours faithfully,  
[Signature]

... of the ...  
... of the ...  
... of the ...  
... of the ...



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

ALLISON L. AYLESWORTH,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

**W.C.R. 1610**

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

**George W. Lee,  
Flo, Texas.**

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Tempie McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Tempie McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2853
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2888
William Cary DuBose,	M C R	2889
J. Dale Adams,	M C R	2898
William L. Blakley,	M C R	2890
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Forsythe, et al.,	M C R	2997
Maria Gipsan, et al.,	M C R	3139
Lawrence L. Boyd, et al.,	M C R	3154
Joseph K. Boyd, et al.,	M C R	3155
Nora B. Hilley,	M C R	3156
William F. Walker,	M C R	3157
John Owens,	M C R	3158

William J. Adams,	M C R	3854
Cynthia Adams Hill, et al.,	M C R	3863
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1489
Frances O. Vollentine, et al.,	M C R	5063
John T. Vollentine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al ,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

" It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Romah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Annie Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Eliza A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Johnnie Blakeley, William Lee (2), Robert Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, Granville H. Lee, Jacob H. Lee, Nancy A. Lee, Annie H. Schmidt, Fred B. Lee, Lillian Thomas, Josie Thomas, Charles Porter Thomas, William Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nettie Thomas, Margie Adams, John Adams, M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Annie Adams, Sam Lou

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlisle Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakeley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vounie Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenic Vore Ross, Arthur A. Ross, Tommie Ross, Media Ross, Mollie Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada B. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blackledge, Aleck Blackledge, Ellen Blackledge, Lee Blackledge, Leonard Blackledge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivian Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollenline, Alice A. Vollenline, Edgar O. Vollenline, Mattie L. Vollenline, Ernest E. Vollenline, John T. Vollenline, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyed Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert E. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clara Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope E. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

SIGNED,

Tams Dixey,  
Acting Chairman.

Registered.

X.C.R. 1510

COPY:

Muskogee, Indian Territory, July 23, 1903.

George V. Lee,  
Flo, Texas.

Dear Sir:

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple Williter, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully

W. B. Needles.

In Charge.

MCB 1819

Muskogee, Indian Territory, December 6, 1906.

George W. Lee,

Fls, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

Respectfully,

Acting Commissioner.

No. 1518

For Identification as a Mississippi Choctaw.

Date Mich 14, 1901

Name George W. Lee

Age 45 Blood 1/8

Post Office, Flo. Texas,

Father: Jacob Lee d.

Mother: Nancy Lee d.

Claims through - Father -

Wife -  
Mary T. Lee

Children:

Mary A. 20

Laura M. 16

Jacob W. 13

George E. 9

William A. 6

Benjamin 4

Hinnie L. (girl) 7 m.

for self and children

JAN 21 1903

ALL INFORMATION CONTAINED

JAN 23 1903

HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

JAN 23 1903

RECEIVED FORWARDED DEPARTMENT

FEB 29 1903

APPROVED BY SECRETARY OF INTERIOR

MAY 20 1903

RECEIVED FORWARDED DEPARTMENT OF THE INTERIOR

JUN 13 1903

Choctaw MER 1519

Shade Gorge

1519



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 14, 1901.

In the matter of the application of Shade Gore for identification as a Mississippi Choctaw.

Shade Gore, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Shade Gore.  
 Q What is your age? A Twenty one.  
 Q What is your post office address? A Flo, Leon County, Texas.  
 Q How long have you lived at Flo? A Six years.  
 Q Where did you live before that? A Wertham.  
 Q Where were you born? A Harden County.  
 Q Texas? A Yes sir.  
 Q Never lived out of the state? A No sir.  
 Q What is your father's name? A Isaac Gore.  
 Q Living? A No sir.  
 Q What is your mother's name? A Maggie Gore.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood.  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Did your mother ever live in Indian Territory? A No sir.  
 Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to them for enrollment as a citizen? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application you have ever made of any kind?  
 A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties do you make this application? A 1830  
 Q Under what part of the treaty, or do you make it under the whole treaty? A No sir.  
 Q What part? A Article fourteen.  
 Q Do you claim under article nineteen? A Fourteen.  
 Q How about fifteenth article? A I do not claim under it.  
 Q Do you claim under the supplement? A No sir.  
 Q What does article fourteen provide? A I do not know.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Jacob Lee.

Shade Core---2.

- Q What kin was he to you? A Grandfather.  
Q On your mother's side? A Yes sir.  
Q Was he a full blood Choctaw Indian? A No sir, a quarter  
Q Did he within six months after the ratification of the treaty  
of 1830 tell the United States Indian Agent then living in Missis-  
sippi that he intended to remain in Mississippi, take land there and  
become a citizen of the state of Mississippi? A No sir.  
Q Do you know why he did not? A No sir.  
Q But you know he did not? A No sir.  
Q Do you know or don't you know whether he did nor not? A No.  
Q Do you know whether he did all this or not? A No, I do not know  
Q Was he a beneficiary under article fourteen? A No sir.  
Q How do you know? A I do not know.  
Q Did he comply with the provisions of article fourteen of the treaty  
of 1830? A No sir.  
Q How do you know that? A I just do not know it.  
Q Did he receive or claim any land in Mississippi under article  
fourteen of the treaty of 1830? A No sir.  
Q How do you know he did not? A I just dont know it.  
Q You mean that you did not know he did? A Yes sir.  
Q What do you think about it? A I do not think he did.  
Q You would have heard of it if he had? A Yes sir.  
Q Are you married? A No sir.  
Q Do you claim for yourself alone? A Yes sir.  
Q Have you any documentary evidences you want to introduce now in  
support of this application? A No sir.  
Q Would you like time to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant  
in which to file documentary evidence in support of this  
application.

- Q Is there anything further you would like to say? A No sir.

The decision of the Commission in regard to this applica-  
tion which you make for identification as a Mississippi Cho-  
ctaw will be mailed to you at your present post office ad-  
dress.

H. C. Risteen, having been first duly sworn, upon his oath  
states that as a stenographer to the Commission to the Five Civilis-  
ed Tribes he reported in full all proceedings had in the above en-  
titled cause on the 14th day of March 1901, and that the above and  
foregoing is a full, true and correct transcript of his stenographic  
notes of said cause on said date.

*H. C. Risteen*

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

*Charles H. Sawyer*  
Notary Public.

H. C. R.  
1888.

Department of the Interior.  
Memorandum to the Five Civilized Tribes.  
Wash., D. C., July 1st, 1908.

Additional  
Testimony.



In the matter of the consolidated Mississippi Choctaw  
case of Temple McAllister et al., H. C. R. 2887, applicants for iden-  
tification as Mississippi Choctaws.

ADDITIONAL TESTIMONY of Shade Gore, who being first duly sworn,  
testified as follows:

Examination by the Commission:

- Q What is your name? A Shade Gore.
- Q How old are you? A I am twenty-two.
- Q What is your post office address? A Kiowa, I. T.
- Q How long have you lived at Kiowa? A Two weeks.
- Q Where did you live before that? A Leon County, Texas.
- Q Are you the Shade Gore who appeared before the Commission at Atoka, Indian Territory, on March 14, 1901, and made application for identification as a Mississippi Choctaw? A Yes sir.
- Q For what purpose do you appear before the Commission at this time; what are you here for Shade? that's what I want to know; do you know? A Why to go in on the Blakely side.
- Q What was your father's name? A Isaac Gore.
- Q What is your mother's name? A Maggie Gore.
- Q What was your mother's maiden's name? A Jack Lee.
- Q What was your mother's maiden's name? A Jack Lee.
- Q What relation are you to William Lee who has appeared before the Commission on the case of A. Lee?
- Q Yes, your father and William Lee were full brother and sister?
- Q How old was your mother? A She is forty.
- Q How old were you when you were born? A I don't know.
- Q Which one of her parents did she get her Choctaw blood?
- Q Did she get any Choctaw blood through her father?
- Q How long ago was she born?
- Q How long ago was your father born?
- Q How long ago was your mother's father born?
- Q How long ago was your mother's mother born?
- Q How long ago was your father's father born?
- Q How long ago was your father's mother born?

43.

- Q Or Nancy's mother? A No sir.
- Q Do you know anything further with reference to whether any of your ancestors ever compiled or attempted to compile with the provisions of article 23, more than is disclosed by your testimony given before the Commission in March, 1902, do you know anything further about it than you did then? A No sir.
- Q You desire to have the testimony in the consolidated Temple McMillan case, H C R 2000, and the testimony of your uncle William Lee, H C R 2115, considered in the determination of your case? A Yes sir.
- Q That was your purpose in appearing before the Commission at this time to make that request? A Yes sir.

Albert G. Millan, being first duly sworn, deposes and says that he appeared before the Commission to the Five Civil Tribes during the proceedings had in the above entitled cause on the 1st day of July, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

*Albert G. Millan*

Subscribed and sworn to before me this 14<sup>th</sup> day of July, 1902,

*Geo. L. V. Emerson*  
Notary Public.

COMMISSIONERS  
HARRY L. DAWES,  
TANS BIRBY,  
THOMAS E. NEEDLES,  
C. R. BRACKENRIDGE.

ALLISON L. AYLESWORTH,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

U. C. R. 1519

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Shade Gore,

Flo, Texas.

You are hereby advised that on the 23rd day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Temple McAllister, et al., embracing the following applications for identification as Mississippi Choctaws:

Temple McAllister, et al.,	M C R	2857
Robert E. Lee, et al.,	M C R	1468
Melissa Boyd,	M C R	1485
Ethel Sherrer,	M C R	1486
Fred Lee,	M C R	1491
Vernile Lee,	M C R	1492
Jacob C. Lee, et al.,	M C R	1515
Nannie Wood, et al.,	M C R	1516
Claudia Murray, et al.,	M C R	1517
George W. Lee, et al.,	M C R	1518
Shade Gore,	M C R	1519
Nancy A. Williams, et al.,	M C R	1743
Hiram Blakeley, et al.,	M C R	2541
William Lee, et al.,	M C R	2559
Jacob H. Lee,	M C R	2694
Nancy A. Schmidt, et al.,	M C R	2695
Fred B. Lee,	M C R	2696
Lillian Thomas, et al.,	M C R	2858
Margie Adams, et al.,	M C R	2854
Oral Boyd, et al.,	M C R	2855
William D. Williamson, et al.,	M C R	2856
Arcada DuBose, et al.,	M C R	2858
Albert Edward Boyd,	M C R	2859
Olive Smith, et al.,	M C R	2860
William Cary DuBose,	M C R	2889
J. Dale Adams,	M C R	2890
William L. Blakley,	M C R	2890
Sarah M. Adams, et al.,	M C R	2901
Merlin C. Adams, et al.,	M C R	2902
Thomas B. Ross, et al.,	M C R	2903
Arthur A. Ross, et al.,	M C R	2904
Mattie Fanny the, et al.,	M C R	2907
Mason G. Ross, et al.,	M C R	2909
Lawrence L. Boyd, et al.,	M C R	2914
Joseph K. Boyd, et al.,	M C R	2915
Nora B. Henry,	M C R	2916
William F. Walker,	M C R	2917
John Owens,	M C R	3138

William J. Adams,	M C R	8854
Cynthia Adams Hill, et al.,	M C R	8868
William M. Blakeley, et al.,	M C R	4148
Ida Calame, et al.,	M C R	1487
Mollie Blackledge,	M C R	1489
Aleck Blackledge, et al.,	M C R	1490
Lula Haskins, et al.,	M C R	1488
John Jordan, et al.,	M C R	1469
Frances O. Vollandine, et al.,	M C R	5068
John T. Vollandine,	M C R	5064
Callie V. Bryant, et al.,	M C R	5065
William S. Blakeley, et al.,	M C R	5066
James E. Blakeley, et al.,	M C R	5067
Ralph Tyler,	M C R	5068
Walter S. Blakeley, et al.,	M C R	5069
Mary M. Bird, et al.,	M C R	5321
Cora Langston, et al.,	M C R	5322
Annie C. Lawhon, et al.,	M C R	5323
Laura E. Bird, et al.,	M C R	5324
Oscar Thomas Boyd, et al.,	M C R	5448
John Blakeley, et al.,	M C R	5873
Albany Kennedy, et al.,	M C R	5874
Mary Frances Knowles, et al.,	M C R	5875
Sarah A. Harris, et al.,	M C R	5876
Thomas L. Kennedy,	M C R	5877
Robert E. Kennedy, et al.,	M C R	5878
James Overstreet, et al.,	M C R	499
Thomas J. Overstreet, et al.,	M C R	500
William H. Overstreet,	M C R	503
Belle Rape, et al.,	M C R	504
Cornelius L. Overstreet,	M C R	505
Riley Overstreet, et al.,	M C R	506
Rebecca Overstreet, et al.,	M C R	507
John A. Overstreet, et al.,	M C R	508
John F. Overstreet, et al.,	M C R	554
Emma Simpson, et al.,	M C R	674

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Tempie McAllister, Bernice McAllister, Bruce McAllister, Robert E. Lee, Ramah Lee, Ruth Lee, Robert Lee, Bessie Lee, Stella Lee, Melissa Boyd, Ethel Sherrer, Fred Lee, Vernile Lee, Jacob C. Lee, William Lee, Ray Lee, Jessie D. Lee, Jacob W. Lee, Clairbel Lee, Nannie Wood, Sybil Wood, Lula H. Wood, Claudia Murray, Emmitt Murray, George W. Lee, Mary A. Lee, Laura M. Lee, Jacob W. Lee (2), George E. Lee, William S. Lee, Benjamin Lee, Winnie Lee, Shade Gore, Nancy A. Williams, George Washington Williams, Rhoda Williams, Rhoda A. Williams, Hiram Blakeley, Ella Blakeley, Annie Blakeley, Jennie Blakeley, William Lee (2), Robert E. Lee (2), William N. Lee, Zorah E. Lee, Dora A. Lee, George H. Lee, Jacob H. Lee, Mary A. Schmidt, George H. Schmidt, Fred B. Lee, Nathan Thomas, Jennie Thomas, William Thomas, William Thomas, Robert Oral Thomas, Anna Thomas, Ira Thomas, Nancy Thomas, George Adams, Mary N. Adams, M. Adams, Robert Adams, Lizzie Adams, John David Adams, Jeff Adams, Jennie Adams, Sarah Lee

Adams, Oral Boyd, Amanda May Boyd, Lillie Gertrude Boyd, William Curtis Boyd, William D. Williamson, Edgar Williamson, Joseph D. Williamson, Fannie Williamson, Annie Williamson, Jewel Williamson, Susie Williamson, William Cary Williamson, Arcada DuBose, Hiram H. Walker, Henry Walker, Jim Walker, Albert Edward Boyd, Olive Smith, Carlie Smith, William Cary DuBose, Hattie V. DuBose, Robert Chester DuBose, C. B. DuBose, J. Dale Adams, William L. Blakley, Sarah M. Adams, W. Lynn Adams, Merlin C. Adams, Wallace Adams, Thomas B. Ross, Lilly May Ross, Vonnie Bysmark Ross, David Harnett Ross, William Malcolm Ross, Scenie Vore Ross, Arthur A. Ross, Tommie Ross, Medin Ross, Mallia Ross, Ollie Mildred Ross, Mattie Forsythe, Freddy Forsythe, Burtty Forsythe, Maria Gipson, James Owens, Eugene Owens, Florence Owens, Conrad Gipson, Dalton Gipson, Lawrence L. Boyd, Henry Boyd, Gussie Boyd, Richard Boyd, Beatrice Boyd, Joseph K. Boyd, Froni Boyd, Frances Boyd, Allene Boyd, Nora B. Hilley, William F. Walker, John Owens, William J. Adams, Cynthia Adams Hill, Ermine Hill, Mark Hill, Annie Hill, Ada Hill, Robert Hill, William H. Blakeley, Ada R. Blakeley, Walter R. Blakeley, Thomas I. Blakeley, Francis J. Blakeley, Della Blakeley, Ida M. Blakeley, Hiram Blakeley (2), Ira J. Blakeley, Edgar Blakeley, Ida Calame, Della Calame, Bessie Calame, Nora Calame, Mollie Blacklidge, Aleck Blacklidge, Ellen Blacklidge, Lee Blacklidge, Leonard Blacklidge, Lula Haskins, Rebecca Haskins, Minnie Haskins, Thomas Haskins, Lee Haskins, Vivinn Haskins, Nellie Haskins, John Jordan, Elmer Jordan, Austin Jordan, Robert Jordan, Joseph B. Jordan, Effie M. Jordan, James Monroe Jordan, Frances O. Vollenline, Alice A. Vollenline, Edgar O. Vollenline, Mattie L. Vollenline, Ernest E. Vollenline, John T. Vollenline, Callie V. Bryant, Bertha Lee Bryant, Mamie A. Bryant, Harvey Leland Bryant, William S. Blakeley, Marshal Blakeley, Homer Blakeley, Sallie Blakeley, James E. Blakeley, Minnie Lee Blakeley, William Edward Blakeley, Jesse Ray Blakeley, Ralph Tyler, Walter S. Blakeley, Ida L. Blakeley, Robert L. Blakeley, Albert H. Blakeley, Edgar D. Blakeley, Lucy Emma Blakeley, Claud C. Blakeley, Ernest V. Blakeley, Mary M. Bird, Mollie H. Bird, Gracie H. Bird, Alfred M. Bird, Carl W. Bird, Cora Langston, Elmer N. Langston, Annie C. Lawhon, Ferrel Young Lawhon, Frank George Lawhon, Laura E. Bird, Cleary C. Bird, Roy Floyd Bird, William Ray Bird, Oscar Thomas Boyd, Lola Thelma Boyd, Albert Pickens Boyd, John Blakeley, Sidney Blakeley, Lizzie Blakeley, Flora Blakeley, Albany Kennedy, Phoebe Alice Kennedy, Mary Frances Knowles, Ludie William Knowles, Julia Albany Knowles, Claudie Martin Knowles, Sarah A. Harris, William Harrison Harris, Robert R. Harris, Wedona Harris, Julia Ann Harris, Thomas L. Kennedy, Robert E. Kennedy, Ada M. Kennedy, James Overstreet, Ellen Nora Overstreet, Etta May Overstreet, Viola Overstreet, Birdie Lilly Overstreet, Thomas J. Overstreet, Minnie Overstreet, Clare Overstreet, Mattie Overstreet, Hattie Overstreet, Wilmoth Overstreet, Coleman Overstreet, William H. Overstreet, Belle Rape, Jaunita Rape, Leslie Irving Rape, Cornelius L. Overstreet, Riley Overstreet, Rebecca Overstreet, Olivia Estella Overstreet, James Ernest Overstreet, Cora Overstreet, John A. Overstreet, John F. Overstreet, Myrtie Overstreet, Mary C. Overstreet, Emma May Overstreet, John W. Overstreet, Julius Overstreet, Emma Simpson, Roy F. Simpson, Okla Simpson and Homa Simpson, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

"It is the further opinion of this Commission that under the provision of law above quoted, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the applications made by James Overstreet for the identification of his wife, Martha Jane Overstreet; by Thomas J. Overstreet for the identification of his wife, Penelope R. Overstreet; by Belle Rape for the identification of her husband, William J. Rape; by Riley Overstreet for the identification of his wife, Ida Nora Overstreet; by Rebecca Overstreet for the identification of herself; by John A. Overstreet for the identification of his wife, Nora A. Overstreet; and by John F. Overstreet for the identification of his wife, Addie Overstreet, as intermarried Mississippi Choctaws, should, therefore be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

Registered.

Acting Chairman.

H.S.R. 1919

COPY.

Muskogee, Indian Territory, July 18, 1903.

Shade Gore,

Flo, Texas.

Dear Sir:

You are hereby notified that on the 20th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Temple McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

*T. B. Needles.*

Commissioner in Charge.



MUR 1519

Muskogee, Indian Territory, December 6, 1906.

Shade Cove,

Flo, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 24, 1906, denied a motion filed in this office June 26, 1906, by T. D. Taylor, Attorney at Law, South McAlester, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Temple McAllister, et al.

Respectfully,

Acting Commissioner.

JAN 23 1903

RECORD FORWARDED DEPARTMENT.

JAN 23 1903

RECORD FORWARDED DEPARTMENT.

JAN 23 1903

RECORD FORWARDED DEPARTMENT.

FEB 4 9 1903

ACTION APPROVED BY THE COMMISSIONER OF THE GENERAL LAND OFFICE.

MAY 10 1903

NOTICE OF APPEAL ACTION FORWARDED APPLICANT.

JUL 13 1903

NOTICE OF APPEAL ACTION FORWARDED ATTORNEY FOR APPLICANT.

JUL 13 1903

NOTICE OF APPEAL ACTION FORWARDED APPLICANT.

JUL 13 1903

No. 1519

For Identification as a Biological Specimen.

Date *Mich 14, 1901*

Name *Shade Horn*

Age *21* - Sex *♂*  $\frac{1}{16}$

Place of Origin *Flo. Texas*

Father: *Jesse Horn. d*

Mother: *Maggie - l*

Claims through *maternal*

~~1519~~

*For spec alone*

Mustoge, Indian Territory, March 25, 1901.

Esqrs Nathan & Arnold,

Adairs, Indian Territory.

Gentlemen:

The Comissioner is in receipt of your letter of March 16, enclosing affidavits to be filed in the following cases:

1. *vs* [illegible]

2. *vs* [illegible]

3. *vs* [illegible]

Also certified copy of [illegible] license and certificate between Jacob [illegible] and [illegible], to be filed in support of [illegible] Jacob G. [illegible] identified as [illegible] [illegible]. The same [illegible] [illegible] with the [illegible] in the [illegible] above [illegible].

Yours [illegible]

No. 1519

For Identification as a Mississippi Choctaw.

Date JUL 1 1902

Name

Age

Blood

Post-Office.

Father:

Mother:

Claims through

Bill testimony  
of Mad Gore  
taken at  
Muskogee S.T.

Children:

Choctaw MCR 1520

Eliza J. Smith

See MCR 1521

MCR 1520

MISSISSIPPI CHOCTAW

*Liza J. Smith*

**REFUSED**

DECISION RENDERED. JUL 7 1902

NOTICE OF DECISION MAILED APPLICANT.

**JUL 24 1902**

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

**JUL 24 1902**

RECORD FORWARDED DEPARTMENT.

**JUL 24 1902**

ACTION APPROVED BY SECRETARY OF INTERIOR

**AUG 25 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

**SEP - 5 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

**SEP - 5 1902**

REFER TO M. C. R. 1521.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
Atoka, I.T., March 14, 1901.

In the matter of the application of Eliza J. Smith for identification as a Mississippi Choctaw.

Eliza J. Smith, having been first duly sworn, upon her oath testified as follows:

Examination by the Commission-

- Q What is your name? A Eliza J. Smith.  
 Q What is your age? A Seventy one.  
 Q What is your post office address? A Wortham.  
 Q Texas? A Yes sir.  
 Q How long have you lived at Wortham? A I hardly know how long it is.  
 Q Where were you born? A Alabama. I just live around among my children, but I stay mostly in Texas.  
 Q Where were you born? -- in Alabama? A Autauga County.  
 Q From there where did you go? A Mississippi.  
 Q And from Mississippi came to Texas? A Yes sir.  
 Q About how long have you lived in Texas? A Hardly a year.  
 Q Until this last year, did you ever live in Texas? A I have been to Texas and just live around among my children.  
 Q You never lived in Indian Territory? A No sir.  
 Q What is your father's name? A Wiley Wiggins.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Martha Wiggins.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A A quarter.  
 Q Did your mother ever live in Indian Territory? A No sir.  
 Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw Tribal authorities? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Daves Commission acting under the Act of Congress of June 10 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Daves Commission? A No sir.  
 Q Is this the first application you have ever made? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A Treaty of 1830.  
 Q 1830? A 1830.  
 Q Do you make claim under the whole treaty? A No sir.  
 Q Under what part of it? A Fourteenth.  
 Q Fourteenth article? A Yes sir.  
 Q Did you ever read the fourteenth article? A No sir.  
 Q Do you understand what it provides? A No sir. I do not know as I do very cleverly.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A They were in Alabama.



Eliza J. Smith---2.

- Q Your father or mother who lived in Mississippi? A My mother.  
Q Did she live in Mississippi? A No sir, in Alabama.  
Q Did you ever have any relatives who lived in Mississippi? A No, only my own children--my grandparents always lived in Alabama. I was always taught that my mother had Choctaw.  
Q Which one of your ancestors do you claim the right to be identified under? A My mother.  
Q You claim under your mother? A Yes sir.  
Q Did she ever live in Mississippi? A No sir.  
Q Where did she live? A In Alabama.  
Q How near to the Mississippi line? A About seventy miles I expect I do not know exactly.  
Q Did any of ~~her~~ people ever live in Mississippi? A No sir, I do not know whether they did or not.  
Q Any of your kin ever live in Mississippi? A There were some on my father's side lived in Mississippi.  
Q Were they Indians? A No sir, not that I know of, they were not.  
Q You claim through your mother? A Yes sir.  
Q You do not know whether she or any of your ancestors ~~was~~ lived in Mississippi? A No sir, my mother did when I was young.  
Q You do not know whether any of your ancestors ever complied with the provisions of article fourteen of the treaty of 1830? A No sir I do not know, but I do not reckon they did.  
Q Did she or any of your ancestors tell the United States Indian Agent within six months after the treaty of 1830 was ratified that she intended to stay in Mississippi and take land there? A No sir.  
Q Did she claim or receive any land in Mississippi as a beneficiary under article fourteen? A No sir.  
Q Are you married? A I have been married, I am a widow.  
Q Have you any minor children you wish to make application for? A No sir?  
Q Have you any documentary evidence you would like to introduce now in support of this application? A No sir.  
Q You are making claim for yourself alone? A Yes sir.

Twenty days time is allowed applicant in which to file documentary evidence in support of this application.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 14th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 18 day of March 1901.

*Charles H. Sawyer*

Notary Public.

J. F. W.  
J. R. B.  
C. W.

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

\*\*\*\*\*

In the matter of the application of Elias J. Smith, et al.,  
for identification as Mississippi Choctaws, consolidating the applic-  
ations of-

Elias J. Smith, . . . . . H. C. N. 1855  
Alanson A. Bowers, et al. . . . . " 1851

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

It appears from the record herein that applications for  
identification as Mississippi Choctaws were made to this Commission  
by Elias J. Smith for himself, and by Alanson A. Bowers for himself  
and for also other children, Alon, Lem, Martin, Zachariah, William,  
Frank, John, Mary and Joseph Smith, and the wife of Alanson  
Smith of the part of Bowers appearing here is . . . .

the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Martha Wiggins, who is alleged to have been a three-quarter blood Choctaw Indian.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1906 (34 Stat., 321).

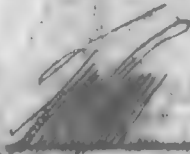
It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were plaintiffs thereunder, that the said Martha Wiggins, or any of the plaintiffs herein, signified (in person or by proxy) to Colonel W. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or procured a claim to rights thereunder to either of the said heirs, or authorized to sign or execute such claims by the acts of Congress approved March 3, 1897 (30 Stat., 100) and August 17, 1905 (34 Stat., 221).

It is, therefore, the opinion of the Commission that the evidence herein is insufficient to determine the identity of the

(3)

Smith, Abraham A. Boudin, Alva Boudin, Lou Boudin, David Boudin,  
Johnnie Boudin, Jefferson Boudin, Fannie Boudin, Kelley Boudin,  
Allie Boudin and Jennie Boudin, as Cheateau Indians entitled to rights  
in the Cheateau lands under the provisions of said article fourteen  
of the treaty of 1850, and that the applications for their identi-  
fication as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,



ACTING CHAIRMAN

(SIGNED)

T. P. Needles.



Commissioner.

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

In the matter of the application of Eliza J. Smith, et al.,  
for identification as Mississippi Choctaws, consolidating the appli-  
cations of-

Eliza J. Smith                      H.C.R. 1820  
Alabama A. Bounds, et al            1821

List of papers forwarded to the Secretary of the Interior  
comprising the record in the consolidated case of  
Eliza J. Smith, et al.

	(Page)
Original application of Eliza J. Smith before the Board of Commissioners for Identification as a Mississippi Choctaw .....	2
Affidavit of W.A. Bounds .....	3
Affidavit of J.T. Bounds, et al .....	4
Original application of Alabama A. Bounds, et al., before the Board of Commissioners for Identification as Choctaws .....	5
Certified copy of affidavit of W.A. Bounds .....	6
Certified copy of affidavit of J.T. Bounds, et al .....	7
Certified copy of affidavit of Eliza J. Smith, et al .....	8

J. F. W.  
C. v. W.

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

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In the matter of the application of Eliza J. Smith, et al.,  
for identification as Mississippi Choctaws, consolidating the applica-  
tions of:

Eliza J. Smith, M.C.R. 1250  
Alabama A. Bounds, et al " 1251

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

It appears from the record herein that applications for  
identification as Mississippi Choctaws were made to this Commission  
by Eliza J. Smith for herself, and by Alabama A. Bounds for herself  
and her nine minor children, Anna, Lou, David, Frances, John, Sam,  
Francis, Malley, Alice and Jennie Bounds, under the provisions of  
the act of March 3, 1899, chapter 22, and the

the United States and the Cherokee Nation, concluded September twenty seventh, eighteen hundred and thirty, by reason of being descendants of one Martha Wiggins, who is alleged to have been a three-quarter blood Cherokee Indian.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Cherokee tribal authorities as a member of the Cherokee Tribe, or admitted to Cherokee citizenship by a duly constituted court or committee of the Cherokee Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1906 (34 Stat., 221).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the Treaty of 1835, and to persons who heretofore were admitted thereto, that the said Martha Wiggins, or any of the applicants herein, signed (in person or by proxy) to Colonel W. Ward, Indian Agent, Cherokee Agency, an intention to comply with the provisions of said article fourteen of the Treaty of 1835, or to the provisions of the act of Congress approved March 3, 1875 (18 Stat., 489).

It is further stated that the Commission is not aware of any other persons who have signed to the provisions of said article fourteen of the Treaty of 1835.

(5)

Smith, Alabama A. Bounds, Alma Bounds, Lou Bounds, David Bounds,  
Johnnie Bounds, Jefferson Bounds, Fannie Bounds, Kelley Bounds,  
Allie Bounds and Jennie Bounds, as Chester Indians entitled to rights  
in the Chester lands under the provisions of said article fourteen  
of the treaty of 1830, and that the applications for their identi-  
fication on such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
ACTING CHAIRMAN.  
  
\_\_\_\_\_  
  
\_\_\_\_\_

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_.



COPI.

Land 44598-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, August 8, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report dated July 24, 1902, from the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Eliza J. Smith for the identification of herself and nine children, Alma, Lou, David, Johnnie, Jefferson, Fannie, Kelley, Allie and Fessie Smith, as Mississippi Choctaws.

Descent is claimed from Martha Wiggins, mother of principal applicant Eliza J. Smith.

The records of this office fail to show that Martha Wiggins received or attempted to secure the benefits of the fourteenth article of the Treaty of Banding Rabbit Creek.

It is therefore respectfully recommended that the decision of the Commission regarding the applicants as Mississippi Choctaws be affirmed.

D. C. 14066-1902.

50918

RAF.

DEPARTMENT OF THE INTERIOR.

Washington. August 25, 1902.

ITD, 4856-1902.

L.R.S.

Commission to the Five Civilized Tribes,

Muskegee, I.T.

Gentlemen:

The Department has considered the consolidated case involving the applications for identification as Mississippi Choctaws, of Elise Smith and of Alabama A. Bounds and her nine minor children, Alma, Lou, David, Jennie, Jefferson, Fannie, Kelley, Allie and Jessie Bounds. The record, including your decision of July 24, 1902, denying the applications, was transmitted with your letter of that date.

The applicants attempt to trace their descent from one Martha Wiggins, alleged to have been a Choctaw Indian of three-fourths blood.

The record fails to show that any one of the applicants has ever been admitted or regarded as a Choctaw Indian, or that any of them were ever admitted or regarded as a Choctaw Indian of three-fourths blood.

A copy of his letter is inclosed.

After a careful review of the whole case the Department  
affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary,

E.M.D.

1 inclosure.

1520

MISSISSIPPI CHOCTAW

Wm. R. Smith, Esq.  
No. 1520

COPY.

M C R 1886

Mustoge, Indian Territory, July 24, 1902.

Mansfield, Kellurray & Cornish,

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

Dear Sirs:

You are hereby advised that on the 24th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Klina J. Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Klina J. Smith, M C R 1820  
Alabama A. Bounds, et al.      "      1843

These applications were made under the provisions of the Act of Congress of June 26, 1896 (30 Stat., 495), which is as follows:

Said Commission shall have authority to determine the identity of persons claiming rights in the Choctaw and Chickasaw portions of the lands between the United States and the Choctaw Nation, concluded September 1830, and to that end may examine all records and papers, and to that end may also receive evidence, hear witnesses, and perform all other acts necessary to be done, and make report to the Secretary of the Interior.

W. H. H. & C. S.

Allie Bounds and Jessie Bounds, as Cheestaw Indians entitled to lands in the Indian lease under the provisions of said article 10 of the treaty of 1865, and also the applications for their identification of said lands, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED:

*I. B. Needles.*

Commissioner in Charge.

COPY.

M C R 1520

Washoe, Indian Territory, July 24, 1908.

Eliza J. Smith,

Wortham, Texas.

Dear Madam:

You are hereby advised that on the 24th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Smith, et al., embracing the following applications for identification as Mississippi Choctaw

Eliza J. Smith, M C R 1520  
Alabama A. Bounce, et al., 1521

These applications were made under the provisions of the act of Congress of June 26, 1896 (30 Stat., 493), which is as follows:

"This Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under articles 15 and 16 of the treaty between the United States and the Choctaw Nation, concluded September twenty-second, 1830, and to that end may use all the powers, and perform all the duties, and exercise all the rights, and have all the authority, of the

Miss J. Smith

to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the report in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

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

Registered.



COPY.

M.C.R. 1890

Muskogee, Indian Territory, July 24, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Eliza J. Smith, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 24th, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Eliza J. Smith, et al., M.C.R. 1890  
M.C.R. 1891

in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Through the  
Commissioner of Indian Affairs.  
1 enclosure.

*E. B. Medley*  
Commissioner in Charge.

M.C.R. 1588

Muskogee, Indian Territory, September 5, 1902.

Elisa J. Smith,  
Wortham, Texas.

Dear Madam:

You are hereby advised that on the 25th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Elisa J. Smith, et al., of which decision you were advised by registered mail on the 24th day of July, 1902.

Yours truly,

*James D. Doby*

Acting Chairman

H.C.N. 1508

Muskogee, Indian Territory, September 8, 1908.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 25th day of August, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Eliza J. Smith, et al., of which decision you were advised by mail on the 24th day of July, 1908.

Yours truly,

*Tamo Dwyer*  
Acting Chairman.

CARD No.

NAME

RESIDENCE  
DISTRICT

POST OFFICE

AGE SEX

REFER TO M. C. R. 1520

Alabama A. D. Hunt  
et al

Wiley Wiggins Deac  
wife  
Martha Wiggins  $\frac{3}{4}$  Deac

$\frac{m}{l} \frac{P}{1520}$

Elyza J Wiggins  $\frac{7}{16}$  married  
Harrow Smith

$\frac{m}{l} \frac{P}{1521}$

Alabama A Bonds  $\frac{3}{4}$  married  
J. T. Bonds

P. P. Smith  
married  
Sarrison

$\frac{m}{l} \frac{P}{1521}$	Alma Bonds	17
"	Lou Bonds	15
"	David Bonds	16
"	Johnie Bonds	12
"	Jefferson Bonds	10
"	Fannie Bonds	8
"	Kelley Bonds	6
"	Alta Bonds	4
"	Joni Bonds	2

No. 1520

For Identification as a Mississippi Choctaw.

Date *Nov. 14, 1901*

Name *Eliza J. Smith*

Age *71* - Blood *1/4*

Post Office, *Wortham, Texas*

Father: *Wiley Miggins. d*

Mother: *Mantua " d*

Claims through ~~for~~ *mother*

~~Children:~~

*for sep alone*

*H. R. [unclear]*

Choctaw MCR 1521

Alabama A. Bounds

MCR 1520

MCR 1521

*Wm A. Bonds, et al*

# REFUSED

DECISION RENDERED. JUL 24 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 24 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 24 1902

RECORD FORWARDED DEPARTMENT.

JUL 24 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 25 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP - 5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

SEP - 5 1902

REF TO M. C. R. 1520.



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 14, 1901.

In the matter of the application of Alabama A. Bounds for identification for herself and her minor children as Mississippi Choctaws.

Alabama A. Bounds, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Alabama A. Bounds.  
 Q What is your age? A Thirty seven.  
 Q What is your post office address? A Wertham, Texas? A Yes sir.  
 Q How long have you lived at Wertham? A About four years I reckon  
 Q Where were you born? A In Mississippi.  
 Q Where? A Osheba County.  
 Q When did you remove to Wertham? A About twelve years ago.  
 Q From Mississippi? A Yes sir.  
 Q Until twelve years ago you lived in Mississippi? A Yes sir.  
 Q And since then in Texas? A Yes sir.  
 Q What is your father's name? A David Smith.  
 Q Living? A No sir.  
 Q What is your mother's name? A Eliza J. Smith. Q Living? A Yes.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One eighth  
 Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to them for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application you have ever made of any kind?  
 A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir  
 Q Under what treaty do you make this application? A 1830.  
 Q Under the whole treaty? A No sir.  
 Q What part of it? A Fourteenth article.  
 Q Do you understand the fourteenth article? A I think I partly understand it.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha Wiggins.  
 Q Did she live in Mississippi? A No sir, in Alabama.  
 Q Did any of your ancestors live in Mississippi? A I do not know.  
 Q Do you know whether any of your ancestors under whom you claim Choctaw blood ever lived in Mississippi? A Only my mother.

Alabama A. Bounds ---2.

- Q But she was not born in Mississippi? A No sir.  
Q You do not know about Martha Wiggins? A No sir.  
Q That is your mother's mother? A Yes sir, my grandmother.  
Q Was she a full blood? A She was three quarters.  
Q Have you any documentary evidence of her being three quarters Choctaw blood? A No, only what I have been taught.  
Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I guess not.  
Q She did not live in Mississippi did she? A No sir.  
Q And if she did not live in Mississippi, she could not have come from that state to the Indian Territory with the other Choctaw Indians? A No sir.  
Q Was she a beneficiary under article fourteen that you know? A No, not that I know anything about.  
Q Did she comply in any way with the provisions of article fourteen? A I guess not; I never heard anything of it.  
Q Did she ever receive or claim land in Mississippi under article fourteen of that treaty? A No sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A J. T. Bounds.  
Q Do you make any claim for him? A No sir.  
Q Have you child under twenty one years of age and unmarried that you want to make application for? A Yes sir.  
Q What is the name of the eldest? A Alma.  
Q How old? A Seventeen.  
Q The next? A Lou.  
Q Boy? A No sir, a girl.  
Q How old? A Fifteen.  
Q The next? A David? A  
Q How old? A Fourteen.  
Q The next? A Johnnie.  
Q How old? A Twelve.  
Q Is that a boy or girl? A Boy.  
Q The next? A Jefferson.  
Q How old? A Ten.  
Q The next? A Fannie.  
Q How old? A Eight.  
Q The next? A Kelley.  
Q How old? A Six.  
Q The next? A Allie.  
Q How old? A Four.  
Q The next? A Jessie, that is a girl, two years old.  
Q Is that all? A Yes sir.  
Q Is J. T. Bounds the father of these children? A Yes sir.  
Q You are the mother? A Yes sir.  
Q You and he are living together as husband and wife? A Yes sir.  
Q And the basis of their claim is the same as yours? A Yes sir.  
Q Have you any documentary evidence you would like to introduce now?  
A No sir.  
Q Would you like time? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

Alabama A. Bounds----3.

Q Is there anything further you would to state? A No sir.

The decision of the Commission in regard to this application which you make for the identification of yourself and these minor children as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 14th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 18 day of March 1901.

*Charles H. Sawyer*

Notary Public.

COPY:

N C R 1521

Muskogee, Indian Territory, July 24, 1902.

Alabama A. Bounds,

Wortham, Texas.

Dear Madam:

You are hereby advised that on the 24th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Eliza J. Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Eliza J. Smith, N C R 1520  
Alabama A. Bounds, et al., " 1521

These applications were made under the provisions of the act of Congress of June 28, 1900 (30 Stat., 495), which is as follows:

"Said Commission shall have authority to determine the identity of persons claiming descent from the Choctaw lands under articles of agreement between the United States and the Choctaw Nation, signed at Washington, Georgia, December, eighteen hundred and thirty, and to hear and receive testimony, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Said decision concludes as follows:

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of the persons claiming descent from the Choctaw lands under articles of agreement between the United States and the Choctaw Nation, signed at Washington, Georgia, December, eighteen hundred and thirty, and to hear and receive testimony, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior".

Albion A. Bowdler

rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded in this case to the Secretary of the Interior

Yours truly,

(SIGNED)

*T. B. Needles*

Commissioner in Charge.

Registered.

M.C.M. 1821

Muskogee, Indian Territory, September 5, 1902.

A. Bounds,  
Northam, Texas,  
Citizen.

You are hereby advised that on the 25th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Missionsippi Chestnuts of the several persons included in the consolidated case of Eliza J. Smith, et al., of which decision you were advised by registered mail on the 24th day of July, 1902.

Yours truly,

Wm. D. Davis,  
Acting Commissioner.

No. 1521

For Identification as a Mississippi Choctaw.

Date *Mich 14. 1901*

Name *Alabama A. Bounds,*

Age *37* Blood *1/8*

Post Office, *Wouttram, Texas*

Father: *David Smith, d*

Mother: *Eliza J. " l*

Claims through *mother*

*husband*

*J. T. Bounds*

Children:

*Alma - 17*

*Lou quie - 15*

*David - 14*

*Johnnie (boy) - 12*

*Jefferson - 10*

*Fannie - 8*

*Kelley - 6*

*Allie - 4*

*Jessie girl - 2*

*Frances - 1 child*

Choctaw MCR 1522

Moss Henson

See MCR 1382

MCR 1522



*Moss Dawson*

**REFUSED.**

DECISION RENDERED. MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 27 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

MAY 27 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 27 1902

RECORD FORWARDED DEPARTMENT.

MAY 27 1902

ACTION APPROVED BY SECRETARY OF INTERIOR:

JUL 19 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

JUL 28 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

JUL 28 1902

REFER TO M.C.R. 1382

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 15, 1901.

In the matter of the application of Moss Henson for identification as a Mississippi Choctaw.

Moss Henson, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Moss Henson.  
 Q What is your age? A Twenty four.  
 Q What is your post office address? A Sasakwa, I. T.  
 Q How long have you lived there? A Three years.  
 Q Where did you live before you lived there? A In the Chickasaw.  
 Q How long have you lived in the Indian Territory continuously?  
 A Nine years.  
 Q Where were you born? A In Louisiana.  
 Q Where in Louisiana? A Grandene.  
 Q When did you leave Louisiana? A In what Year?  
 Q Yes? A I do not know.  
 Q About how long did you live in Louisiana? A Five years.  
 Q Where did you go from that state? A Texas.  
 Q How long did you live in Texas? A About ten years.  
 Q And you came to the territory from Texas? A Yes sir.  
 Q You never lived in Mississippi? A No sir.  
 Q Born in Louisiana, and you removed from there to Texas, and from Texas to the Indian Territory? A Yes sir.  
 Q What is your father's name? A Armistid Henson.  
 Q Living? A No sir.  
 Q What is your mother's name? A Mattie Henson.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A About one eighth I think.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir, my name is not.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application you have ever made of any description? A Yes sir.

Mess Hensen----2.

- Q You now make application to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty do you make this claim? A 1830.
- Q Under the whole treaty or under any particular article of the treaty? A Under the fourteenth article.
- Q Are you familiar with the fourteenth article? A No sir, not in particular.
- Q There are no other articles in the treaty of 1830 that you rely upon in making this application? A No sir, not that I know of.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha Hensen.
- Q What relation was she to you? A Grandmother.
- Q On your father's side? A Yes sir.
- Q Was she a full blood Choctaw Indian? A No sir, I do not think she was.
- Q Do you know how much Choctaw blood she had? A I think she claimed one half.
- Q Have you any documentary evidence that you are descended from her--I mean by documentary evidence anything in writing, affidavits or anything of that sort, family records? A No sir, not that I know of.
- Q Did she live in Mississippi in 1830? A No, she lived in Alabama.
- Q Did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent then living in Mississippi, Colonel Ward, that she desired to remain in Mississippi, take land there and become a citizen of that state? A No, sir, not that I know of.
- Q Did she remove to the Indian Territory with the other Indians in the years 1833 to 1837? A I do not know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830 that is, did she ever receive any benefits under that article? A Not that I know of.
- Q Did she comply with any of the provisions of article fourteen of the treaty of 1830? A Not that I know of.
- Q Did she ever claim or receive any land in Mississippi under article fourteen of that treaty? A Not that I know of.
- Q You never heard that she received any land in Mississippi from the United States Government under that treaty? A No sir.
- Q Are you a citizen? A No sir.
- Q You are claiming for yourself a land? A Yes sir.
- Q Have you any documentary evidence you would like to introduce now and make a part of your application? A Yes sir, but not now.
- Q Would you like time? A Yes sir.

Twenty days time from the date hereof is allowed applicant or motion of his counsel in which to file documentary evidence in support of his application.

The decision of the Commission in regard to this application which you may file identifying as a Choctaw Indian will be mailed to you at your present post office address.

H. C. Simpson, having been first duly sworn, upon his oath states: That in compliance with the Commission to the first applicant

Hess Hanson--3.

Tribes he reported in full all proceedings had in the above entitled cause on the 15th day of March 1901, and that the above and foregoing is a true, full and correct transcript of his stenographic notes of said cause on said date.

*W. C. Heston*

Subscribed and sworn to before me this 18 day of March 1901.

*Charles H. Sawyer*

Notary Public.

M.C.R. 1522

Muskogee, Indian Territory, May 7, 1904.

Attorneys-at-Law,

Coalgate, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of April 28, in which you ask if a man by the name of Moss Henson is on the rolls, and state that he is a grandson of Elizabeth Howell.

In reply to your letter you are informed that on May 13, 1902, the Commission rendered its decision refusing the applications for identification as Mississippi Choctaws of the persons included in the consolidated Mississippi Choctaw case of Elizabeth Howell. The name of Moss Henson was made a part.

On July 19, 1902, the Secretary of the Interior affirmed the decision, notice of which action was forwarded the applicants July 28, 1902. The Commission, therefore, considers this case closed.

Respectfully,

Commissioner in Charge.

copy

M C R 1222.

Sankago, Indian Territory, May 27, 1902.

Dear Sir,

Sankago, Indian Territory.

Dear Sir:

You are hereby advised that on the 15th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Elizabeth Howell, et al., embracing the following applications for identification as Mississippi Choctaws:

Elizabeth Howell, et al.,	M C R 1222
Anna G. Howell, et al.,	M C R 1223
Martha Harrison, et al.,	M C R 1224
John Harrison,	M C R 1225
James Howell, et al.,	M C R 1226
John Harrison, et al.,	M C R 1227
John Harrison, et al.,	M C R 1228
John Harrison, et al.,	M C R 1229
John Harrison, et al.,	M C R 1230
John Harrison, et al.,	M C R 1231
John Harrison, et al.,	M C R 1232

Said decision after a review of the evidence submitted, concludes as follows:

The Commission to the Five Civilized Tribes, after a review of the evidence submitted in the consolidated case of Elizabeth Howell, et al., on May 15, 1902, rendered a decision in said case as follows:

COPY

H 2-1-18

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Elizabeth Howell, Ida Howell, Ann Howell, Dora Howell, Annie Gorman, Ella Gorman, Julia Gorman, Emma Gorman, Susan Gorman, Ella Gorman, Martha Gorman, and as such, the application for the same should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

W. H. H. H.

James B. ...

Assistant Secretary

COPY.

M. C. R. 192 8

Muskogee, Indian Territory, July 28, 1902.

Mess Hansen,

~~Muskogee, Indian Territory.~~

Dear Sirs:

You are hereby advised that on the 19th day of July, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Elizabeth Howell, et al., of which decision you were advised by registered mail on the 27th day of May, 1902.

Yours truly,

(SIGNED)

*T. B. Woodley.*  
Commissioner in Charge.



7/11/11

<small>COPIES OF THIS TO THE COMMISSIONER</small> <hr/> <b>NOV 18 1906</b> <hr/>
--

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

Muskogee, Indian Territory, November 14, 1906.

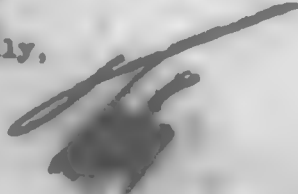
Mess Henson,

Sacakwa, Indian Territory.

Dear Sir :

You are hereby notified that the Secretary of the Interior on November 8, 1906, denied the motion filed in this office June 23, 1906, by J. V. Cabell, Attorney at Law, Ardmore, Indian Territory, for re-opening and re-consideration of the consolidated Mississippi Choctaw Case of Elizabeth Howell, et al.

Respectfully,



Commissioner.

11/27  
MUR 2523

COPY

Madagee, Indian Territory, November 14, 1906.

Wess Henson,

Sasakwa, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 8, 1906, denied the motion filed in this office June 23, 1906, by J. V. Cabell, Attorney at Law, Ardmore, Indian Territory, for re-opening and re-consideration of the consolidated Mississippi Choctaw Case of Elisabeth Newell, et al.

Respectfully,

SIGNED *Tams Bixby.*  
Commissioner.

FOR INFORMATION OF A MEMORIAL BOARD.

Date *Mich 15, 1901*

Name *Moss Benson*

Age *24* Blood *1/8*

Post Office, *Sasakwa, S. T.*

Father: *Armedid Benson, d*

Mother: *Kathie " d*

Claims through *father*

*Claims for self  
alone*

~~Children:~~

*H. Christeen  
Stens*

COMMISSIONER OF THE INTERIOR.  
Commissioner to the Five Civilized Tribes,  
MUSKOGEE, IND. TER.



*Handwritten:*  
Muskogee  
Ind. Ter.

*Handwritten:*  
Muskogee



Moss Henney,  
Saskwa, Indian Territory.

NOV 15 1896  
5 PM  
DEPT OF THE INTERIOR  
WASHINGTON

DEPARTMENT OF THE INTERIOR  
Commissary to the Five Civilized Tribes

FILED  
DEC 15 1896

*[Signature]*  
Commissioner

Choctaw MCR 1523

Jennie Howell

See MCR 1382

MCR 1523

*will it*  
**REFUSED.**

DECISION RENDERED. **MAY 13 1902**

NOTICE OF DECISION MAILED APPLICANT.

**MAY 17 1902**

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

**MAY 27 1902**

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

**MAY 27 1902**

RECORD FORWARDED DEPARTMENT.

**MAY 27 1902**

ACTION APPROVED BY SECRETARY OF INTERIOR.

**JUL 19 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

**JUL 28 1902**

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

**JUL 28 1902**

REFER TO M. C. R. *1382*

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 15, 1901.

In the matter of the application of Jennie Howell for identification for herself and her minor children as Mississippi Choctaws.

Jennie Howell, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Jennie Howell.  
 Q What is your age? A Twenty one.  
 Q What is your post office address? A Sasakwa, I. T.  
 Q How long have you lived there? A Three years.  
 Q Where did you live before you lived there? A Chickasaw.  
 Q In the Chickasaw Nation? A Yes sir.  
 Q What place? A Dixie.  
 Q How long did you live there? A Three years.  
 Q Where were you born? A Louisiana.  
 Q Where did you remove to when you left Louisiana? A Texas.  
 Q How long did you live in Texas? A About twelve years.  
 Q You lives first in Louisiana, then in Texas and then Indian-Territory? A Yes sir.  
 Q You never lived in Mississippi? A No sir.  
 Q What is your father's name? A Armatid Hensen.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Mattie Hensen.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One eighth.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Where did he die? A In Louisiana.  
 Q When--do you remember? A No sir, I do not remember.  
 Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir not that I know of.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment as a citizen of the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application of any description you have ever made? A Yes sir.  
 Q You now come before the commission to be identified as a Mississippi Choctaw? A Yes sir.



Jennie Howell----2.

- Q Under what treaty or treaties do you make this claim for identification? A 1830.
- Q You mean treaty of 1830? A Yes sir.
- Q Under all of it? A No sir.
- Q Under what portion of the treaty? A Fourteenth.
- Q Fourteenth what--what do you mean by fourteenth--do you mean fourteenth edition? A I do not understand you.
- Q Are you talking about the fourteenth article? A Yes sir.
- Q Do you know what that article provides? A No sir.
- Q Do you know what it states with reference to the law governing the application which you make today; if you do not, you can say so? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Martha Henson.
- Q What relation was she to you? A My grandmother.
- Q Was she a full blood Choctaw Indian? A No sir.
- Q How much Choctaw blood did she have? A I think she claimed one half.
- Q Did she ever go to the United States Indian Agent living in Mississippi, Colonel Ward, within six months after the treaty of 1830 was ratified and tell him that she wished to stay in Mississippi and take land there from the government and become a citizen of the state of Mississippi? A Not that I know of.
- Q Did she leave Mississippi and come to the Indian Territory in the years 1835 to 1837 with the other Choctaw Indians? A Not that I know of.
- Q Did she ever receive any benefits under article fourteen of the treaty of 1830? A Not that I know of.
- Q Did she ever comply in any way with the provisions of article fourteen? A Not that I know of.
- Q Did she ever claim or receive any land in Mississippi under the fourteenth article? A No sir.
- Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Otis H. Howell.
- Q Do you make any claim for him? A No sir.
- Q Have you any children you want to make application for? A I have two.
- Q What is the name of the oldest? A Willie.
- Q How old is Willie? A Four years old.
- Q Is that a boy? A A girl.
- Q What is name of the next? A Ola.
- Q Girl? A Yes sir.
- Q How old? A Six months.
- Q Is Otis H. Howell the father of these children? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q You and he are living together as husband and wife? A Yes sir.
- Q And these children are living with you at your home? A Yes sir.
- Q And they base their claim upon the fact that they take the same blood as you--claim through you? A Yes sir.
- Q Have you any documentary evidence you want to introduce now and make part of your application? A No sir.
- Q Would you like time? A Yes sir.

Twenty days time from the date hereof is allowed applicants

on motion of counsel in which to file documentary evidence in support of this application.

The decision of the Commission in regard to this application which you make for identification for yourself and these minor children as Mississippi Cheetaws will be mailed to you at your present post office address.

H.C.Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 15th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H.C. Risteen*

Subscribed and sworn to before me this 18 day of March 1901.

*Charles H. Sawyer*

Notary Public.

COPY.

M C R 1522

Muskogee, Indian Territory, May 27, 1902.

Jennie Howell,  
 Muskogee, Indian Territory.

Dear Madam:

You are hereby advised that on the 15th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Elizabeth Howell, et al., embracing the following applicants for identification as Missions of Choctaws:

- |                           |           |
|---------------------------|-----------|
| Elizabeth Howell, et al., | M O R I S |
| Anna Howell, et al.,      | M O R I S |
| Martha Howell, et al.,    | M O R I S |
| John Howell,              | M O R I S |
| Jennie Howell, et al.,    | M O R I S |
| Walter Howell, et al.,    | M O R I S |
| George Howell, et al.,    | M O R I S |
| Harold Howell, et al.,    | M O R I S |

Said Commission will give a review of the evidence submitted

Very respectfully,  
The Commission

The Commission

COPY.

3 ~~Handwritten~~

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Elizabeth Howell, Ida Howell, Ala Howell, Dora Howell, Annie Cornedge, William M. Cornedge, Della Cornedge, Susan Cornedge, Samuel Cornedge, Edna Cornedge, Martha Cornedge, William A. Cornedge, Wiley Cornedge, Thomas Cornedge, George Cornedge, Thomas Cornedge, Frank C. Cornedge, Thomas Burdison, H. W. Howell, Annie Howell, Willie Howell, Ola Howell, Nettie Odell, Owa Howell, Charley Howell, John W. Dunn, George Washington Dunn, Elva Adeline Dunn, James Madison Dunn, John Leslie Dunn, Annie Lee Dunn, Mary Frank Dunn, Lola Cornedge, Charlie Cornedge, Samit Cornedge, William Cornedge, Martha Corley and Maudie Corley as Choctaw Indians entitled to lands in the Oklahoma lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

*James P. Fisher*  
Acting Chairman

Registered.

REGISTERED  
 U.S. DEPARTMENT OF THE INTERIOR  
 BUREAU OF LAND MANAGEMENT  
 WASHINGTON, D.C.

COPY.

M.C R. 1523

Muskogee, Indian Territory, July 28, 1902.

Jennie Howell,

Muskogee, Indian Territory.

Dear Madam:

You are hereby advised that on the 19th day of July, 1902, the secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Elizabeth Howell, et al., of which decision you were advised by registered mail on the 27th day of May, 1902.

Yours truly,

Commissioner in Charge.

COPIED IN ACCORD TO THE FOLLOWING:  
MUR 1523

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

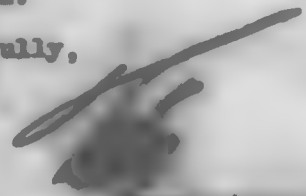
11/11  
Muskegee, Indian Territory, November 14, 1906.

Jennie Howell,  
Sasakwa, Indian Territory.

Dear Madam :--

You are hereby notified that the Secretary of the Interior on November 5, 1906, denied the motion filed in this office June 23, 1906, by J. V. Cabell, Attorney at Law, Ardmore, Indian Territory, for re-opening and re-consideration of the consolidated Mississippi Choctaw Case of Elizabeth Howell, et al.

Respectfully,



Commissioner.

Department of the Interior.  
Bureau of Ethnology,  
WASHINGTON, D.C.

1323



Jennie Howell,  
Sasakwa, Indian Territory.







U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Date *March 15, 1901*

Name *Jennie Howell*

Age *21* Blood *1/8*

Post Office, *Sacramento, S. T.*

Father: *Amos H. Howell, d.*

Mother: *Mattie Howell, d.*

Claims through *father*

*husband*

*Chas. H. Howell, -*

Children:

*Willie (girl) 4.*

*Chas. " 6 m*

*Claims for sett  
and children*

*Howell*

Choctaw MCR 1524

Washington Goff

MCR 1524

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I. T., March 15, 1901.

In the matter of the application of Washington Goff for identification for himself and his minor children as Mississippi Choctaws.

Washington Goff, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Washington Goff.  
 Q What is your age? A Sixty three. Born in 1838.  
 Q What is your post office address? A Paris.  
 Q What state? A Lamar County, Texas.  
 Q How long have you lived in Paris? A I have lived there in the county for forty nine years.  
 Q Where were you born? A Mississippi.  
 Q What place? A Leak County.  
 Q In what year were you born? A 1838, 24th day of December.  
 Q You removed from Mississippi to Texas and have lived in Texas ever since? A Yes sir.  
 Q What is your father's name? A Nelson Hughes.  
 Q What is your mother's name? A Elizabeth Hughes.  
 Q Is your father living? A No sir.  
 Q Is your mother living? A Yes sir.  
 Q How does your name become Goff when your father's name was Hughes? A We refuged from Mississippi to Texas with Goff, with George Goff.  
 Q Who? A My mother. Her husband had been dead--he was dead before I was born.  
 Q Then your mother refuged off with George Goff? A Yes sir.  
 Q What do you mean by refuged? A We moved to Texas with him.  
 Q What kin was Goff to you? A None at all.  
 Q Why did you not keep your family name? A I do not know, when I came to Texas I was a small fellow.  
 Q Through which one of your parents do you claim Choctaw blood? A My mother--she was three quarters. Her father was a full blood and her mother one half.  
 Q How much do you claim? A About one eighth I reckon.  
 Q Was your father a negro? A He was not all full blooded negro. He was mixed with Choctaw or white one. My mother said he was not a full blooded negro.  
 Q Pretty much darkey wasn't he? A Right smart, I suppose.  
 Q How much darkey blood did your mother have? A About one quarter I reckon. She said her father was a full blood Choctaw..  
 Q And her mother, what? A One half Choctaw. Half breed.  
 Q You cannot say just how much negro blood she had? A She does not look as if she has any. She has got as long straight hair as a Choctaw.  
 Q Was your mother ever a slave? A No sir.  
 Q Was your father? A I think so.  
 Q Who was his master? A I do not know, I think Hughes was his master's name.

Washington Goff---2.

- Q Was Goff your mother's master? A No sir, she lived with him. She was not a slave.
- Q You think your mother had three quarters Choctaw? A Yes sir, every Choctaw claims she is a Choctaw. The LeFlores in Mississippi claims she was a Choctaw and said she was kin to them.
- Q You took your hair from your father? A No, from my mother.
- Q Your hair is pretty kinky is it not? A Yes a little.
- Q A little of your father's hair? A I suppose so.
- Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Was she ever recognized as a Choctaw Indian by the Choctaw authorities in the Indian Territory? A The Choctaws all that seed her, claimed her as a Choctaw. She has never been ever here in the Nation.
- Q She has never been ever here in the territory? A No sir.
- Q And so she could not have been recognized as a Choctaw by the tribal authorities? A No sir.
- Q Did you ever make application to the Choctaw tribal authorities for either citizenship or enrollment in the Choctaw Nation? A No sir.
- Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No sir.
- Q Did you ever make application to the Dawes Commission? A No sir.
- Q Did you ever make any application at all any where? A Yes sir, I made application last June a year ago at Paris.
- Q To the Dawes Commission? A No sir, Arnold & Hudson took my case. They made out the application in Paris, and told me they had sent it to Washington.
- Q This is the first appearance you have ever made either before the Dawes Commission or the Choctaw tribal authorities? A Yes sir.
- Q What do you say about having papers made out by some attorneys for you? A Mr Arnold and Hudson made out some application for us at Paris when the Commissioners was down here at Goodland.
- Q The Commission to the Five Civilized Tribes? A I do not know whether to the five or not. All I can tell you---
- Q You did not go before the Commission? A I was there but did not go before them.
- Q Why was that? A Mr Hudson said the Judge said he would not hear Mississippi Choctaws.
- Q Are you making application to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty? A I am not making it under any treaty that I knows of, only coming before the commissioners here to see if there is any chance at all for me.
- Q Do you know anything about the treaties? A No sir.
- Q Did you ever hear of the treaty of 1830? A No sir.
- Q Or the treaty of Dancing Rabbit Creek? A No sir.
- Q Ever hear of article fourteen of the treaty of 1830? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830 and under whom you claim? A All I can tell you about Mississippi, that we lived with Goff.
- Q You claim through your mother? A Yes sir.
- Q Did she live in Mississippi in 1830? A I do not know when it was. All I know is where I was born.

Washington Goff---3.

Q Did you ever have any kin who lived in Mississippi? A My mother was all the kin I had.

Q When did you leave Mississippi? A In fifty-two.

Q How old was your mother then? A I could not tell you.

Q Old woman or young woman? A She is seventy nine years old now.

Q And she came from Mississippi then? A Yes sir. She must have been born in Mississippi. I never asked her.

Q Do you know anything about her father? A All I could tell you is just what she told me.

Q What did she tell you? A Her father I think she said lived in Virginia.

Q Did her mother live in Mississippi? A Not as I knows of.

Q But your mother was born in Mississippi? A I could not tell you whether she was or not.

Q Do you know whether your mother within six months after the treaty of 1830 was ratified told the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know, I never heard her say anything about it.

Q Did she come from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1833 to 1837? A I could not tell you.

Q Did she ever take advantage of any of the provisions of article fourteen of the treaty of 1830? A Not as I knows of.

Q Was she a beneficiary under article fourteen? A Not as I knows of.

Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A Not as I knows of.

Q Did you ever receive any benefits in the Indian Territory as a Choctaw Indian? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Hulda Ann Goff.

Q She is a negro? A Yes sir, she came from the states.

Q Do you claim anything for her? A No sir.

Q Have you children under age and unmarried that you wish to make application for? A I have three under age.

Q What is the name of the eldest? A Lillie.

Q How old? A Fifteen.

Q Name of the next? A Nathaniel.

Q How old? A Thirteen.

Q What is name of next? A Cornelius

Q How old? A Eleven.

Q Is that all the children you have? A That is all I have under age.

Q Is Hulda the mother of these children? A Yes sir.

Q And you are the father? A Yes sir.

Q And you and she are living together as husband and wife? A We have been for forty years.

Q Have you your marriage license? A No sir.

Q Have you any documentary evidence that you want to introduce now?

A I have my papers of witnesses.

Affidavit of Albert York introduced in evidence by applicant, received, filed and marked Exhibit A and made a part of the record in this case.

Affidavit of Elizabeth Little John also introduced by applicant, received, filed, marked Exhibit B and made a part

Washington Goff---8.

of the record in this case.

- Q Is that all the documentary evidence you have? A Yes sir  
Q Is that all you want to submit? A That is all I now submit.  
Q Do you want time to file marriage license and certificate in support of the application for the children? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file addition documentary evidence in support of his application if he so desires; also marriage license and certificate, or certified copy of the same.

Examination by Henry Byington, attorney for applicant:

Q What is the name of the Indian your mother claimed to be descended from? A Oktibish Harvey--that is my mother's father.

By the Commission:

Q Where did he live, in Mississippi? A I could not tell you whether he lived in Mississippi or not.

Q You gave the name of your mother as Elizabeth-Goff and Elizabeth Hughes and now in this affidavit it is Elizabeth Little John.

A That is her husband's name. Her name never was Goff.

Q Your mother's present name is Elizabeth Little John? A Yes sir.

Q And when she came to Texas she came under what name? A Elizabeth Hughes.

Q Is there anything further you want to state? A No sir, nothing that I know of.

The decision of the Commission in regard to this application which you make for identification for yourself and these minor children as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause on the 15th day of March 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 18th day of March 1901.

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 4, 1901.

Mr. Henry Byington,  
Caddo, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of April 4, inclosing affidavit of William and Jane Littlejohn to be filed in support of the claim of Washington Goff for identification as a Mississippi Choctaw. You are advised that the same has been duly filed with the record in this case.

Yours truly,

MC 1524

Acting Chairman.

COPY.

M.C.R. 1524.

Muskogee, Indian Territory, September 4, 1902.

Washington, Goff,  
Paris, Texas.

Dear Sir:

You are hereby advised that on the 4th day of September 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Elizabeth Littlejohn, et al., embracing the following applications for identification as Mississippi

Chestawet

Elizabeth Littlejohn,	M.C.R. 2023
Washington, Goff, et al.,	" 1524
Eliza Goff, et al.,	" 201
William Goff,	" 200
Green Goff, et al.,	" 202
Lella Goff,	" 203
Harper Leebart,	" 204
Anderson Goff,	" 205
Carrie Goff, et al.,	" 206
Annie Williams, et al.,	" 207

These applications were made under the provision of the act of Congress of June 25, 1898 (30 Stats., 496) which is as follows:

"Said Commission shall have authority to determine the identity of Chestawet Indians claiming to be the survivors of the Chestawet Nation, concluded September seventh, 1897, and the



V.O. #2.

and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Elizabeth Littlejohn, Washington Goff, Lillie Goff, Nathaniel Goff, Cornelius Goff, Eliza Goff, Christopher White, Maria White, Erumah White, Birdie White, McKinley White, William Goff, Green Goff, William Wesley Goff, Walter Anderson Goff, Verner Goff, Maysa Goff, Godfrey Goff, Leila Goff, Norher Lockhart, Anderson Goff, Carrie Bailey, Eddie Bailey, Joyce Bailey, Annie Williams and Fannie Williams as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

James Dixby.

Acting Chairman.

Registered.

H.C.R. 1824.

Muskogee, Indian Territory, December 23, 1902.

Washington Coff,

Grant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of a copy of a letter from the Acting Secretary of the Interior addressed to you which acknowledges the receipt of certain affidavits in the matter of your application for identification as a Mississippi Choctaw, asking for a rehearing of the case and advising you that the record had not yet been received by the Department. You note thereon that you made your report direct to the Secretary of the Interior.

It is noted that on September 4, 1902, the Commission received and considered the application made by you for the identification of yourself and three minor children as Mississippi Choctaws, and on the same date you were notified by registered mail of the action of the Commission and the forwarding of the record to the Secretary of the Interior. The Commission has not, as yet, been advised of any substantial motion in your case.

Respectfully,

M.C.R. 1524

COPY

Muskogee, Indian Territory, December 22, 1902.

Washington Geff,

Paris, Texas.

Dear Sir:

You are hereby notified that on the 8th day of December, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Elizabeth Littlejohn, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

Tamoc Kirby

Acting Chairman.

Muskogee, Indian Territory, November 12, 1903.

W. M. Coff,

Lenton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 7th instant, in which you ask if the evidence in your case is insufficient. You state that if it is not, you would like to be advised whether or not you could dispose of your place.

In reply you are informed that it does not appear from our records that any person by the name of W. M. Coff is an applicant to this Commission for identification as a Mississippi Choctaw or for enrollment as a citizen or freedman of either the Choctaw or Chickasaw Nations.

Our records do show, however, that on November 22, 1902, the Secretary of the Interior approved the decision of the Commission regarding the application made by Washington Coff for the identification of himself and his three sons, William, Little, Nathaniel and Cornelius Coff, as Mississippi Choctaws, of which governmental action Washington Coff was duly notified on December 22, 1902. The Commission also considers this case closed.

If you are dissatisfied with the Commission's report, there mentioned, you will please advise this Commission and we will be glad to

**V E C S**

any manner entitled to possessory rights of the tribal property of  
the Cheyenne and Chickasaw Nations.

Respectfully,

**Chairman.**

N.O.R. 1524.

Muskogee, Indian Territory, March 8, 1907.

Wm. Washington Goff,  
Lenton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 4, 1907, requesting to be informed as to the status of the applications of yourself and children as citizens of the Choctaw Nation. You also state that you desire to file additional evidence in said case.

In reply thereto, you are informed that it does not appear from the records of this office that any person by the name of Wm. Washington Goff is an applicant for identification as a Mississippi Choctaw or for enrollment as a citizen or freedman of either the Choctaw or Chickasaw Nations.

However, the records of this office do show that on December 8, 1902, the Secretary of the Interior approved the decision of the Commission to the Five Civilized Tribes regarding the application made by one Washington Goff for the identification of himself and his three minor children, Willie, Nathaniel and Cornelius Goff as Mississippi Choctaws, of which departmental action said Washington Goff was duly notified.

No. 2.

on December 22, 1962, and said case is now closed.

If you are identical with the Washington Coff above mentioned, you will take notice accordingly.

Respectfully,

Commissioner.

SEP - 4 1972  
REGISTERED ATTORNEYS  
UNLAWFUL NATIONALS  
SEP - 2 1972  
FORWARD DEPARTMENT  
APPROVED BY SECRETARY  
DEC - 8 1972  
LEGAL ACTION  
DEC 9



For Identification as a Mississippi Choctaw.

Date *May 15 1901*

Name *Washington Ruff*

Age *63* Blood *1/8*

Post Office, *Paris, Texas*

Father: *Nelson Hughes, d*

Mother: *Elizabeth " d*

Claims through *mother*

*wife -*

*Kue ad a. Ruff*

Children:

*Lillie " 15*

*Matronie " 13*

*Cornelius " 11*

*for prop &*

*children*

*W. Ruff*

Choctaw MCR 1525

Martha E. Sharp

MCR 1525

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 Atoka, I.T., March 18, 1901.

In the matter of the application of Martha E. Sharp for identification for herself and her minor children as Mississippi Choctaws.

Martha E. Sharp, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Martha E. Sharp.  
 Q What is your age? A Forty three.  
 Q What is your post office address? A Durant, I.T.  
 Q Is that where you get your mail? A Yes sir.  
 Q How long have you lived there? A A little over a month.  
 Q Where did you live before you lived there? A McCool, Attala, Co. Mississippi.  
 Q Where were you born? A Mississippi.  
 Q Where in Mississippi? A Winston County.  
 Q How long did you live in Mississippi? A Ever since I was a child.  
 Q And when you left Mississippi where did you go? A I came out here.  
 Q When did you leave Mississippi? A Two months ago, a little over a month ago.  
 Q Did you always live there until you left there two months ago?  
 A Yes sir.  
 Q And when you came to the territory, where did you come to? A Durant.  
 Q And have lived there since? A Yes sir.  
 Q What is your father's name? A John Ball.  
 Q Is he living or dead? A Living.  
 Q What is your mother's name? A Penninah Ball.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A By my mother.  
 Q How much Choctaw blood do you claim? A One third, I reckon.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Where was she born? A In Winston County, Mississippi?  
 A Yes sir.  
 Q Always lived there? A Yes sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Has your mother ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation--I mean in the Indian Territory? A No sir.  
 Q Did you ever make application for enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever applied to the Choctaw Nation by the Choctaw tribal authorities for citizenship in the Indian Territory on appeal from the Choctaw tribal authorities? A No sir.

Martha E. Sharp---2.

- Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the commission to the five civilized Tribes acting under the act of congress of June 10, 1896? A No sir.
- Q Is this the first application you have ever made of any kind? A Yes sir--my husband appeared, in Mississippi.
- Q Did he make application for you? A Yes sir.
- Q What is your husband's name? A W. C. Sharp.
- Q He appeared before the commission at what place in Mississippi? A Carthage.
- Q When did he appear before the commission? A About two years ago.
- Q Did he make application for you at that time? A Yes sir.
- Q What was done with the application or what was said, do you know? A I do not know.
- Q You now make application before the commission in your own behalf do you? A Yes sir.
- Q You come here to be identified as a Mississippi Choctaw? A Yes.
- Q Under what treaty or treaties do you make this application--or do you know what law or treaty you make this application under? A No sir.
- Q Did you ever hear of the treaty of 1830? A Yes sir.
- Q Is your name Martha E. Sharp? A Yes sir.
- Q Didnt you make personal application before the Commission at Carthage, Mississippi, January 26, 1899? A No sir.
- Q Who appeared for you? A My husband.
- Q What is his name? A W. C. Sharp---Will Sharp.

From the Commission's report of cases heard in Mississippi in January and February, 1899, it appears that in Case D-31 William C. Sharp, husband of this applicant, Martha E. Sharp, appeared before the Commission to the five civilized Tribes at Carthage, Mississippi, on the 26th day of January, 1899, and made application for this applicant, Martha E. Sharp; that the claim was rejected on March 8/1899, at Muskogee, Indian Territory. At the time of this application by William C. Sharp in behalf of his wife, this applicant, application was also made for the following minor children, to-wit: Lee N., Cleveland, Willie V., May, Jango, and John N. Sharp.

- Q You say, do you, that at that time you were not there? A No sir
- Q And at that time was notice given that you yourself must appear in person before the Dawes Commission to make application? A No sir.
- Q Why, if your application has been acted upon, as it evidently has, do you appear before the Commission now and make application? A They said it was best for me to come.
- Q Who said that? A I have heard them say.
- Q Heard who say; who did you hear say that you must come here and make application again?

W. A. Durant, counsel for applicant, makes the following statement: I learned the facts in the case from the applicant's husband, W. C. Sharp, and I gave him an opinion in the matter, and upon my advice she appears before the Commission now to make personal application, as I understand it is the ruling of the Commission that the husband has no right to appear for his wife, he being a non-citizen or white man.

Martha R. Sharp--3.

- Q What is the name of your ancestor through whom you now claim the right to be identified as a Mississippi Choctaw? A Penninah Ball.
- Q She is your mother? A Yes sir.
- Q Is she the Choctaw ancestor who lived in Mississippi in 1830? A Yes sir.
- Q She lived in Mississippi in 1830? A Yes sir.--No, her mother did
- Q Your mother lived in Mississippi in 1830, did she? A She lived in Mississippi.
- Q How old is she now? A Sixty six years old.
- Q She was born in Mississippi? A Yes sir.
- Q What was her mother's name? A Clarissa Leach.
- Q What was your mother's name? A Penninah Leach--she married a Ball.
- Q Was she a Choctaw Indian? A Yes sir.
- Q How much Choctaw blood did she have? A One half.
- Q How do you know she had one half? A I was told that.
- Q Who told you? A My mother.
- Q Family tradition, is it? A Yes sir.
- Q Have you any documentary evidence of that fact? A No sir.
- Q What is your grandmother's name? A Clarissa Leach.
- Q How much Choctaw blood did she have? A I do not know.
- Q Did your grandmother within six months after the treaty of 1830 was ratified tell the United States Indian Agent living in Mississippi that she intended to stay in Mississippi, and take land there and become a citizen of the United States? A I do not know.
- Q Did she come to the Indian Territory from Mississippi with the other Choctaw Indians in the years 1835 to 1837? A No sir.
- Q Do you know why she did not? A No sir, I do not.
- Q Was she a beneficiary under article fourteen of the treaty of 1830, do you know? A No sir, I do not.
- Q By you know what I mean by beneficiary? A No sir.
- Q I mean by beneficiary, when I ask if she was a beneficiary under the treaty of 1830, article fourteen of the treaty of 1830,--did she receive any benefits as a Choctaw Indian under that law, any lands or money or property under that law? A Out here?
- Q Did she there or here? A She got some land there.
- Q From the United States government? A Yes sir.
- Q How do you know she got land from the United States? (No answer)
- Q Did she comply with the provisions of article fourteen of the treaty of 1830? A Yes sir.
- Q How do you know? A I was told she did.
- Q Who told you so? (No answer).
- Q Did she ever claim or receive any land in Mississippi from the United States government under article fourteen of the treaty of 1830? A Yes sir.
- Q Have you any documentary proof of that? A Yes sir.
- Q Would you like to introduce that proof later? A Yes sir.
- Q Do you know anything about the treaty of 1830? A No sir.
- Q Did you ever hear of the treaty of 1830? A Yes sir.
- Q But you do not know anything about it? A No sir.
- Q Did you ever hear of article fourteen of the treaty of 1830? A Yes sir.
- Q Do you know anything about that article? A No sir.

Martha E. Sharp---4.

Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A William C. Sharp.  
Q Is he a white man? A Yes sir.  
Q Do you make any claim for him? A No sir.  
Q Have you any children that you want to make application for? A Yes sir.  
Q When and where were you married to William C. Sharp? A Winston County, Mississippi? A Yes sir.  
Q When? A In 1881, 16th day of February.  
Q What is the name of your oldest child? A Marion L.  
Q Is that a boy? A Yes sir.  
Q How old? A Nineteen.  
Q What is name of the next? A Cleveland E.  
Q How old? A Sixteen.  
Q The next? A Willie V.  
Q How old is he? A Thirteen.  
Q Next? A Minnie M.  
Q How old? A Eleven.  
Q The next? A Penninah J.  
Q How old? A Eight.  
Q The next? A John N.  
Q How old? A Five.  
Q Any others? A Lena P.  
Q How old? A Two years old.  
Q Is that all? A Yes sir.  
Q Is William C. Sharp the father of these children? A Yes sir.  
Q And you are the mother? A Yes sir.  
Q You and he are living together as husband and wife? A Yes sir.  
Q The basis of the children's claim is the same as yours? A Yes sir.  
Q Have you any documentary proof you want to introduce now and make part of your application? A Yes sir.

Marriage Certificate between W. C. Sharp and Miss M. E. Ball presented by applicant, received, filed, marked Exhibit A and made part of the records in this case.

Certificate signed by Rebt. L. Wood, Clerk of Chancery Court of Winston County, Mississippi, in reference to whole of Section twenty-seven, in Township fourteen north, range eleven east, containing 642.40 acres and belonging to Mrs Wilson presented by applicant, received, filed and marked exhibit B, and made part of the records in this case

Certified copy of transfer of land belonging to Louisa Wilson and transferred to Wm McDaniel introduced by applicant, received, filed, marked exhibit C and made part of the records in this case.

Application of Martha E. Sharp which she makes in her own behalf, in writing, presented by applicant, received, filed, marked exhibit D, and made part of the records in this case.

Affidavits of James L. Brwer and Arnold Taylor presented by

Martha B. Sharp-----S.

applicant, received, filed and marked Exhibit E, and made part of the record in this case.

Marriage certificate between Alfred Leach and Clarissa Wilson presented by applicant, received, filed, marked Exhibit F. and made part of the record in this case.

Affidavit of Mrs Penninah Ball, mother of applicant, presented, received, filed, marked Exhibit G and made part of the records in this case.

Q Is this all the documentary evidence you have that you wish to present? A Yes sir.

Q Do you wish time in which to present any more documentary evidence? A Yes sir.

On motion of Mr Durant, counsel for applicant, twenty days time is granted applicant in which to file other documentary evidence, if she so desires, in support of this application.

Examination by W. A. Durant, Attorney for applicant:

Q What was your grandmother's name--maiden name? A LeFlore.

Q Clarissa LeFlore? A Yes sir.

Q When did she first marry? A She married a Wilson.

Q Do you know his given name? A No sir.

Q Then she was afterwards Clarissa Wilson? A Yes sir.

Q When did she marry next? A Alfred Leach

Q Your mother is a daughter from the marriage between your grandmother and Alfred Leach? A Yes sir.

Q What was your mother's maiden name? A Penninah Leach.

Q And she married whom? A John Ball.

Q And that is your father? A Yes sir.

By the Commission:

Q Is there anything further you would like to say? A No sir.

The decision of the Commission in regard to this application which you make for identification for yourself and these minor children as Mississippi Choctaws will be mailed to you at your present post office address, Durant, Indian Territory.

H. C. Risteen, having been first duly sworn, upon his oath states; That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 18th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

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

*Charles W. Sawyer*

Notary Public.

Carthage, Mississippi, January 26, 1902

William C. Sharp, the applicant, after being duly sworn, states: I am forty years old, and am a white man, the husband of Martha E., the daughter of Penninah Ball, and the sister of Mrs. Mary Boswell, above. She is forty-two years old, and we have the following children: Lee, 17; Cleveland, 14; Willie V., 12; May, 10; Janie, 7; and John E., 4 years old.

(Apparently White. WC)

I, Clara Wittchell Wood, a Notary Public within and for the Northern District of the Indian Territory, do hereby certify that the above and foregoing is a true, accurate and correct copy of the testimony of William C. Sharp, in his application for the identification of his wife and six minor children as Mississippi Choctaws, made at Carthage, Mississippi, January 26, 1902, as shown by the records of the Commission.

In Witness whereof I have hereunto set my hand and affixed my seal as such Notary Public, this twenty fourth day of February, 1902.

*Clara Wittchell Wood*  
Notary Public.



Carthage, Mississippi, January 26, 1899

William C. Sharp, the applicant, after being duly sworn, states: I am forty years old, and am a white man, the husband of Martha R., the daughter of Penninnah Ball, and the sister of Mrs. Mary Boswell, above. She is forty-two years old, and we have the following children: Lee, 17, Cleveland, 14; Willie V., 12; May, 10; Janie, 7; and John W., 4 years old.

(Apparently White. WC)

I, Clara Mitchell Wood, a Notary Public within and for the Northern District of the Indian Territory, do hereby certify that the above and foregoing is a true, accurate and correct copy of the testimony of William C. Sharp, in his application for the identification of his wife and six minor children as Mississippi Cheetaws, made at Carthage, Mississippi, January 26, 1899, as shown by the records of the Commission.

In Witness whereof I have hereunto set my hand and affixed my seal as such Notary Public, this twenty fourth day of February, 1902.



Notary Public.

Muskogee, Indian Territory, April 8, 1901.

Mr. W. M. Durant,

Durant, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of March 29, inclosing affidavit of Mrs. Mary Gardner to be in support of the application of Martha E. Sharp et al. for identification as Mississippi Choctaws. The same has been duly made a part of the record in this case, and will receive the consideration of the Commission in determining the rights of this applicant to identification as a Mississippi Choctaw.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, April 11, 1901.

Mr. W. A. Durant,

Durant, Indian Territory,

Dear Sir:

Your letter of April 7, inclosing affidavit to be filed in case of Martha K. Sharp, is received. You are advised, that, before the Commission can accept any further affidavits from you, for filing in any case heretofore represented by you, it will be necessary for you to comply with the Regulations Governing the Recognition of Agents and Attorneys before the Commission to the Five Civilized Tribes, approved March 30, 1901, a copy of which is inclosed you herewith.

Upon receipt of the certificate of the Clerk of the United States Court for the Central District of the Indian Territory, that you are an attorney of good standing in this District, the Commission will accept any proper papers forwarded by you for filing.

Yours truly,

f  
Acting Chairman.

Muskogee, Indian Territory, November 21, 1901.

Jesse M. Hatchett,

Durant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 10, inclosing evidence of the birth of Hazel Adell Sharp, infant daughter of William C. and Martha E. Sharp. The affidavits of the mother and the physician at the birth of this child are accepted as evidence of its birth, and they have been filed with and made a part of the original application of its mother for identification as a Mississippi Choctaw.

Yours truly,

Acting Chairman.

COPY.

M.C.P. 1525

Muskogee, Indian Territory, January 27, 1903.

Martina L. Sharp,

Barant, Indian Territory.

Dear Madam:

You are hereby advised that on the 27th day of January, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Penninnah Ball, et al., embracing the following applications for identification as Mississippi Choctaws:

Penninnah Ball,	M.C.D.	27
Charissa J. McKeaynolds, et al.,	H.C.R.	1240
John V. McKeaynolds, et al.,	H.C.R.	1147
Mary P. McKeight,	H.C.R.	1241
Stephen L. McKeaynolds,	H.C.R.	1242
William H. Hill,	H.C.R.	1243
Erby Hill, et al.,	H.C.R.	1243
Malv Hill, et al.,	H.C.R.	1243
Elizabeth A. Hill,	H.C.R.	1243
Martina L. Sharp, et al.,	H.C.R.	1243
Frances H. Ray, et al.,	H.C.R.	1243
Lawson A. Ray, et al.,	H.C.D.	28
John W. Ray,	H.C.R.	2011

These applications were made under the provision of the act of Congress of June 20, 1900 (30 Stat., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians who claim rights in the lands under article 11 of the treaty between the United States and the Choctaw Nation, 1830, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Penninnah Ball, Clarissa J. McReynolds, Edna J. McReynolds, Ida McReynolds, Grace McReynolds, Clara McReynolds, Winnie McReynolds, John V. McReynolds, Lloyd McReynolds, Orton McReynolds, Ethel Bernice McReynolds, Mary P. McKnight, Stephen L. McReynolds, Willie F. Hill, Emily Black, Clarence Milton Black, Penninnah Narcissus Black, Vera Ella Irene Black, John Winston Black, William Lee Black, Mary Edna Black, Charlie Swinton Black, Mary Boswell, Mamie Boswell, Everette E. Boswell, Martha E. Sharp, Marion L. Sharp, Cleveland E. Sharp, Willie V. Sharp, Minnie M. Sharp, Penninnah J. Sharp, John E. Sharp, Lena P. Sharp, Hazel Adell Sharp, Frances E. Ray, Emmett H. Ray, Alma E. Ray, Lenora A. Ray, Emily Ray, Theo Ray, Estell Ray, Mary B. Ray, William L. Ray and John W. Ray as Chestaw Indians entitled to rights in the Chestaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior, through the Commissioner of Indian Affairs.

Respectfully,

Registered.

*W. H. H. H. H.*  
Acting Chairman.

COMMISSIONERS  
TAMM DIXIE,  
THOMAS B. NEEDLES,  
C. R. BRACKINRIDGE,  
W. E. STANLEY

ALLISON L. AYLERWORTH,  
SECRETARY

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

M. C. R. 1525.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 7, 1903.

Martha B. Sharp,  
Durant, Indian Territory.

Dear Madam:

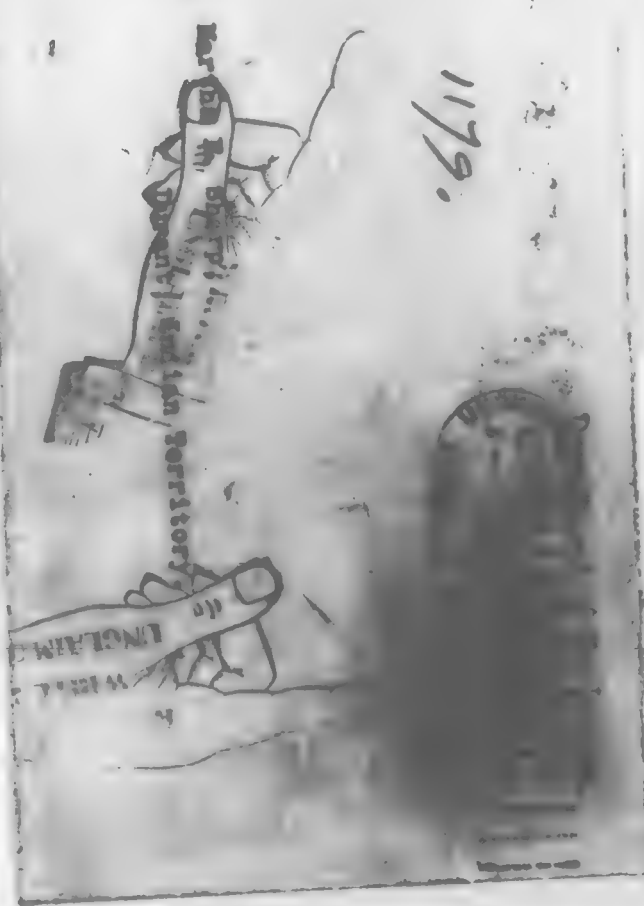
You are hereby notified that on the 19th day of September, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Penninah Ball, et al., of which decision you were advised by registered mail on the 27th day of January, 1903.

Respectfully,

Chairman.

General Office H. C. R.

Advising that the Secretary of the Interior has affirmed Commission's decision, refusing application for identification as a Mississippi Choctaw.





MISSION TO THE FIELD  
1903

DURATION  
EXHIBITION

file

No. 1525

For Identification as a Mississippi Choctaw.

Date *Feb 18. 1901*

Name *Marta E. Sharp.*

Age *43* - Blood  $\frac{1}{3}$

Post Office, *Durant, D. T.*

Father: *John Ball, l.*

Mother: *Penninah " l*

Claims through *mother, -*

~~Husband -~~

*William C. Sharp -*

Children:

~~Lena~~ -

*Marion L. (boy) 19-*

*Cleveland E. 16*

*Killie V. 13*

*Minnie M. 11*

~~JAMES~~

*Penninah J. 8*

*John N. 5-*

*Lena P. 2*

*H. C. Risteen*

*Stens*

Choctaw MCR 1526

Sidney I. Watson

See MCR 726

MCR 1526

*John S. Watson*

**REFUSED**

DECISION RENDERED JUL 2 1902  
RECORD FORWARDED DEPARTMENT

JUL 29 1902

NOTICE OF DECISION MAILED APPLICANT.

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

ACTION APPROVED BY SECRETARY OF INTERIOR

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

*May 17, 1902* *Agent G. Durant J.T.*

REFER TO M. C. R. 726

**REFUSED**

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., MARCH 20, 1901.

In the matter of the application of Sidney I. Watson for identification as a Mississippi Choctaw.

Sidney I. Watson, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission-

- Q What is your name? A Sidney I. Watson.  
 Q What is your age? A Forty six.  
 Q What is your post office address? A Ennis, Texas.  
 Q How long have you lived in Ennis? A About eight years.  
 Q Where did you live before you lived in Ennis? A I am from Mississippi.  
 Q You lived in Mississippi? A Yes sir.  
 Q Where were you born? A Choctaw County, Mississippi.  
 Q And you lived there until about eight years ago? A Yes sir.  
 Q And you came to Texas from Mississippi? A Yes sir.  
 Q What is your father's name? A His name was Hugh A. Watson.  
 Q He is dead? A Yes sir.  
 Q What is your mother's name? A Mary E. Watson.  
 Q Is she living? A Dead.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Was she ever recognized by the Choctaw tribal authorities of the Indian Territory as a Choctaw Indian? A I do not know whether she was or not.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A Not that I know of.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1896? A I did not.  
 Q Is this the first application of any kind that you have ever made either to the United States authorities or the Choctaw tribal authorities? A Yes sir.  
 Q Are you now seeking to be identified as a Mississippi Choctaw?  
 A I am.  
 Q Under what treaty? A 1830.  
 Q Do you claim under the whole treaty or under only a part of it?  
 A I claim under, I reckon, the whole treaty. I do not understand that there was but one treaty at that time.  
 Q You do not claim particularly under the fourteenth article of that treaty? A Yes, I do claim under that.  
 Q What do I understand you claim under? A Under Running Rabbit Creek treaty.

Sidney A. Watson----2.

- Q Do you claim under the whole treaty including article fourteen, or under article fourteen only? A Under article fourteen only.
- Q Then you do not claim under the whole treaty? A No sir.
- Q Do you know what the treaty provides? A I have heard it read.
- Q Explain it as you understand it? A It seems that at that time there was a treaty between the Cheetaws and the United States allowing each head of a family 100 acres of land, and on down to each child over ten years of age so much land and one under that so much land.
- Q That is the way you understand it? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Rebecca Bass.
- Q What relation was she to you? A Grandmother.
- Q Did she live in Mississippi in 1830? A As far as I knew she did.
- Q Did she within six months after the treaty of 1830 was ratified declare her intention to the United States Indian agent then living in Mississippi to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did she remove from Mississippi to the Indian Territory with the other Cheetaw Indians in the years 1833 to 1837? A No sir.
- Q Do you know why she did not? A No sir.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did she comply with any of the provisions of that treaty? A I do not know, not that I know of.
- Q Did she receive or claim any land under that article? A Not that I know of.
- Q Have you ever received any benefits in the Indian Territory as a Cheetaw Indian? A I have not.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Jimmie S. Watson.
- Q Do you make any claim for her? A No sir, she is my wife.
- Q But you make no claim for her? A No sir, no claim.
- Q When and where were you married to her? A Chester, Cheetaw County, Mississippi, 20th day of November 1882, I believe.
- Q Have you children under 21 years of age and unmarried that you wish to make application for? A I have not living. My children are all dead.
- Q Making application for yourself alone? A Yes sir.
- Q Have you any documentary evidence you would like to introduce? A Not today--I have some I want to introduce, but am not prepared to do so today.
- Q Would you like time? A Yes sir.

On motion of Mr Arnold, attorney for applicant, twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Cheetaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath

Sidney A. Watson----3.

states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 20th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. Christie*

Subscribed and sworn to before me this 7<sup>th</sup> day of March 1901.

*Charles K. Sawyer*

Notary Public.

Miss. Choctaw 1000

McKeage, Indian Territory, May 17, 1902.

Sidney I. Watson,  
Durant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 15,  
inclosing the affidavits of Martha E. Head and W. J. Gordon Sr.,  
which you offer in support of your application for identification  
as a Mississippi Choctaw, and the same have been filed with the  
record in this case.

Yours truly,

Acting Chairman.



Muskogee, Indian Territory, July 29, 1902.

Sidney I. Watson,  
 Bonis, Texas.

Dear Sir:

You are hereby advised that on the 29th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James F. Head, et al., embracing the following applications for identification as Mississippi Choctaws:

James F. Head, et al.,	M C R	726
Laura Pickens, et al.,	"	730
Lydia Head, et al.,	"	731
William A. Head, et al.,	"	732
Alzada Nash, et al.,	"	735
Cassie Elizabeth Cammie Lancaster, et al.	"	900
James H. Head,	"	904
Leonard Mason Head,	"	906
Annie Lee Stith, et al.,	"	908
William Y. Head,	"	909
Dunreath Wilkinson, et al.,	"	1137
Owen Head, et al.,	"	1143
James Head,	"	1415
Sidney I. Head, et al.,	"	1430
Sidney I. Watson,	"	1526
James Atkins, et al.,	"	1827
Guy F. Watson,	"	1844
Georgia Vaden, et al.,	"	1747
Fannie McLaughly,	"	1748
Catherine McKee,	"	1749
Effie Keltner, et al.,	"	1750
Hugh N. Watson, et al.,	"	1887
Thelbert Otha Head, et al.,	"	3437
L. Eunice Hogillio, et al.,	"	3586
Willa Gatlin, et al.,	"	3787
Dora Harvey,	"	4062
Julia Castle, et al.,	"	1804
Willie J. Wilcox, et al.,	"	2448
Willies J. Atkins, et al.,	"	5239
John R. Atkins, et al.,	"	5240

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stat., 495) which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence in this case is insufficient to determine the identity of James F. Head, Walter Isaac Head, Laura Pickens, William Pickens, Dovie S. Pickens, Herbert Houston Pickens, Jesse Leroy Head, Henry Floyd Head, William A. Head, Olive A. Head, Wm. P. Head, Isaac L. Head, Roxey M. Head, Myrtle L. Head, Alzada Hash, Willie Irene Hash, James Arthur Hash, Cassie Elizabeth Cammie Lancaster, Hubert V. Lancaster, James D. Lancaster, Eula Edna Lancaster, Noley May Lancaster, Robert L. Stuckey, Mary Stuckey, William G. Stuckey, James H. Head, Leonard Mason Head, Annie Lee Stith, Stella Maud Stith, William Y. Head, Dunreath Wilkinson, Marcus Gillespie Wilkinson, Azalee Dunreath Wilkinson, Thomas Moody Wilkinson, Mattie Audry Wilkinson, Owen Head, Lee Head, May Head, Bertha Head, Pearl Head, Ruth Head, Berbert Head, Ralph Head, James Head, Sidney A. Head, Willavery Head, Bessie Lou Head, Williard Head, Leonard G. Head, Sidney Head, Sidney I. Watson, James Atkins, Essie O. Atkins, Guy E. Watson, Georgia Vaden, Leon Vaden, Fannie McCauley, Catherine McKee, Effie Keltner, Valton Keltner, Norman Keltner, Hugh F. Watson, Houston Pete Watson, Theibert Otho Head, Carl Head, Fannie Head, Birdie Head, Ruby Head, L. Eunice Rogillio, Lillie Mincy Rogillio, Clovis Henry Rogillio, Luther Rogillio, Anna Belle Rogillio, Ella Gatlin, Lees Adelia Gatlin, Verdie Luceil Gatlin, Vera Harvey, Julia Castle, Lessie Castle, Millie J. Wilcox, Belle Wilcox, Ulysses Wilcox, Lurie Wilcox, Bealy Wilcox, Tommy Wilcox, Guy Wilcox, Willies J. Atkins, Miles Marvin Atkins, Ida May Atkins, John R. Atkins and Ordyrie Atkins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

"It is the further opinion of this Commission that under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by James P. Head for the identification of his wife, Lucinda Head, by Laura Pickens for the identification of her husband, Joseph Pickens, by Lydia Head for the identification of herself, and by Alsada Wash for the identification of her husband, Robert W. Wash, in each case as an intermarried Mississippi Choctaw, should therefore be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED:

*I. B. Needles*

Commissioner in Charge.

Registered.

Muskogee, Indian Territory, October 11, 1902.

Sidney I. Watson,  
Ennis, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James F. Head, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

(SIGNED)

*T. E. Needles.*

Commissioner in Charge.

MCR 1526

Muskogee, Indian Territory, December 5, 1906.

Sidney I. Watson,  
c/o D. H. Linebaugh,  
Atoka, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 23, 1906, denied a motion for rehearing filed by Attorney D. H. Linebaugh of Atoka, Indian Territory, June 25, 1906, in the consolidated Mississippi Choctaw case of James F. Head, et al.

Respectfully,

Acting Commissioner.

No. 1526

For Identification as a Mississippi Choctaw.

Date *Mich 20, 1901*

Name *Sidney J. Watson.*

Age *46* Blood *1/16*

Post Office, *Emmis, Texas,*

Father: *Hugh A. Watson, d.*

Mother: *Mary C. Watson d*

Claims through *Mother*

*wife -*

*Jimmie S. Watson.*

Children:

*Application for  
self alone*

*H. R. R. Steens*

Choctaw MCR 1527

James Atkins

See MCR 726

MCR 1527

*James [unclear]*  
**REFUSED**  
DECISION RENDERED. JUL 29 1902  
RECORD FORWARDED DEPARTMENT,

JUL 29 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 29 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

ACTION APPROVED BY SECRETARY (E. W. RICH)

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

*9/25/1901*  
*Latest address Durant I. T.*

REFER TO M. C. R. 726  
**REFUSED**



DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T., MARCH 20, 1901.

In the matter of the application of James Atkins for the identification of himself and his minor child as Mississippi Choctaws.

James Atkins, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A James Atkins.
- Q What is your age? A Forty five.
- Q What is your post office address? A Pieten, Texas.
- Q How long have you lived in Pieten? A I have been a resident there for about twenty six years I believe.
- Q Where did you live before you lived in Pieten? A I lived most of the time in Mississippi; my father moved from Mississippi to Texas.
- Q You were born in Mississippi? A Yes sir.
- Q Where? A Menree County.
- Q Did you remove from Mississippi to Texas? A Yes sir.
- Q And have only lived in those two states? A Yes sir.
- Q What is your father's name? A W. C. Atkins.
- Q Is he living? A Yes sir.
- Q What is your mother's name? A Sarah Atkins.
- Q Is she living? A No sir, she is dead.
- Q Through which one of these parents do you claim Choctaw blood? A Through my mother.
- Q How much do you claim? A I claim myself one sixteenth--my mother was one eighth.
- Q Did your mother ever live in the Indian Territory? A No sir, not as I know of.
- Q Is her name on any of the tribal rolls of the Choctaw Nation? A Not as I know of.
- Q Is yours? A No sir.
- Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A I could not tell you, I do not know.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for enrollment as a Choctaw Indian to the Choctaw tribal authorities? A No sir.
- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.
- Q Is this the first application you have ever made either for citizenship or enrollment either to the Choctaw Tribal authorities or to the Dawes Commission? A Yes sir.
- Q And you now seek to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or treaties do you make this application? A 1830.
- Q Under the whole treaty? A I do not know as I understand the treaty; my claim is under 1830.

James Atkins----2.

- Q Do you know whether the treaty has reference as a whole to your application for identification? A No sir, I do not.
- Q Do you claim under article fourteen of the treaty of 1830? A Yes.
- Q Do you claim under article fourteen and the rest of the treaty or under article fourteen and no other part? A Under article fourteen and no other part.
- Q Do you not claim under article fifteen or nineteen? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Rebecca Bass.
- Q What relation was she to you? A My grandmother.
- Q Do you know whether she came from Mississippi to the Indian Territory in the years 1833 or 1837 or between those dates when the other Choctaw Indians came here? A No sir.
- Q Did she within six months after the treaty of 1830 was ratified go to the United States Indian Agent then living in Mississippi, Colonel Ward, and tell him that she intended to stay in Mississippi and take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I could not tell you.
- Q Did any of your ancestors comply in any way with the provisions of article fourteen of the treaty of 1830? A Not as I know of.
- Q Did she ever receive or claim any land under that article in Mississippi? A No sir, not that I know of.
- Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Henrietta Atkins.
- Q Make any claim for her? A No sir.
- Q When and where were you married to her? A In Hopkins county, Texas, in 1877, January 4th.
- Q Under the laws of the state of Texas? A Yes sir.
- Q Have you children under twenty one years of age and unmarried that you desire to make application for? A Yes sir, I have one.
- Q What is the name of that child? A Essie O.
- Q How old is Essie? A Eleven years.
- Q Is that all the children you have? A I have three other daughters married, one of them is sixteen and the others are twenty one.
- Q The married children will have to make their own application--Have you marriage license and certificate that you would like to present now? A No sir.
- Q Have you any documentary evidence that you want to introduce now? A No, I would like time.

On motion of Mr Arnold, counsel for applicant, twenty days time is allowed applicant in which to file documentary evidence in support of this application; also marriage license and certificate or certified copy thereof.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for the identification of yourself and this minor child as Mississippi Choctaws will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause

James Atkins--- 3.

on the 20th day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. Kisteen*

Subscribed and sworn to before me this 23 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Atoka, I.T. September 21, 1901.

TESTIMONY OF J.S. ATKINS AND W.C. ATKINS

In the matter of the application of James Atkins et al. for identification as Mississippi Choctaws, heard at Atoka, I.T. March 20, 1901, M.C.R. 1527

In the matter of the application of Eunice Rogillie et al., for identification as Mississippi Choctaws, heard at Atoka, I.T. September 21, 1901. M.C.R. 3586

In the matter of the application of Ella Gatlin et al. for identification as Mississippi Choctaws, heard at Atoka, I.T. September 21, 1901. M.C.R. 3587

J.S. Atkins being first duly sworn as a witness in these cases testified as follows:

Examination by the Commission:

- Q What is your name? A J.S. Atkins.  
Q What does that J. stand for? A James.  
Q What is your age? A Forty five; will soon be forty six.  
Q What is your post office address? A Well, I come from Pictou; Durant now, I live in the Nation.  
Q You have moved your family there now? A Yes, since April last.  
Q You are an applicant for identification as a Mississippi Choctaw? A Not today; but I have.  
Q I mean you are here in the position of an applicant? A Yes.  
Q Are you acquainted with Eunice Rogillie and one Ella Gatlin? A Yes  
Q What relation are they to you? A My daughters.  
Q They claim their Choctaw blood through you? A Yes.  
Q You claim your Choctaw blood through which one of your parents? A My mother.  
Q What is your mother's name? A Sarah Atkins.  
Q Is Sarah Atkins living now? A No.  
Q What is your father's name? A W.C. Atkins; Clark Atkins.  
Q How old would Sarah Atkins be if living now? A Somethin' near sixty four years of age.  
Q What was her father's name? A James Head.  
Q What was her mother's name? A Rebecca Head after she married him.  
Q Which one of your mother's parents claimed to be Choctaw? A Through Rebecca Head, my mother's mother.  
Q Was Sarah Atkins the eldest one of her mother's children? A No.  
Q How much older than she was the oldest one of your mother's children? A I can't tell you just how much; they was some of the children younger than mother and some older; there was several.  
Q Was your grandmother a married woman and head of a family in 1830? A I suppose so; I haven't calculated.  
Q That a seventy one years old? A Yes; she died about the age of 60.  
Q Who did? A Rebecca Head.  
Q How long has she been dead? A About twenty two years.

Q Then it is your best information that she was a married woman and head of a family in 1830? A Yes, the best of my information.

Q And your children all claim their Choctaw blood through the same common ancestor that you do? A Yes.

Q Did Rebecca Head go to the Indian agent there in Mississippi and tell him that she wanted to stay in Mississippi-did she within six months after the treaty of 1830 was ratified? A I can't tell you.

Q Did she come West with the other Indians between 1833 to 1838? A No.

Q Where was she living in 1830? A I can't tell you in 1830; somewhere in Mississippi I suppose from what I have been told.

Q Did she remain in Mississippi until she died? A No, moved to Illinois and died there.

Q How much Choctaw blood did she claim to have? A She claimed to have one fourth; a quarter supposed to be; that's from the very best information we could arrive at.

Q Did she have a Choctaw name? A My mother always taught me there was Indian blood in them and my brothers and they was the first Indian people I ever seen.

Q Did she have an Indian name? A Nothing more than the names I have given you; so far as I know.

(Witness excused.)

V.C. Atkins being first duly sworn as a witness in these cases testified as follows:

Q What is your name? A V.C. Atkins.

Q What is your age? A Seventy two years old.

Q What is your post office address? A Sulphur Springs, Texas.

Q Are you an applicant for identification as a Mississippi Choctaw? A No.

Q You are a white man? A I am a white man.

Q Are you acquainted with James Atkins, Eunice Begillie and Ella Catlin? A I am.

Q What relation are they to you, if any? A This is my son and these are my grand-daughters.

Q James Atkins is your son and Eunice Begillie and Ella Catlin are his children, your grand-children? A Yes.

Q You don't claim to have any Choctaw blood? A No.

Q Where do your son and his children get their Choctaw blood? A On their mother's side.

Q What is their mother's name? A Married Rebecca Head and her maiden name was Rebecca Bass; and the Bass family was the Choctaw side- about generally known as Choctaws.

Q Did I understand you to say that you married Rebecca Head? A I married Rebecca Head's daughter.

Q What was her name? A Sarah A. Head.

Q Did you know Rebecca Head in Mississippi? A I did.

Q When? A Well, in 1833; I got acquainted with the Head and Bass families in '34 and '35 and knew them several years afterwards married into the Head family.

Q You don't know anything about Rebecca Head's living in Mississippi in 1830 or where she lived at that time do you? A At the time I was acquainted.

Q In 1830- seventy one years ago? A No, I don't know where they lived; I suppose they lived in Mississippi.

Q In 1830? A In 1830, North Carolina

Q Do you know when she moved to Mississippi? A No I can't tell you. My wife was born in North Carolina and the Head family and the Bass family came from North Carolina; they come right from the same country the balance of the Indians come from.

Q Well, wasn't Rebecca Head a Cherokee then instead of a Choctaw?

A Why her father was known as a Choctaw.

Q Where? A When I became acquainted with her.

Q In Mississippi? A Yes, in Mississippi. I knew he was known as a Choctaw 'cause his complexion showed up that way and his eyes was that way and his general make-up showed that he was Choctaw and he owned up to it at home and his boys they all owned up to it they all knowed that he had Indian, the Choctaw.

Q You say that your wife would be sixty eight if living now? A Yes.

Q And that she was born in North Carolina? A Yes.

Q Do you know who were the children next older than your wife- Rebecca Head's children? A Catherine McKid; she has been here before the Commission.

Q How much older was she? A I suppose about three years.

Q Where was she born? A In North Carolina.

Q Then in 1830 Rebecca Head was not a resident of the State of Mississippi according to your best knowledge? A No, I think not.

Q You got that from the history of the family; they told it to you?

A Yes.

Q Of course you can't know it personally? A No I just got it from the history of the family.

Q Is there anything more you would like to have brought out? ( To applicants; and the father says: "We have an aunt Catherine McKee down here in Texas, we would like to offer testimony; and we have another boy who is Cynthia Bass' child.")

Witness excused.

Henry G. Hains being duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the above testimony and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said testimony on said date, September 21, 1901.

*Henry G. Hains*

Subscribed and sworn to before me this 5th day of October, 1901.

*Charles K. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 2, 1901.

Messrs Hudson & Arnold,

Ardmore, Indian Territory,

Gentlemen:

The Commission is in receipt of your letter of March 27, inclosing certified copy of marriage license and certificate between J. S. Atkins and Henrietta Cooper, to be filed in support of the application for identification as Mississippi Choctaws of James Atkins, et al. The same has been made a part of the record in this case.

Yours truly,

Acting Chairman.

MC 1527

Waskogen, Indian Territory, April 24, 1901.

Messrs Hudson & Arnold,

Ardenore, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of April 19,  
inclosing affidavits for filing in support of the following applica-  
tions for identification as Mississippi Choctaws:

146d, Robert B. Lee, et al.

1527, James Atkins, et al.

The same have been duly filed and made a part of the records in these  
cases.

Yours truly,



COPY.

Muskogee, Indian Territory, July 29, 1902.

James Atkins,

Picton, Texas.

Dear Sir:

You are hereby advised that on the 29th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James F. Head, et al., embracing the following applications for identification as Mississippi Choctaw:

James F. Head, et al.,	M C R	726
Laura Pickens, et al.,	"	730
Lydia Head, et al.,	"	731
William A. Head, et al.,	"	732
Alzada Nash, et al.,	"	735
Cassie Elizabeth Cammie Lancaster, et al.,	"	900
James H. Head,	"	904
Leonard Mason Head,	"	906
Annie Lee Blith, et al.,	"	908
William Y. Head,	"	909
Jamreath Wilkinson, et al.,	"	1137
Owen Head, et al.,	"	1143
James Head,	"	1415
Sidney A. Head, et al.,	"	1430
Sidney I. Watson,	"	1526
James Atkins, et al.,	"	1527
Guy A. Watson,	"	1544
Georgia Vaden, et al.,	"	1747
Fannie McCauley,	"	1748
Catherine McKee,	"	1749
Effie Koltner, et al.,	"	1750
Hugh H. Watson, et al.,	"	1687
Shelbort Othe Head, et al.,	"	3487
L. Eunice Rogillio, et al.,	"	3586
Ella Gatlin, et al.,	"	3737
Dora Harvey,	"	4052
Julia Castle, et al.,	"	1004
Killie J. Wilcox, et al.,	"	2243
Willies J. Atkins, et al.,	"	3259
John B. Atkins, et al.,	"	3240

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"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 Sept. 27, 1832, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence in this case is insufficient to determine the identity of James T. Head, Walter Isaac Head, Della Pickens, William Pickens, Dovie E. Pickens, Herbert Houston Pickens, Jesse Leroy Head, Henry Floyd Head, William A. Head, Olive M. Head, Wm. P. Head, Isaac L. Head, Roxy W. Head, Myrtle E. Head, Alzada Nash, Millie Irene Nash, James Arthur Nash, Cassie Elizabeth Carrie Lancaster, Robert W. Lancaster, James D. Lancaster, Mula Edna Lancaster, Koley May Lancaster, Robert L. Stuckey, Mary Stuckey, William G. Stuckey, James V. Head, Leonard Mason Head, Annie Lee Stith, Stella Maud Stith, William Y. Head, Dunreath Wilkinson, Marcus Gillespie Wilkinson, Azalea Dunreath Wilkinson, Thomas Moody Wilkinson, Mattie Audry Wilkinson, Owen Head, Lee Head, May Head, Bertha Head, Pearl Head, Ruth Head, Herbert Head, Ralph Head, James Head, Sidney A. Head, Willavery Head, Bessie Lou Head, Hilliard Head, Leonard G. Head, Sidney Head, Sidney I. Watson, James Atkins, Bessie O. Atkins, Guy E. Watson, Georgia Vaden, Leon Vaden, Fannie McCauley, Catherine McKee, Effie Keltner, Valton Keltner, Norman Keltner, Hugh M. Watson, Houston Pate Watson, Theobert Othe Head, Carl Head, Fannie Head, Birdie Head, Ruby Head, L. Eunice Rogillio, Lillie May Rogillio, Clevie Henry Rogillio, Luther Rogillio, Anna Belle Rogillio, Ella Gatlin, Lous Adelta Gatlin, , Verdie Lucell Gatlin, Dora Harvey, Julia Castle, Lessie Castle, Millie J. Wilcox, Belle Wilcox, Ulysses Wilcox, Lurie Wilcox, Dealy Wilcox, Tommy Wilcox, Guy Wilcox, Willie J. Atkins, Miles Marvin Atkins, Ida May Atkins, John R. Atkins, and Orbyrie Atkins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

"It is the further opinion of this Commission that under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by James T. Head for the identification of his wife, Lucinda Head, by Laura Dickens for the identification of her husband, Joseph Dickens, by Lydia Head for the identification of herself, and by Azada Wash for the identification of her husband, Robert C. Wash, in each case as an intermarried Mississippi Choctaw, should therefore be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

1861

J. H. Hedrick,

Commissioner in Charge.

Registered,

copy. M.C.R. 1527

Muskogee, Indian Territory, October 11, 1902.

James Atkins,

Picton, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James F. Head, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

(SIGNED)

H. I. Wallace.

Commissioner in Charge

77/77

REFER IN REPLY TO THE FOLLOWING:

MCR 1527

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

Muskogee, Indian Territory, December 5, 1906.

James Atkins,

Durant, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 23, 1906, denied a motion for rehearing filed by Attorney D. H. Linsbaugh of Atoka, Indian Territory, June 25, 1906, in the consolidated Mississippi Choctaw case of James F. Head, et al.

Respectfully,

*W. O. Beall*

Acting Commissioner.

No. 1527

For Identification as a Mississippi Choctaw.

Date *Nov 20 1901*

Name *James Atkins,*

Age *45-* Blood *1/16*

Post Office, *Picton, Texas,*

Father: *W. C. Atkins, l*

Mother: *Sarah " d*

Claims through *Mother,*  
*wife.*

*Henrietta. Atkins-*

Children:

*Essie O. - "*

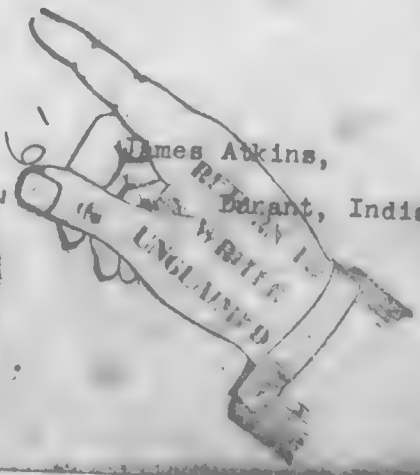
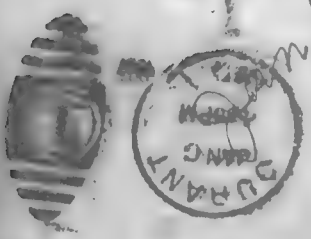
*Claims for self*  
*and child.*

*H. C. Risteen*  
*Steno.*

Department of the Interior.

Muskogee, Ind. Ter.

James Atkins,  
Durant, Indian Territory.



MUSKOGEE  
JAN 7  
6-AM  
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INDIAN  
DEC 6  
4:30PM  
RECD

DEPARTMENT OF THE INTERIOR  
Commissioner to the Five Civilized Tribes.

FILED

JAN - 7 1907

Commiss



Choctaw MCR 1528

Julia Cornish

See MCR 1529

MCR 1528

*Julia Cornish, et al*

# REFUSED

DECISION RENDERED. JUL 25 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 25 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 25 1902

RECORD FORWARDED DEPARTMENT,

JUL 25 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 25 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP - 5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

SEP - 5 1902

REFER TO M. C. R. 1529

**DEPARTMENT OF THE INTERIOR**  
**COMMISSION TO THE FIVE CIVILIZED TRIBES**

In the matter of the application of Julia Cornish et al.,  
for identification as Mississippi Choctaws, consolidating the  
applications of :

Julia Cornish et al.,      M.C.R. 1828  
Ollie Cornish,            M.C.R. 1829

-----

List of papers forwarded to the Secretary of the Interior,  
comprising the report in the consolidated case of  
Julia Cornish et al.

----- (Page)

Original application of Julia Cornish et al. before the Daves Commission for identification as Mississippi Choctaws.....	1
Affidavit of Suis Adams .....	4
Affidavit of James Brown .....	8
Original application of Ollie Cornish before the Daves Commission for identification as a Mississippi Choctaw .....	6
Affidavit of J.V. Bounds .....	8
Affidavit of T.A. Bounds .....	9
Certified Copy of the affidavit of James Brown .....	10
Certified Copy of the affidavit of Suis Adams .....	11
Decision of the Commission denying the consolidated application of Julia Cornish et al. for identification as Mississippi Choctaws .....	12

*Page 13  
C.O.U.*

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application of Julia Cornish et al.,  
for identification as Mississippi Choctaws, consolidating the  
applications of:

Julia Cornish et al.,	N.C.R.	1898
Ollie Cornish,	N.C.R.	1899

-1 DECISION :-

It appears from the record herein that applications for  
identification as Mississippi Choctaws were made to this Commission  
by Julia Cornish for herself and her seven minor children, Lemmie,  
Rosie B., Arthur, Jesse, Laura, Nora and Estella Cornish; and by  
Ollie Cornish for himself, under the following provision of the  
act of Congress approved June 23, 1898 (30 Stats. 496).

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Indian John, who is alleged to have been a full-blood Choctaw Indian.



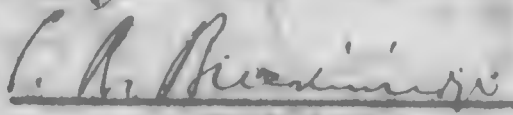
It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 521).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Indian John signifies ( in person or by proxy )

to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (5 Stats. 180) and August 27, 1842 (5 Stats. 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia Cornish, Lemmie Cornish, Essie B. Cornish, Arthur Cornish, Jesse Cornish, Laura Cornish, Merv Cornish, Estella Cornish and Ollie Cornish as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
ACTING CHAIRMAN.  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
Commissioners.

Muskogee, Indian Territory

JUL 25 1902

W. C. Smith, Esq.

FILE 12 152

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of Julia Cornish for the identification of herself and her minor children as Mississippi Choctaws.

Julia Cornish, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Julia Cornish.  
Q What is your age? A Forty one years old.  
Q What is your post office address? A Wortham, Texas.  
Q How long have you lived at Wortham? A I have been living there ever since I was two years old.  
Q Where were you born? A Mississippi.  
Q And at the age of two you removed to Wortham, Texas? A Yes sir.  
Q What is your father's name? A Indian John is all the name I know.  
Q Is that all the name you know? A Yes sir.  
Q Is he living? A No sir.  
Q What is your mother's name? A Nancy Ware.  
Q Is she living? A No sir.  
Q Was your father's name Ware--was it Indian John Ware? A No sir, she was a slave.  
Q Did her name ware come from her master's name? A Yes, that was the last one that owned her.  
Q You never knew any other name for your father than Indian John?  
A No sir.  
Q Through which one of these parents do you claim Choctaw blood?  
A My father.  
Q How much Choctaw blood do you claim? A One half.  
Q Did your father ever live in the Indian Territory? A I guess so; it was in Mississippi, I do not know.  
Q I mean in the Indian Territory here? A No sir.  
Q He never came from Mississippi to the Indian Territory? A No sir He did not.  
Q Is your name on any of the tribal rolls of the Choctaw Nation?  
A No sir.  
Q Have you ever made application for citizenship or enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Have you ever made application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1896? A No sir.  
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission of the Choctaw tribal authorities? A No sir.  
Q Is this the first application that you have ever made either to the United States authorities or the Choctaw tribal authorities for either enrollment or citizenship in the Choctaw Nation? A Yes sir.  
Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.  
Q Under what treaty or treaties are you making this application?  
A 1830.



Julia Cornish--2.

- Q Under the whole treaty of 1830? A No sir.
- Q Under what part? A Fourteenth.
- Q Fourteenth what? A Fourteenth---well, I declare I can't think of it.
- Q I guess you mean fourteenth distribution do you not? A No sir.
- Q Fourteenth sub-division? A No sir--fourteenth---
- Q Fourteen aricular, is that it? A Fourteenth---well, I declare--
- Q Would you know if you heard the word? A Fourteenth---ain't it article?
- Q Fourteenth article, is it? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A I do not know anything about that.
- Q You claim through your father? A Yes sir.
- Q You know who he is? A Yes sir.
- Q That is Indian John? A Yes sir.
- Q Did he live in Mississippi in 1830? A I do not know.
- Q Did he live in Mississippi? A Yes sir.
- Q Did he die in Mississippi? A Yes sir.
- Q Do you know whether his father or mother lived in Mississippi
- A I do not know.
- Q Do you know whether your ancestor under whom you claim the right to be identified told the United States Indian agent within six months after the treaty of 1830 was ratified that he or she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know that.
- Q Did this ancestor remove to the Indian Territory from Mississippi when the other Indians came here in the years 1833 or 1837?
- A I do not know.
- Q Was your ancestor ever a beneficiary under article fourteen of the treaty of 1830? A Yes, I reckon so.
- Q Do you know in what way your ancestors receive any benefits--received any lands or monies or anything? A No sir, I do not know.
- Q Then you do not know that they were beneficiaries? A No sir.
- Q Did you ancestor comply in any way with the provision of article fourteen of that treaty? A I do not know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi under the fourteenth article of the treaty of 1830? A Not that I know of.
- Q Have you ever received any benefits in the Indian Territory as a Choctaw Indian? A No sir.
- Q Do you know any other name for your father than Indian John?
- A No sir.
- Q Was he a slave? A No sir.
- Q How much Choctaw blood did he have? A He was whole.
- Q Full blood? A Yes sir.
- Q How do you know? A I do not know.
- Q Who said he was a full blood? A Susan Adams and Jim Brown.
- Q Who is Susan Adams? A Sister of mine.
- Q Older sister? A Yes, she is 62 years old.
- Q How does she know about it? A She said my mother told her.
- Q Who is Jim Brown? A He is my nephew.
- Q How old is he? A Forty seven.
- Q What does he know about your father being a full blood? A What he knows as what he heard my mother say.
- Q You do not know anything about that? A No sir.
- Q Your mother was a full blood? --full blood negre and a slave?
- A Yes sir.

Julia Cornish--3.

- Q And her last master's name was Ware? A Yes sir.  
Q Are you married? A No sir.  
Q Making application for yourself alone? A And children.  
Q Are you a widow? A Yes sir.  
Q Give me the name of your husband? A Hiram Cornish.  
Q What is the name of your eldest child under 21 years old and unmarried, A Lammie.  
Q How old? A Eighteen.  
Q The next child? A Rosie B.  
Q How old? A Sixteen.  
Q The next? A Arthur.  
Q How old? A Thirteen.  
Q The next? A Jesse Cornish.  
Q Is that a boy or girl? A Boy.  
Q How old? A Eleven.  
Q Any more? A Yes sir.  
Q Go on and give me them all? A Laura.  
Q How old? A Nine.  
Q Any more? A Nora.  
Q How old is Nora? A Seven.  
Q Any more? A Estella, three years old.  
Q How many children have you over age? A Two.  
Q Was Hiram Cornish the father of these children? A Yes sir.  
Q You are the mother? A Yes sir.  
Q And you and he lived together as husband and wife until he died?  
A Yes sir.  
Q These children are living with you at your home? A Yes sir.  
Q And you are supporting them? A Yes sir.  
Q Have you any documentary evidence you would like to introduce now and make a part of your application? A No sir.

On motion of Mr Arnold, counsel for applicant, twenty days time from the date hereof is allowed for applicant to file documentary evidence in support of this application.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for identification of yourself and children as Mississippian Chocetaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 23<sup>rd</sup> day of March 1901.

*H. C. Risteen*  
*Charles L. Sawyer*  
Notary Public.

COPY.

-MCR-1528-

COPY.

Muskogee, Indian Territory, July 25, 1902.

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

Gentlemen:

You are hereby advised that on the 25th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Julia Cornish, et al., embracing the following applications for identification as Mississippi Choctaws:

Julia Cornish, et al.,	M.C.R.1526;
Cillie Cornish,	M.C.R.1529.

These applications were made under the provision of the Act of Congress of June 28, 1898, (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under Article Fourteen of the Treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, Eighteen Hundred and Thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia Cornish, Lemmie Cornish, Rosie B. Cornish, Arthur Cornish, Jesse Cornish, Laura Cornish, Nora Cornish, Estella Cornish and Cillie Cornish as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said Article Fourteen of the Treaty

M., Mc & C., S.

of Eighteen Hundred and Thirty, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

*I. B. Needles.*

Commissioner in Charge.

COPY.

-MOR-1528-

Muskogee, Indian Territory, July 25, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Julia Cornish, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 25, 1902.

The above consolidated case embraces the following original applications for identification as Mississippi Choctaws heard by the Commission:

Julia Cornish, et al.,	M.C.R. 1528;
Ollie Cornish,	M.C.R. 1529.

The Commission has the honor to report that the principal applicants in the several separate applications and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(Signed)

*I. B. Needles.*

Commissioner in Charge.

Through the  
Commissioner of Indian Affairs.  
1 enclosure.

COPY

-MCR-1528-

Muskogee, Indian Territory, July 25, 1902.

Julia Cornish,

Northam, Texas.

Dear Madam :

You are hereby advised that on the 25th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Julia Cornish, et al., embracing the following applications for identification as Mississippi Choctaws:

Julia Cornish, et al.,  
Ollie Cornish,

M.C.R.1528;  
M.C.R.1529.

These applications were made under the provision of the Act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under Article Fourteen of the Treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, Eighteen Hundred and Thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia Cornish, Lemmie Cornish, Rosie B. Cornish, Arthur Cornish, Jesse Cornish, Laura Cornish, Nora Cornish, Estelle Cornish and Ollie Cornish as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said Article Fourteen of the Treaty of Eighteen Hundred and Thirty, and that the applications for their identification as such should be refused, and it is so ordered."

J. C., 2.

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNATURE)

*I. E. Needles.*

Commissioner in Charge.

Registered.

D. C. 14059-1902.

50933

RAV.

DEPARTMENT OF THE INTERIOR.

Washington.

L. R. S.  
ITD. 5184-1902.

August 25, 1902.

Commission to the Five Civilized Tribes,  
Muskegee, I. T.

Gentlemen:

With your letter of July 25, 1902, you transmitted the record and your decision of that date, in matter of the applications for identification as Mississippi Cheetaws, of Julia Cernish and her minor children, Lemmie, Rosie B., Arthur, Jesse, Laura, Nora and Estella Cernish; and of Ollie Cernish.

Applicants attempt to trace their descent from one Indian John, alleged to have been a full blood Cheetaw Indian.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Cheetaw Nation, or that said Indian John complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 ( 5 Stat., 180), and August 23, 1842 ( 5 Stat., 513). You refused the applications.

In forwarding the papers August 20, 1902, the Acting Commissioner of Indian Affairs states that several persons named



"John" received the benefits of said article XIV, but that "the family relation cannot be traced from any of these persons to the applicants," and he recommends that your decision be approved. A copy of his letter is inclosed.

After a careful review of the entire case, the Department affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

B.M.D.

1 inclosure.

COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Land 45100-1902.

Washington, August 20, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made July 25, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Julia Cornish for the identification of herself and her seven minor children, Lemmie, Rosie B., Arthur, Jesse, Laura, Vera and Estella Cornish; and of Ellis Cornish for the identification of himself, as Mississippi Chestaws.

Descent is claimed from "John". While the records of this office show the name John in several places as having received the benefits of the fourteenth article of the treaty of Dancing Rabbit Creek, the family relation cannot be traced from any of these persons to the applicants.

It is therefore respectfully recommended that the decision of the Commission refusing to identify the applicants as Mississippi Chestaws, be affirmed.

Very respectfully,  
Your obedient servant,

A. C. Turner,  
Acting Commissioner.

WV  
3 inclosures.

COPY

Muskogee, Indian Territory, September 5, 1902.

Julia Cornish,  
Wortham, Texas.

Dear Madam:

You are hereby advised that on the 23th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippian Chocktaw of the several persons included in the consolidated case of Julia Cornish et al., of which decision you were advised by registered mail on the 26th day of July, 1902.

Yours truly,

*James D. Doby.*

Acting Chairman.

Muskogee, Indian Territory, September 5, 1902.

**Mansfield, McKurray & Cornish,**

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 25th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Julia Cornish, et al., of which decision you were advised by mail on the 25th day of July, 1902.

Yours truly,

*Thomas H. Wiley*  
Acting Chairman.

No. 1528

For Identification Mississippi Choctaw.

Date Mich 21, 1901

Name Julia Cornick.

Age 41 - Blood  $\frac{1}{2}$

Post Office, Woutham, Texas.

Father: Indian John d.

Mother: Nancy Ware d.

Claims through father -

Henson d.

Hiram Cornick, d.

Children:

Symonie - boy 18

Rosie B. — 16

Arthur 13

Jesse (boy) 11

Laura 9

Nora — 7

Estella 3

For record

Chieftain

H. Christen

Stens

Card No.

NAME

RESIDENCE  
DISTRICT

POST OFFICE

AUG 28

PERMIT NO. 1528

Julia Cornish  
et al

Consolidated Co.

Indian John f.b.  
Nancy Ware  
negro slave

<sup>10 Reg</sup>  
<sup>157</sup>  
Julia Davis 1/2 41  
married  
Niram Cornish  
white Negro

<sup>10 Reg</sup>  
<sup>157</sup>  
Elli Cornish 21 1/4  
Limmie Cornish 18  
Rosa B Cornish 16  
Arthur Cornish 13  
Jesse Cornish 11  
Laura Cornish 9  
Nova Cornish 7  
Estella Cornish 3

Choctaw MCR 1529

Ollie Cornish

See MCR 1528

MCR 1529



*Comment*

# REFUSED

DECISION RENDERED. JUL 25 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 25 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 25 1902

RECORD FORWARDED DEPARTMENT.

JUL 25 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 25 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP - 5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

SEP - 5 1902

REFER TO M. C. R. 1528.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T.; MARCH 21, 1901.

In the matter of the application of Ollie Cornish for identification as a Mississippi Choctaw.

Ollie Cornish, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Ollie Cornish.
- Q What is your age? A Twenty one.
- Q What is your present office address? A Wortham, Texas.
- Q How long have you lived at Wortham? A All my life.
- Q Born there? A Yes sir.
- Q What is your mother's name? A Julia Cornish.
- Q She is living? A Yes sir.
- Q What is your father's name? A Hiram Cornish.
- Q Is he dead? A Yes sir.
- Q Through which one of these parents do you claim Choctaw blood? A My mother.
- Q How much do you claim? A A quarter.
- Q Did your mother ever live in the Indian Territory? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Have you ever made application for enrollment as a citizen to the Choctaw tribal authorities? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q Have you ever made application for citizenship in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.
- Q Is this the first application you have ever made to any authority for either enrollment or citizenship in the Choctaw nation? A Yes.
- Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty are you making this application? A 1830.
- Q Under what treaty are you making this application? A 1830.
- Q Under whole treaty? A No sir.
- Q What part of it? A Fourteenth article.
- Q Do you know what article fourteen says? A No sir.
- Q Did you ever read it? A No, sir, not a great deal.
- Q Can you read? A Yes sir.
- Q Did you ever read it at all? A No sir.
- Q Do you claim under the fifteenth and nineteenth articles of that treaty? A Neither one.
- Q Do you claim under the supplement of the treaty? A I do not know anything about that.
- Q Do you know what article means? A No sir.
- Q Do you know what treaty means? A No sir.

Ellie Cornish---2.

- Q When was the treaty under which you claim ratified by the government? A I do not know.
- Q What was the name of your ancestor who lived in Mississippi in 1830 under whom you claim the right to be identified? A Indian John
- Q Is he the one under whom you claim? A Yes sir.
- Q Did he live in Mississippi in 1830? A I do not know.
- Q Did he die in Mississippi? A I do not know.
- Q How much Choctaw blood did he have---full blood? A Yes, I think he was.
- Q What was his wife's name? A I do not know.
- Q Did you ever hear of Nancy Ware? A Yes sir.
- Q Was that Indian John's wife? A I do not know.
- Q Did you hear your mother testify? A Yes sir.
- Q Did you hear her testify that Nancy Ware was her mother? A Yes
- Q Then she was your grandmother? A Yes sir.
- Q Was she a slave? A Yes sir,
- Q And her master's name was Ware? A Yes sir.
- Q Was your grandfather, Indian John, a slave? A I do not think he was.
- Q Did your ancestor who lived in Mississippi in 1830 tell the United States Indian Agent then living in Mississippi that he or she intended to remain in Mississippi, take land there and become a citizen of the United States? A I do not know.
- Q Did he come to the Indian Territory when the other Choctaw Indians came here in the years 1833 to 1837? A I do not know.
- Q Did he ever receive or claim any land from the United States government under article fourteen of the treaty of 1830? A I do not know.
- Q Did he comply with the provision of article fourteen of that treaty? A No sir.
- Q Did he ever receive any benefits under that article? A I do not know.
- Q Do you know anything about that article yourself? A No sir.
- Q Are you married? A No sir.
- Q Making claim for yourself alone? A Yes sir.
- Q Have you any documentary evidence you would like to introduce now? A No sir.
- Q Would you like time? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

- Q Is there anything further you want to say about this claim? A No.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H.C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 23<sup>rd</sup> day of March 1901.

*Charles H. Sawyer*

Notary Public.

Waukegan, Indian Territory, April 4, 1901.

Messrs Hudson & Arnold,  
Armore, Indian Territory,  
Gentlemen:

The Commission is in receipt of your letter of March 25,  
inclosing affidavits for filing in support of the following applica-  
tions for identification as Mississippi Choctaws:

1520 Eliza J. Smith

1521 Alabama A. Bounds, et al.

1528 Julia Cornish, et al.

1529 Ollie Cornish.

The papers have been duly filed with the other records in  
the cases above named.

Yours truly,

Acting Chairman?

COPY.

-MCR-1529-

Muskogee, Indian Territory, July 29, 1902.

Cllie Cornish,

Northam, Texas.

Dear Sir:-

You are hereby advised that on the 25th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Julia Cornish, et al., embracing the following applications for identification as Mississippi Choctaws:

Julia Cornish, et al.,	H.C.R.1528;
Cllie Cornish,	H.C.R.1529.

These applications were made under the provision of the Act of Congress of June 28, 1898, (30 Stat., 498), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under Article Fourteen of the Treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, Eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Julia Cornish, Lennie Cornish, Rosie S. Cornish, Arthur Cornish, Jesse Cornish, Laura Cornish, Nora Cornish, Estelle Cornish and Cllie Cornish as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said Article Fourteen of the Treaty of Eighteen Hundred and Thirty, and that the applications for their identification as such should be refused, and it is so ordered."

O. C., 2.

You are further advised that the Commission has, on this date, forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. E. Meritt*  
Commissioner in Charge.

M.C.R. 1829

COPY.

Muskogee, Indian Territory, September 8, 1902.

Ellie Cornish,

Wortham, Texas.

Dear Sir:

You are hereby advised that on the 25th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippian Ghosts of the several persons included in the consolidated case of Julia Cornish, et al., of which decision you were advised by registered mail on the 25th day of July, 1902.

Yours truly,

*James D. Smith*  
Acting Chairman.

No. 1529

For Identification as a Mississippi Choctaw.

Date Mich 21, 1901

Name Ollie Cornish.

Age 21 - Blood 1/4

Post Office Woutriam, Texas.

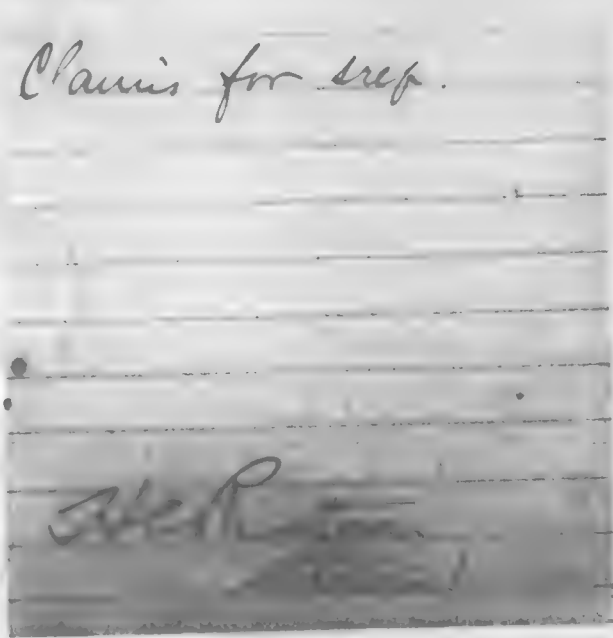
Father: William Cornish, Jr.  
~~Julia Cornish, Jr.~~

Mother: Julia Cornish

- Claims through Mother -

~~xxxx~~

Claims for sep.

A large rectangular area of the document is redacted with horizontal lines. At the bottom of this redacted area, there is a handwritten signature that appears to be "A. P. ...".



Choctaw MCR 1530

MCR 1530

Rebecca J. James

See MCR 1531

Rebecca J. James et al

REFUSED

DECISION RENDERED JUL 15 1902

NOTICE OF DECISION MAILED APPLICANT.  
JUL 15 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.  
JUL 15 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR.  
OCT 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.  
NOV 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.  
NOV 1902

REFER TO M. C. R. 1531

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

In the matter of the application of Rebecca J. James,  
 et al., for identification as Mississippi Choctaws, consolidating  
 the applications of

Rebecca J. James, et al.    H C R 1530  
 Mand L. James,                H C R 1531

List of papers forwarded to the Secretary of the Interior, comprising the record in the consolidated case of Rebecca J. James, et al.

	Page.
Original application of Rebecca J. James, et al., to the Dawes Commission for identification as Mississippi Choctaws - -	1
Original application of Mand L. James to the Dawes Commission for identification as a Mississippi Choctaw - - -	5
Decision of the Commission denying the applications of Rebecca J. James, et al., and Mand L. James for identification as Mississippi Choctaws - - - - -	7

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of Rebecca J. James for the identification of herself and her minor children as Mississippi Choctaws.

Rebecca J. James, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Rebecca J. James.  
Q What is your age? A Forty three.  
Q What is your post office address? A Marionville, Lawrence County Missouri.  
Q How long have you lived there? A I have lived right there at Marionville for twenty years.  
Q Where did you live before you lived at Marionville? A Just below there--right back from the railroad.  
Q Born in Missouri? A I was born in Tennessee.  
Q Where? A Dyer County.  
Q When did you remove from Tennessee? A When I was just small.  
Q Where did you go? A To Texas.  
Q How long did you live in Texas? A Not but just a little while.  
Q A year? A Yes sir, about three years.  
Q Stayed in Texas three years? A Yes, I was quite small when I removed to Missouri.  
Q Removed from Texas to Missouri? A Yes sir.  
Q Never lived in Mississippi? A No sir, I never lived in Mississippi.  
Q What is your father's name? A Albert Willis.  
Q Living? A No sir.  
Q What is your mother's name? A Sarah Willis.  
Q Is she living or dead. A Living.  
Q Through which one of these parents do you claim Choctaw blood.  
A My father.  
Q How much do you claim? A One eighth.  
Q Did your father ever live in the Indian Territory? A No sir, I think just a little while when he stopped coming through from Texas to Missouri.  
Q How long did he live in Indian Territory? A May be a few months.  
Q Do you know whether he did or not? A No sir, I don't.  
Q You must testify to what you know and not what you think--Is his name on any of the tribal rolls of the Choctaw Nation? A I do not know.  
Q Have you ever made application for citizenship or enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
Q Have you ever made application for citizenship or enrollment in the Choctaw Nation to the Commission to the five Civilized Tribes acting under the act of Congress of June 10, 1896? A No sir.

Rebecca J. James---2.

- Q Were you ever admitted to citizenship in the Choctaw nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No sir.
- Q Is this the first application you have ever made either to the Choctaw tribal authorities or the Commission to the Five Civilized Tribes? A Yes sir.
- Q Are you now making application for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or treaties are you making this application? A 1830.
- Q Under the whole treaty? A Fourteenth.
- Q Fourteenth what? A Article.
- Q What do you mean by article? A I do not know.
- Q Do you know what treaty means? A No sir.
- Q Do you claim under the fifteenth and nineteenth articles of the treaty of 1830? A No sir.
- Q How do you know--who told you you claimed under the fourteenth article? A I do not know.
- Q Do you not know whether anybody told you you claimed under the fourteenth article--Do you know who told you that--was it your attorney? A I did not know who he was.
- Q Have you got an attorney? A Yes sir.
- Q You know who he is, do you know? A Yes sir.
- Q Who told you you claimed under the fourteenth article--Now answer the question if you know---do you know? A Yes sir.
- Q Who told you? A My attorney.
- Q Is that all you know about it? A That is all I know about it.
- Q What was the name of your ancestor who lived in Mississippi in 1830? A My father was born in Mississippi.
- Q Did he live there in 1830? A Yes sir, he lived there in 1830.
- Q Is he the ancestor under whom you claim the right to be identified now? A My grandfather.
- Q What is the name? A Dacey Willis.
- Q How much Choctaw blood did she have? A One half I think.
- Q How do you know she had one half? A That is what my father and my mother always told me.
- Q Have you any documentary evidence--proof of that in writing? A No sir.
- Q Did your ancestor who you claim the right to be identified under within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi. A I do not know.
- Q Do you know whether this ancestor came from Mississippi to the Indian Territory when the other Indians came here in the years 1833 to 1837? A I do not know.
- Q Did your ancestor ever comply with the provisions of article fourteen of the treaty of 1830? A I do not know that.
- Q Was that ancestor ever a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did he ever claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A No sir, I never did.
- Q Did your ancestor ever receive or claim any land under that article? A I do not know.
- Q Are you married? A Yes sir.

Rebecca J. James---3.

- Q What is your husband's name? A My husband's name now is James, but I married a man named Smith and my children's name is Smith.
- Q Your present husband's name is James? A Yes sir.
- Q What is the full name? A John M. James.
- Q He is living? A Yes sir.
- Q Do you make any claim for him? A No sir.
- Q What was your first husband's name? A Jerry Smith.
- Q Is he living? A No sir.
- Q Have you any children you want to make application for? A I have seven children; one of them is married.
- Q I want the names of all those who are not married and under twenty one--Are they all your children by Jerry Smith? A Yes sir.
- Q None by James? A No sir.
- Q What is the name of the first? A Thomas R. Smith.
- Q How old? A Nineteen.
- Q The next? A Rollin H. Smith.
- Q How old? A Seventeen.
- Q The next? A Charles A. Smith.
- Q How old? A Fourteen.
- Q The next? A Gertrude M. Smith.
- Q How old? A Twelve.
- Q The next? A Ethel R. Smith.
- Q How old? A Ten.
- Q The next? A Edna P. Smith.
- Q How old? A Eight.
- Q The next? A That is all.
- Q Are these all your children by Jerry Smith. A Yes sir.
- Q They are all living with you at your home? A There are just two of them at my home.
- Q Which two? A The oldest ones, Thomas R. and Rollin H.
- Q Where are the others? A Two of the, are in Barton County, Missouri, and two of them in Christian County.
- Q What are they doing away from your home? A When my husband died I could not make a living for them.
- Q Have they been legally adopted by any one? A I think they have.
- Q Do you know whether they have or not? A Yes, they have been adopted.
- Q They are the legal children of somebody else? A Yes sir.
- Q Do you know whether these children have been adopted as the children of the people who now have them in charge by legal papers of adoption in a competent court.--do you know that? A Yes sir.
- Q And they have been? A Yes sir.
- Q Charles A. Has been adopted by whom? A I do not know, the orphan home society found homes for them.
- Q Were they put in an orphan home? A The orphan home society took them.
- Q Did they take Charles A., Gertrude M., Ethel R., and Edna P. Smith  
A Yes sir.
- Q And you know they caused these children to be adopted by other people? A Yes sir.
- Q Have you seen the papers of adoption? A Yes sir.
- Q When and where did you see these papers? A When I signed them.
- Q What did you sign? A The papers.
- Q That the orphan home society presented to you? A Yes sir.
- Q Do you know whether these papers you signed were papers by which you gave your authority for the orphan home society to take the children in charge? A Yes sir, that is what they told me.

Rebecca J. James-----4.

Q Do you know whether the children were taken after that and adopted by other people---have you seen the papers? A No sir.

Q You do not know that they were? A No sir.

Q And when you said that they had been legally adopted by them, you simply thought so and gave that as your impression? A Yes sir.

Mr Arnold--(Counsel for Applicant)--I did not know of this matter until now.

The Commission--I would suggest, Mr Arnold, that you investigate this matter and see if these children have been legally adopted by somebody else; if so, their legal guardians should make application for them.

Q Have you any documentary evidence you want to introduce now in support of this application; anything in writing? A No sir.

Q Would you like time to produce it? A Yes sir.

Q Would you like twenty days? A Yes sir.

On motion of Mr Arnold, Counsel for applicant, twenty days time from the date hereof is allowed in which to file documentary evidence in support of this application.

Q Is there anything further you want to state? A No sir.

The decision of the Commission in regard to this application which you make for the identification of yourself and these minor children as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 23 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Wok  
J.R.B.  
C.W.W.

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

-----|-----

In the matter of the application of Rebecca J. Jones, et al., for identification as Mississippi Choctaws, consolidating the applications of -

Rebecca J. Jones, et al., H C R 1830  
Hend L. Jones, H C R 1831

-----

DECISION.

It appears from the record hereto that applications for identification as Mississippi Choctaws were made to this Commission by Rebecca J. Jones for herself and her six minor children, Thomas E., Nellie E., Charles A., Gertrude E., Ethel E., and Nina J. Smith, and by Hend L. Jones for herself under the following provision of the act of Congress approved June 28, 1906, (34 Stat., 499):

"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 Indians, and to issue patents therefor, or to issue orders for the sale of such lands, and to issue and pay all other sums necessary thereto, and make reports to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between




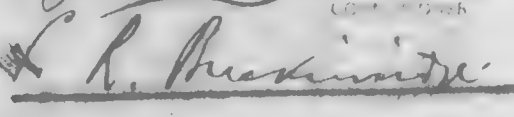
the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Dacey Willis, who is alleged to have been a half blood Choctaw Indian.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Dacey Willis, or ancestorless remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stats., 180), and August 23, 1842, (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rebecca J. James, Thomas R. Smith, Rollin H. Smith, Charles A. Smith, Gertrude M. Smith, Ethel R. Smith, Edna F. Smith, and Mand L. James as Chectaw Indians entitled to rights in the Chectaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
AGENT  
  
\_\_\_\_\_  
COMMISSIONER

Washoe, Indian Territory.

JUL 15 1902

COPY.

M C R 1530

Muskogee, Indian Territory, July 15, 1902.

Mansfield, McMurray & Cernish,

Attorneys for Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 15th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rebecca J. James, et al., embracing the following applications for identification as Mississippi Choctaws:

Rebecca J. James, et al.,  
Maud L. James,

M C R 1530  
M C R 1531

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rebecca J. James, Thomas R. Smith, Rollin H. Smith, Charles A. Smith, Gertrude M. Smith, Ethel R. Smith, Edna F. Smith, and

H H & C \_\_2.

Head L. James, as Chectaw Indians entitled to rights in the Chectaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED,

*James D. Smith*  
Acting Chairman.

COPY.

M C R 1530

Muskogee, Indian Territory, July 15, 1902.

Rebecca J. James,  
Marionville, Missouri,

Dear Madam:

You are hereby advised that on the 15th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rebecca J. James, et al., embracing the following applications for the identification as Mississippi Choctaws:

Rebecca J. James, et al.,           M C R 1530  
Maud L. James,                    M C R 1531

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Rebecca J. James, Thomas R. Smith, Nellin H. Smith, Charles A. Smith, Gertrude W. Smith, Ethel R. Smith, Mina F. Smith, and Maud L. James as Choctaw Indians entitled to rights in the

R J J \_\_\_8.

Chester lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

Registered.

James L. Kirby,  
Acting Chairman.

COPY

Muskogee, Indian Territory, July 18, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Rebecca J. James, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of the 18th day of July, 1902.

The above consolidated case embraces the following original applicants for identification as Mississippi Choctaws heard by the Commission:

Rebecca J. James, et al.,	M C R 1830
Maud L. James,	M C R 1831

The Commission has the honor to report that the principal applicants in the several separate applications, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record,

Respectfully,

(SIGNED)

Through the Commissioner  
of Indian Affairs.  
1 enclosure.

Acting Chairman.

- Copy -

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

Land  
42741-1902.

Washington, October 13, 1902.

The Honorable,  
The Secretary of the Interior.

Sir:

There is transmitted herewith the record and proceedings had before the Commission to the Five Civilized Tribes, in the consolidated Mississippi Choctaw case of Rebecca J. James, et al., in which application is made for the identification of the applicants as Mississippi Choctaws entitled to rights in the lands of the Choctaw Nation.

The following cases are consolidated therein:

Rebecca J. James, et al.

Maud L. James.

On July 15, 1902, the said commission rendered a decision in said consolidated case finding that the evidence in support of the applicants' claim is insufficient to determine the identity of the applicants as Mississippi Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article 14 of the treaty of 1830, and that their applications for identification as



such should be refused.

The office has made an examination of the record evidence and finds nothing therein that tends to shew that any of the ancestors of the applicants ever complied or attempted to comply with the provisions of article 14 of the treaty of 1830.

There is nothing to show that Dickey Willis, the common ancestor mentioned by the applicants, ever complied or attempted to comply with the provisions of said article, nor do they know of any patent ever having been issued to said Dickey Willis or any other ancestor, for land under the provisions of said article.

An examination of the office records does not furnish any additional evidence in support of their claim. The record evidence does show that none of the applicants are Chectaws of the full blood, and the office concludes that the said decision of the commission is correct and recommends that the same be affirmed by the Department.

Very respectfully,

Your obedient servant,

A. G. Tenner,

Acting Commissioner

(W.C.B.)

P.

- Copy -

D.C. 20105  
ITD 6377-1902.

HAF

DEPARTMENT OF THE INTERIOR.

L.R.S.

Washington, October 23, 1902.

Commission to the Five Civilized Tribes,  
Muskogee, I. T.

Gentlemen:

July 15, 1902, you transmitted the record in the consolidated case involving the applications for identification as Mississippi Choctaws, of Rebecca J. James and her minor children, Thomas R., Rellin H., Charles A., Gertrude M., Ethel R., and Edna F. Smith; and of Maud L. James.

The applicants endeavor to trace their descent from one Dicey Willis, alleged to have a half blood Choctaw Indian.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Dicey Willis or a less remote ancestor of the applicants complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513). You refused the applications July 15, 1902.

-2-

Forwarding the papers October 13 the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

The Department has given careful consideration to this case and hereby affirms your decision.

Respectfully,

E. A. FITCHCOCK,

Secretary.

EMD

1 inclosure.

H. C. R. 1530

COPY.

Muskogee, Indian Territory, November 7, 1902.

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

Gentlemen:

You are hereby advised that on the 23d day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rebecca J. James, et al., of which decision you were advised by mail on the 15th day of July, 1902.

Respectfully,

SIGNED

*James Dixby*

Acting Chairman.

N. O. R. 1880

COPY.

Mustagee, Indian Territory, November 7, 1902.

Rebecca J. James,  
Marienville, Missouri.

Dear Madam:

You are hereby advised that on the 25th day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rebecca J. James, et al., of which decision you were advised by registered mail on the 15th day of July, 1902.

Respectfully,

SIGNED:

*James D. Smith*  
Acting Chairman.

H.C.N. 1830  
H.C.N. 1831

Muskogee, Indian Territory, January 2, 1902

J. W. James,  
Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th ultimo, in which you state that you were notified by the post master at Marionville, Missouri, that registered letters from this Commission addressed to Rebecca J. James and Maud L. James, Marionville, Missouri, had been returned to the Commission unclaimed.

You ask that said letters be re-mailed to Ada, Indian Territory, to be delivered to the addressees.

In accordance with your request the letters referred to are herewith enclosed.

Respectfully,

Enc.  
H.C.N. 1831

M O R 1830

Madame, Indian Territory, January 31st, 1903.

George W. Harbour,  
Liberal, Missouri.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, relative to the rights as a Mississippi Choctaw of Mena Fay Smith. You state that her mother, who is now Rebecca James, made application for her at Ateka, Indian Territory, March 21, 1901.

In reply to your letter you are informed that it appears from the records of the Commission that on March 21, 1901, Rebecca J. James made application for the identification of herself and her six minor children as Mississippi Choctaws. Miss F. Smith appears as one of her minor children.

The Commission, on July 15, 1902, rendered its decision refusing her application, and on the same date she was notified of the action of the Commission and of the forwarding of the record to the Secretary of the Interior. On October 23, 1902, the Secretary of the Interior approved the decision of the Commission, and on November 7, 1902, she was notified of such departmental action.

Respectfully,

Acting Chairman.

Consolidated Case  
of  
Rebecca J. James et al.

RECORDED TO N. C. R.

1530



Dacey Willis  $\frac{1}{2}$

Albert Willis  
*Lead*  
Wife  
Sarah Willis

*mCR*  
1530  
Rebecca J. Willis  $43-\frac{1}{8}$   
married  
① Jerry Smith *dead*  
② John M. James

*mCR*  
1531  
Maud L. Smith  $16-\frac{1}{16}$   
married  
Walter James

*mCR*  
1532  
Thomas R. Smith 19  
" Rollin H. Smith 17  
" Charles A. Smith 14  
" Gertrude M. Smith 12  
" Ethel R. Smith 10  
" Edna F. Smith 8

1530

No.

For Identification as a Mississippi Choctaw.

Date *Mich 21, 1901*

Name *Rebecca J. James.*

Age *43* Blood *1/8*

Post Office, *Marionville, Mo.,*  
*Willis-*

Father: *Alfred ~~W~~, d*

Mother: *Sarah " l*

Claims through *father*

*Husband - (deceased)*

*John M. James - l*

*Jerry Smith (1st husband) d*

Children:

*Thomas R. Smith - 19*

*Rollin H. " 17*

*Charles A. " 14*

*Gertrude M. " 12*

*Ethel R. " 10*

*Egna F. " 8*

*For self and*

*children.*

*H. P. ...*

Choctaw MCR 1531



Maud L. James

See MCR 1530

MCR 1531

REFUSED

DECISION RENDERED JUL 15 1902

NOTICE OF DECISION MAILED APPLICANT.  
JUL 15 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.  
1902

RECORDS FORWARDED DEPARTMENT.  
JUL 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.  
OCT 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT. NOV 7 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS. 7 1902

REFER TO M. C. R. 1530

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of Maud L. James for the identification of herself as a Mississippi Choctaw.

Maud L. James, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Maud L. James.  
 Q What is your age? A Sixteen.  
 Q Are you married? A Yes sir.  
 Q What is your post office address? A Marienville, Missouri.  
 Q How long have you lived there? A All my life.  
 Q Born there? A Yes sir.  
 Q What is your father's name? A Jerry Smith.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Rebecca James.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One sixteenth.  
 Q Did your mother ever live in the Indian Territory? A No sir, not as I know of.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Is hers? A No sir.  
 Q Did you ever make application for enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to them for citizenship? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application you have ever made either for enrollment or citizenship in the Choctaw Nation either to the Dawes Commission or the Choctaw tribal authorities? A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties do you make this application?  
 A None.  
 Q Under the whole of it? A No sir.  
 Q Under what part? A Fourteenth article.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Albert Willis.  
 Q What part of Choctaw blood did he have? A One half.  
 Q Did he live in Mississippi in 1830? A Yes sir.  
 Q Did he make any claims after the ratification of the treaty of 1830 make declaration to any United States Indian Agent living in

Haud L. James--- 2.

Mississippi that he intended to stay in Mississippi, take land there and become a citizen of the state? A I do not know.

Q Did he come from Mississippi to the Indian Territory with the other Chectaw Indians in the years 1833 to 1837? A I do not know.

Q Was he a beneficiary under article fourteen of the treaty of 1830? A I do not know.

Q Did he ever comply with the provisions of that article? A I do not know.

Q Did he ever receive or claim any land in Mississippi under that article? A No sir.

Q Do you know what article fourteen of the treaty of 1830 provides? A No sir.

Q Do you claim under article fifteen or nineteen of that treaty? A No sir.

Q Are you married? A Yes sir.

Q What is the name of your husband? A Walter James.

Q Do you make any application for him? A No sir.

Q Have you children you wish to make application for? A No sir.

Q Making application for yourself alone? A Yes sir.

Q When and where were you married to Walter James? A Married 27th of last November, 1900.

Q Where were you married? A Marienville.

Q Have you any documentary evidence you wish to file in support of this application now? A No sir.

Q Would you like time? A Yes sir.

Q Is there anything further you want to state? A No sir.

Twenty days time from the date hereof is allowed applicant on motion of counsel in which to file documentary evidence in support of this application.

The Decision of the Commission in regard to this application which you make for identification as a Mississippi Chectaw will be mailed to you at your present post office address.

H. G. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 31st day of March 1901, and that the foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. G. Risteen*

Subscribed and sworn to before me this 23<sup>rd</sup> day of March 1901.

*Charles H. Sawyer*  
Notary Public

COPY.

M C R 1532

Muskogee, Indian Territory, July 16, 1908.

Maud L. James,  
Marionville, Missouri,  
Near Indian

You are hereby advised that on the 15th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rebecca J. James, et al., embracing the following applications for identification as Mississippi Choctaws:

Rebecca J. James, et al.,	M C R 1530
Maud L. James,	M C R 1531

These applications were made under the provisions of the act of Congress of June 26, 1898 (30 Stat., 405), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence before it is insufficient to determine the identity of Rebecca J. James, James B. Smith, Martha M. Smith, Mary L. Smith, Corretta M. Smith, Ethel M. Smith, and Mrs. J. M. Smith."

W. S. 3.

That I, James W. Johnston, do hereby certify that the rights in the  
above described land have been determined and a final decision rendered  
in favor of the United States, and that the  
same should be returned to the United States.

It is further advised that the Commission has on this  
date forwarded the record in this case to the Secretary of the  
Interior for review and you will be informed in due time of such  
action as may be taken by him.

Yours truly,

(SIGNED)

Registered.

James Dixby

Acting Chairman.



K. C. R. 1531

COPY

Muskogee, Indian Territory, November 7, 1902.

Wend L. James,

Marionville, Missouri.

Dear Madam:

You are hereby advised that on the 23d day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rebecca J. James, et al., of which decision you were advised by registered mail on the 15th day of July, 1902.

Respectfully,

(SIGNED)

*Tama Dixby.*

Acting Chairman.

H.C.R. 1550  
H.C.R. 1551

Muskogee, Indian Territory, January 2, 1902

J. W. James,

Ada, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th ultimo, in which you state that you were notified by the post master at Marionville, Missouri, that registered letters from this Commission addressed to Rebecca J. James and Maud L. James, Marionville, Missouri, had been returned to the Commission unclaimed.

You ask that said letters be re-mailed to Ada, Indian Territory, to be delivered to the addressees.

In accordance with your request the letters referred to are herewith enclosed.

Respectfully,

Acting Chairman.

Enc.  
No. 2, 103.

W C R 1882

Okmulgee, Indian Territory, January 8, 1902.

Maude E. James,

Marionville, Missouri,

Dear Madam:

Receipt is hereby acknowledged of your letter of the 3rd Instanty enclosing a letter from yourself and J. W. M. James to the Postmaster at Marionville, Missouri, on which it is noted the reply of the Postmaster to the effect that certain registered mail addressed to you at that place had been returned to the Commission. You ask that the letters be forwarded to you at your present address.

In reply to your letter you are informed that the Commission received a communication from J. W. James, of Ada, Indian Territory, dated December 20, 1902, in which he requested that the registered letters from the Commission which were originally forwarded to you, himself and Rebecca J. James, of Marionville, Missouri, be re-mailed to him at Ada, Indian Territory.

In compliance with his request, the letters returned to you were forwarded to Ada, Indian Territory on the 2nd instant.

Very truly,  
Your obedient servant,  
Commissioner

No. 1531

Verification as a Mississippi Citizen.

Date Mich 21, 1901

Name Maud L. James.

Age 16 - Blood 1/16

Post Office, Marionville, Mo.

Father: Jerry Smith &

Mother: Rebecca James, &

Claims through Mother.

Herbain &  
Walter James -

Children:

For sup alone

Choctaw MCR 1532

William A. Rhoads

See MCR 1431

MCR 1532

*Rhoades*

# REFUSED

DECISION RENDERED JUL 29 1902

NOTICE OF DECISION MAILED APPLICANT.

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKSAW NATIONS.

RECORD FORWARDED DEPARTMENT.

JUL 29 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

SEP 24 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT

OCT 7 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKSAW NATIONS.

OCT 7 1902

REFER TO M. O. R. / 436.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of William H. Rhoades for the identification of himself and his minor child as Mississippi Choctaw

William H. Rhoades, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A William H. Rhoades.  
 Q What is your age? A Sixty three.  
 Q What is your post office address? A Weed, New Mexico.  
 Q How long have you lived there? A I have lived there off and on for the last thirteen years.  
 Q Where did you live before that? A Bastrop County, Texas.  
 Q Where were you born? A Johnson County, Arkansas.  
 Q You never lived in Mississippi? A No sir.  
 Q What is your father's name? A His name was Elisha J. Rhoades.  
 Q Is he living or dead? A He is dead.  
 Q What was your mother's name? A Katie J. Rhoades.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A They always told me grandmother Rhoades was a full blooded Choctaw.  
 Q How much do you claim? A I never figured it out.  
 Q One quarter? A Yes, I reckon so.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application to them for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No sir.  
 Q Have you ever made application to the Dawes Commission under the act of Congress of June 10, 1896, for citizenship or enrollment in the Choctaw Nation? A No sir.  
 Q Is this the first application of any kind you have ever made? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A 1830.  
 Q Under the whole treaty? A Yes sir.  
 Q Do you claim under article fourteen of that treaty? A Sir?  
 Q Do you know anything about article fourteen? A No sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A I could not tell you much about that.  
 Q What is the name of your father's mother or your father's father when you claim through? A I do not know.

William H. Rhodes-----9.

- Q When do you claim through? A Eliza Leflore.  
Q What relation was she to you? A My father's mother.  
Q Was Eliza Leflore her maiden name? A Yes sir.  
Q Whom did she marry? A She married a Rhodes.  
Q Do you know his full name? A No sir.  
Q Did your ancestor comply with the provisions of article fourteen of the treaty of 1830? A I could not tell you.  
Q Was she a beneficiary under article fourteen of that treaty--do you know? A No sir.  
Q Did she receive any land under that article fourteen of the treaty of 1830? A I do not know; I do not think she did.  
Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I could not tell you.  
Q You do not know whether she ever did obtain any land there from the government? A No sir.  
Q Are you married? A I have been.  
Q Have you children under 21 years of age and unmarried? A I have one.  
Q What was your wife's name---she is not living now? A No sir.  
Q What was her name? A Her name was Julia H. Rhodes.  
Q What is the name of the child under twenty one years of age and unmarried? A Josephus H.  
Q How old? A Nineteen.  
Q Is he living with you at your home? A No sir.  
Q Are you supporting him? A Yes sir.  
Q This is the only child you have under twenty one years of age and unmarried? A Yes sir.  
Q Have you your marriage license and certificate? A No sir.  
Q Have you any documentary evidence with you? A No sir.  
Q Do you want time to introduce them? A Yes sir, if you need them I can introduce them.

Twenty days time from the date hereof is allowed this applicant in which to file documentary evidence in support of this claim; also marriage license and certificate in support of the application which you make for your son.

The Commission--As you have no attorney, you are advised that if possible you should file your marriage license and certificate as you make application for your son; but certified copy of the same will do.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for identification of yourself and minor child as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stated in the proceedings in the above entitled case he reported



William H. Rhodes--- 3.

caused on the 31st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*A. C. Kistner*

Subscribed and sworn to before me this 23<sup>rd</sup> day of March 1901.

*Charles H. Sawyer*

Notary Public.

N C R 1436

COPY.

Muskogee, Indian Territory, July 29, 1902.

William H. Rhodes,  
Wood, New Mexico.

Dear Sir:

You are hereby advised that on the 29th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Martha H. Gibson, et al., embracing the following applications for identification as Mississippi Choctaws:

Martha H. Gibson, et al.,	N C R 1431
Benedict F. Gibson, et al.,	" 1432
William P. Gibson,	" 1433
Anthony J. Gibson,	" 1434
Milton J. Gibson, et al.,	" 1435
George B. Gibson,	" 1436
Alma P. Young,	" 1437
Etta L. Roberts, et al.,	" 1438
Edie H. Stewart, et al.,	" 1439
John W. Rhodes, et al.,	" 1440
Lou H. Jones, et al.,	" 1441
Ben J. Rhodes,	" 1442
Fannie L. [unclear], et al.,	" 1443
[unclear], et al.,	" 1444
[unclear], et al.,	" 1445
[unclear], et al.,	" 1446
[unclear], et al.,	" 1447
[unclear], et al.,	" 1448
[unclear], et al.,	" 1449
[unclear], et al.,	" 1450
[unclear], et al.,	" 1451
[unclear], et al.,	" 1452
[unclear], et al.,	" 1453
[unclear], et al.,	" 1454
[unclear], et al.,	" 1455
[unclear], et al.,	" 1456
[unclear], et al.,	" 1457
[unclear], et al.,	" 1458
[unclear], et al.,	" 1459
[unclear], et al.,	" 1460
[unclear], et al.,	" 1461
[unclear], et al.,	" 1462
[unclear], et al.,	" 1463
[unclear], et al.,	" 1464
[unclear], et al.,	" 1465
[unclear], et al.,	" 1466
[unclear], et al.,	" 1467
[unclear], et al.,	" 1468
[unclear], et al.,	" 1469
[unclear], et al.,	" 1470
[unclear], et al.,	" 1471
[unclear], et al.,	" 1472
[unclear], et al.,	" 1473
[unclear], et al.,	" 1474
[unclear], et al.,	" 1475
[unclear], et al.,	" 1476
[unclear], et al.,	" 1477
[unclear], et al.,	" 1478
[unclear], et al.,	" 1479
[unclear], et al.,	" 1480
[unclear], et al.,	" 1481
[unclear], et al.,	" 1482
[unclear], et al.,	" 1483
[unclear], et al.,	" 1484
[unclear], et al.,	" 1485
[unclear], et al.,	" 1486
[unclear], et al.,	" 1487
[unclear], et al.,	" 1488
[unclear], et al.,	" 1489
[unclear], et al.,	" 1490
[unclear], et al.,	" 1491
[unclear], et al.,	" 1492
[unclear], et al.,	" 1493
[unclear], et al.,	" 1494
[unclear], et al.,	" 1495
[unclear], et al.,	" 1496
[unclear], et al.,	" 1497
[unclear], et al.,	" 1498
[unclear], et al.,	" 1499
[unclear], et al.,	" 1500

W. E. R., 2.

These applications were made under the provisions of the Act of Congress of June 20, 1900, (30 Stat., 493), which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under Article Fourteen of the Treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, Eighteen Hundred and Thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha E. Gibson, Andrew O. Gibson, Benjamin F. Gibson, Byron Gibson, Lucy Gibson, Edna Gibson, Ethel Gibson, Jasper Gibson, William P. Gibson, Aubrey J. Gibson, Milton J. Gibson, Nellie Gibson, George D. Gibson, Aluna P. Temple, Ettie L. Roberts, Celeste Roberts, Eula M. Stewart, Ozella Stewart, Oneta Stewart, John H. Rhoades, Etta M. Rhoades, Beulah B. Rhoades, Lou E. Lake, Leslie Lake, Nabel Lake, Addie Lake, Eva J. Rhoades, Farris L. McCleary, Philip E. McCleary, Edith McCleary, Ada Smith, Frank Gould, Oran Smith, Elisha J. Rhoades, Laura Rhoades, Addie Rhoades, Trudie Rhoades, Louis Rhoades, Cecil Rhoades, Samuel R. Rhoades, Charley H. Rhoades, Minnie A. Rhoades, Septimus F. Rhoades, Emmitt Rhoades, Luther Rhoades, Jasper L. Rhoades, William J. Rhoades, Nevie J. Rhoades, Annie M. Rhoades, Fessie B. Rhoades, Elmira E. Gould, William O. Gould, John B. Gould, Minnie J. Gould, Issy C. Gould, Emma E. Gould, Nettie Gould, Rassy A. Chapman, William T. Chapman, Annie M. Chapman, Edna M. Chapman, Martha A. Chapman, Ada M. Chapman, Adella M. Gilliland, Rebecca M. Baker, Sina F. Baker, Effie A. Burt, Owen Burt, Owen Burt, Mary J. Gould, Thomas J. Gould, John Gould, Elisha Gould, Robert Gould, Annie Gould, Ora Gould, William H. Rhoades, Joseph B. Rhoades, Margaret C. Sweet, Jasper H. Sweet, Louis A. Sweet, Martha E. Sweet, Charles W. Sweet, Ethel M. Sweet, Florence E. Sweet, William P. Sweet and Annetta Sweet as Choctaw Indians entitled to lands in the Choctaw lands under the provisions of said Article Fourteen of the Treaty of September twenty-seventh, 1837, and that the applications for their identification as such should be refused, and it is so ordered."

1914, S.

You are further advised that the Commissioner, on this  
forwarded the record in this case to the Secretary of the Interior  
for review, and you will be informed in due time.

Yours truly,

(SIGNED)

*T. P. Needles*

Commissioner in Charge.

(SIGNED)

H.C.R. 1932.

Muskogee, Indian Territory, October 7, 1902.

William H. Rhoades,  
Wash., New Mexico.

Dear Sir:

You are hereby advised that on the 24th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Martha N. Gibson, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

James D. Doby,  
Acting Chairman.

No. 1532

For Identification as a Mississippi Choctaw.

Date Mich 21. 1901

Name William H. Rhodes.

Age 63

Blood 1/4

Post Office, Reed, New Mexico

Father: Elihu J. Rhodes. d

Mother: Katie J. " d

Claims through father.

Julia E. Rhodes - a

Children:

Josephus E. " - 17

For self and

Chies -

Choctaw MCR 1533

Elmira E. Gould

MCR 1533

*Elmira L. Gould et al.*

**REFUSED**

DECISION RENDERED. JUL 29 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 28 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CROGTAW AND CHICKASAW NATIONS.

JUL 29 1902

RECORD FORWARDED DEPARTMENT.

JUL 29 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

SEP 24 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

OCT 7 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CROGTAW  
AND CHICKASAW NATIONS.

OCT 7 1902

REFER TO M. G. R. 7431



DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of Elmira E. Gould for identification for herself and her minor children as Mississippi Chectaws.

Elmira E. Gould, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Elmira E. Gould.
- Q What is your age? A Thirty nine, thirty eight, thirty seven--- forty-seven.
- Q What is your post office address? A Weed, New Mexico.
- Q How long have you lived at Weed? A Sixteen years.
- Q Where did you live before you lived in Weed? A Bastrop county, Texas. A Yes sir.
- Q Where were you born? A I do not know, in Arkansas I believe.
- Q Do you remember the name of the place? A Yes sir.
- Q What place? A I don't believe I remember it.
- Q You removed from Arkansas to where? A To Texas.
- Q And from there to Weed, New Mexico? A Yes sir.
- Q You never lived in Mississippi? A No sir.
- Q What is your father's name? A Eliza J. Rhoades.
- Q Living? A No sir.
- Q What is your mother's name? A Nancy Rhoades.
- Q Living? A No sir.
- Q Through which one of these parents do you claim Chectaw blood? A My father.
- Q How much do you claim? A One fourth.
- Q Was your father ever a resident of the Indian Territory? A No sir, not that I know of.
- Q Was he ever recognized as a Chectaw Indian by the Chectaw tribal authorities? A Yes sir.
- Q Did you ever make a claim for citizenship in the Chectaw Nation, or the Chectaw tribal authorities? A Yes sir.
- Q Did you ever make a claim for citizenship as a member of the Chectaw Nation to the Chectaw tribal authorities? A Yes sir.
- Q Were you ever employed to claim land in the Chectaw Nation by judgment of the United States Court in the Chectaw Nation? A Yes sir.
- Q Did you ever make a claim to the Chectaw tribal authorities for the same reason? A No sir.
- Q Did you ever make a claim for citizenship or citizenship as a Chectaw to the Chectaw tribal authorities? A Yes sir.
- Q Did you ever make a claim to the Chectaw tribal authorities for citizenship or citizenship as a Chectaw? A Yes sir.
- Q Did you ever make an application for citizenship or citizenship as a Chectaw to the Chectaw tribal authorities? A Yes sir.

Elmira E. Gould----2.

- Q Under the whole treaty? A Yes sir.
- Q Claim under article fifteen and nineteen do you? A I do not know. I was small and do not know.
- Q What was the name of your ancestor who lived in Mississippi in 1830? A Elizabeth Leflore.
- Q That was her maiden name? A Yes sir.
- Q Whom did she marry? A Eliza J. Moore.
- Q What kin was she to you? A Grandmother.
- Q Was she a full blood Choctaw Indian? A Yes sir.
- Q Have you any documentary proof of that? A No sir.
- Q Did she within six months after the treaty of 1830 was ratified go to the United States Indian Agent who lived in Mississippi at that time, and say that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did she come from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1833 to 1837? A I do not know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did she ever comply with the provisions of article fourteen? A Not that I know of.
- Q Did she ever receive or claim land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Did you or your ancestor ever receive any benefits in the Indian Territory as Indians? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Jacob E. Gould.
- Q Do you make any claim for him? A No sir.
- Q When and where were you married to him? A Bastrop County, Texas
- Q When? A In 1872.
- Q What day and month? A April 7th.
- Q Have you any children? A Yes sir.
- Q Do you want to make application for them? A Yes sir.
- Q What are the names of each unmarried child under twenty one? A William E., nineteen, John B., seventeen, Minnie J., thirteen, Issey C., 11, Emma E., four, Nettie, one.
- Q Jacob E. Gould is the father of these children? A Yes sir.
- Q You are the mother? A Yes sir.
- Q They are living with you at your home? A Yes sir.
- Q Have you any documentary evidence you want to introduce now and make a part of your application? A No sir.
- Q Do you want time in which to introduce same? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you want to say in support of your claim? A No sir.

The decision of the Commission in regard to this application which you make for identification for yourself and these children as Mississippi Choctaws will be mailed to you at your present post office address.

H. C. Briston, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the above mentioned

Elmira N. Gould---5.

Scribes he reported in full all proceedings had in the above entitled cause on the 21st day of March, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. G. Risteen*

Subscribed and sworn to before me this 23<sup>rd</sup> day of March 1901

*Charles W. Sawyer*

Notary Public.

No. 1533

For Identification as a Mississippi Choctaw.

Date Feb 21, 1901

Name Emma E. Gould.

Age 47 - Blood 1/4

Post Office. Med. New Mexico -

Father: Eliza J. Rhodes, d

Mother: Nancy " d

Claims through father -

Wendell  
Jacob B. Gould.

Children:

William J. Gould 19

John B. 17

Minnie J. 13

Ivey C. 11

Emma E. 4

Kettie 1

Claims for self  
and children

W. B. Gould

COPY.

M.O.R. 1883.

Muskogee, Indian Territory, October 7, 1902.

Martha E. Gould,

Wood, New Mexico.

Dear Madam:

You are hereby advised that on the 24th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Martha E. Gibson, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

COPY.

Muskogee, Indian Territory, July 29, 1902.

Martha E. Gould,  
Wood, New Mexico.

Dear Madam:

You are hereby advised that on the 29th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Martha E. Gibson, et al., embracing the following applications for identification as Mississippi Choctaws:

- |                             |            |
|-----------------------------|------------|
| Martha E. Gibson, et al.,   | M C R 1431 |
| Benjamin F. Gibson, et al., | " 1432     |
| William P. Gibson,          | " 1330     |
| Aubrey J. Gibson,           | " 1433     |
| Milton J. Gibson, et al.,   | " 1434     |
| George B. Gibson,           | " 1435     |
| Aluna P. Gibson,            | " 1436     |
| Estes L. Gibson, et al.,    | " 1437     |
| Eula B. Gibson, et al.,     | " 1438     |
| John H. Gibson, et al.,     | " 1439     |
| Leah J. Gibson, et al.,     | " 1440     |
| Sam J. Gibson,              | " 1441     |
| Parry J. Gibson, et al.,    | " 1442     |
| Ada S. Gibson,              | " 1443     |
| Wisha J. Gibson, et al.,    | " 1444     |
| Samuel J. Gibson,           | " 1445     |
| Charles J. Gibson, et al.,  | " 1446     |
| Jasper J. Gibson, et al.,   | " 1447     |
| Yancy J. Gibson, et al.,    | " 1448     |
| Henry J. Gibson, et al.,    | " 1449     |
| Anna J. Gibson, et al.,     | " 1450     |
| John J. Gibson, et al.,     | " 1451     |
| William J. Gibson, et al.,  | " 1452     |
| George J. Gibson, et al.,   | " 1453     |
| Aluna J. Gibson, et al.,    | " 1454     |
| Estes J. Gibson, et al.,    | " 1455     |
| Eula J. Gibson, et al.,     | " 1456     |
| John J. Gibson, et al.,     | " 1457     |
| Leah J. Gibson, et al.,     | " 1458     |
| Sam J. Gibson, et al.,      | " 1459     |
| Parry J. Gibson, et al.,    | " 1460     |
| Ada J. Gibson, et al.,      | " 1461     |
| Wisha J. Gibson, et al.,    | " 1462     |
| Samuel J. Gibson, et al.,   | " 1463     |
| Charles J. Gibson, et al.,  | " 1464     |
| Jasper J. Gibson, et al.,   | " 1465     |
| Yancy J. Gibson, et al.,    | " 1466     |
| Henry J. Gibson, et al.,    | " 1467     |
| Anna J. Gibson, et al.,     | " 1468     |
| John J. Gibson, et al.,     | " 1469     |
| William J. Gibson, et al.,  | " 1470     |
| George J. Gibson, et al.,   | " 1471     |
| Aluna J. Gibson, et al.,    | " 1472     |
| Estes J. Gibson, et al.,    | " 1473     |
| Eula J. Gibson, et al.,     | " 1474     |
| John J. Gibson, et al.,     | " 1475     |
| Leah J. Gibson, et al.,     | " 1476     |
| Sam J. Gibson, et al.,      | " 1477     |
| Parry J. Gibson, et al.,    | " 1478     |
| Ada J. Gibson, et al.,      | " 1479     |
| Wisha J. Gibson, et al.,    | " 1480     |
| Samuel J. Gibson, et al.,   | " 1481     |
| Charles J. Gibson, et al.,  | " 1482     |
| Jasper J. Gibson, et al.,   | " 1483     |
| Yancy J. Gibson, et al.,    | " 1484     |
| Henry J. Gibson, et al.,    | " 1485     |
| Anna J. Gibson, et al.,     | " 1486     |
| John J. Gibson, et al.,     | " 1487     |
| William J. Gibson, et al.,  | " 1488     |
| George J. Gibson, et al.,   | " 1489     |
| Aluna J. Gibson, et al.,    | " 1490     |
| Estes J. Gibson, et al.,    | " 1491     |
| Eula J. Gibson, et al.,     | " 1492     |
| John J. Gibson, et al.,     | " 1493     |
| Leah J. Gibson, et al.,     | " 1494     |
| Sam J. Gibson, et al.,      | " 1495     |
| Parry J. Gibson, et al.,    | " 1496     |
| Ada J. Gibson, et al.,      | " 1497     |
| Wisha J. Gibson, et al.,    | " 1498     |
| Samuel J. Gibson, et al.,   | " 1499     |
| Charles J. Gibson, et al.,  | " 1500     |

R E G    2.

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 498), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha E. Gibson, Andrew G. Gibson, Benjamin F. Gibson, Byron Gibson, Lucy Gibson, Edna Gibson, Ethel Gibson, Jasper Gibson, William P. Gibson, Aubrey J. Gibson, Milton J. Gibson, Nellie Gibson, George B. Gibson, Aluna P. Temple, Ettie L. Roberts, Celeste Roberts, Eula M. Stewart, Onella Stewart, Oneta Stewart, John H. Rhoades, Etta M. Rhoades, Beulah B. Rhoades, Lou E. Lake, Leslie Lake, Mabel Lake, Addie Lake, Eva J. Rhoades, Fannie L. McCleary, Philip H. McCleary, Edith McCleary, Ada Smith, Frank Gould, Oran Smith, Eliza J. Rhoades, Laura Rhoades, Addie Rhoades, Trudie Rhoades, Louis Rhoades, Cecil Rhoades, Samuel R. Rhoades, Charley H. Rhoades, Minnie A. Rhoades, Septimus P. Rhoades, Emmit Rhoades, Luther Rhoades, Jasper L. Rhoades, William J. Rhoades, Nevie J. Rhoades, Annie M. Rhoades, Dessie B. Rhoades, Elmira E. Gould, William O. Gould, John B. Gould, Minnie J. Gould, Isaac C. Gould, Emma H. Gould, Nettie Gould, Fanny A. Chapman, William T. Chapman, Annie M. Chapman, Ula H. Chapman, Martha A. Chapman, Ada H. Chapman, Adella H. Gililand, Melissa M. Baker, Sina F. Baker, Effie A. Baker, Orin Baker, Ovan Baker, Mary J. Gould, Thomas J. Gould, John Gould, Elijah Gould, Robert Gould, Annie Gould, Ora Gould, William H. Rhoades, Josephus H. Rhoades, Margaret A. Sweet, Jasper H. Sweet, Louis A. Sweet, Martha E. Sweet, Charles V. Sweet, Ethel M. Sweet, Florence H. Sweet, Lillian P. Sweet and Amanda Sweet as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

EX-1.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.



Choctaw MCR 1534

Nancy A. Chapman

See MCR 1431

MCR 1534

*Lancy A. Chapman et al.*

**REFUSED**

**DECISION RENDERED JUL 29 1902**

**NOTICE OF DECISION MAILED APPLICANT.**

**NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.**

**JUL 29 1902**

**RECORD FORWARDED DEPARTMENT.**

**JUL 29 1902**

**ACTION APPROVED BY SECRETARY OF INTERIOR**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.**

**OCT 7 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.**

**OCT 7 1902**

**REFER TO M. O. R. 1431**

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 APCKA, IND. TER. March 21, 1901.

In the matter of the application of Nancy A. Chapman for the identification of herself and her minor children as Mississippi Cheetaws.

Nancy A. Chapman, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Nancy A. Chapman.  
 Q What is your age? A Twenty seven.  
 Q What is your post office address? A Weed, New Mexico.  
 Q How long have you lived at Weed? A Sixteen years.  
 Q Where did you live before you lived there? A In Bastrop County, Texas.  
 Q How long did you live there? A Twelve years.  
 Q Where did you live before you lived in Bastrop County? A Never lived any place.  
 Q Born there? A Yes sir.  
 Q What is your father's name? A Jacob B. Gould.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Elmira E. Gould.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My mother.  
 Q How much do you claim? A One eighth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Was she ever recognized as a Cheetaw Indian by the Cheetaw tribal authorities? A No sir.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A No sir.  
 Q Have you ever made application for citizenship in the Cheetaw Nation to the Cheetaw tribal authorities? A No sir.  
 Q Have you ever made application for enrollment as an Indian to the Cheetaw tribal authorities? A No sir.  
 Q Have you ever been admitted to citizenship in the Cheetaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Cheetaw tribal authorities or the Dawes Commission? A No sir.  
 Q Have you ever made application for either citizenship or enrollment as a Cheetaw to the Dawes Commission under the act of Congress of June 16, 1897? A No sir.  
 Q Is this the first application you have ever made of any description? A Yes sir. Q You are now seeking to be identified as a Mississippian Cheetaw? A Yes sir.  
 Q Under what treaty are you making this application? A 1836.  
 Q Under the whole treaty? A Yes sir.  
 Q You claim under articles fifteen, nineteen and fourteen equally?  
 A I do not know.  
 Q You said you claimed under the whole treaty--now, do you claim under all the articles in the treaty? A Yes sir.

Nancy A. Chapman----8.

- Q What is the name of your ancestor who lived in Mississippi in 1830? A I do not know.
- Q I mean your kin that you claimed through? A Elizabeth Leflere.
- Q Was that her maiden name? A Yes sir.
- Q What was her married name? A Elizabeth Rhoades.
- Q What relation was she to you? A Great grandmother.
- Q Was she a full blood Cheetaw Indian? A They said so.
- Q Who said so? A My mother.
- Q Have you any documentary proof of that fact? A No sir.
- Q Do you know whether she within six months after the treaty of 1830 was ratified went to the United States Indian Agent and told him that she intended to stay in Mississippi and take land there? A I do not know.
- Q Did she come to the Indian Territory from Mississippi with the other Cheetaw Indians in the years 1835 to 1837? A I do not know.
- Q Was she a beneficiary under article fourteen? A I do not know.
- Q Did she comply with the provisions of article fourteen of that treaty? A I do not know.
- Q Do you know whether she received or claimed any land in Mississippi under article fourteen of that treaty? A I do not know that.
- Q Have you or any of your ancestors ever received any benefits in the Indian Territory as Cheetaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A George W. Chapman.
- Q Do you make any claim for him? A No sir.
- Q Have you children under 21 years of age and unmarried? A Yes sir.
- Q Do you want to make application for them? A Yes sir.
- Q What is the name of the eldest. Q William T.
- Q How old? A Six.
- Q The next? A Annie M.
- Q How old? A Five.
- Q Next? A Ula M.
- Q How old? A Four years.
- Q Next? A Martha A.
- Q How old is she? A Two.
- Q Next? A Ada M.
- Q How old? A One year.
- Q That is all? A Yes sir.
- Q Is George W. Chapman the father of these children? A Yes sir.
- Q And you are the mother? A Yes sir.
- Q You and your husband are living together as husband and wife? A Yes sir.
- Q And the children are living with you at your home? A Yes sir.
- Q Have you any documentary evidence you want to introduce now in support of your application? A No sir.
- Q Would you like time? A Yes sir. I have a marriage certificate.

Marriage certificate between George W. Chapman and Miss Nancy A. Gould presented by applicant, received, filed, marked Exhibit A and made a part of the record in this case.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you want to state? A No sir.

Honey A. Chapman---S.

The decision of the Commission in regard to this application which you make for the identification of yourself and these minor children as Mississippi Choctaws will be mailed to you at your present post office address.

N. C. Risteen, having been first duly sworn, upon his oath deposes and says: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*N. C. Risteen*  
Subscribed and sworn to before me this 21<sup>st</sup> day of March 1901.

*Charles H. Sawyer*  
Notary Public.

COPY.

Wastogah, Indian Territory, July 23, 1902.

Honorable A. Chapman,

Food, New Mexico.

Dear Madam:

You are hereby advised that on the 17th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Martha E. Gibson, et al., embracing the following applications for identification as Mississippi Choctaws:

Martha E. Gibson, et al.,	H O N 1431
William F. Gibson, et al.,	" 1432
William F. Gibson,	" 1433
Amey J. Gibson,	" 1434
William F. Gibson, et al.,	" 1435
George H. Gibson,	" 1436
Alma F. Gibson,	" 1437
Edna L. Gibson, et al.,	" 1438
Edna M. Gibson, et al.,	" 1439
John H. Gibson, et al.,	" 1440
John H. Gibson, et al.,	" 1441
John H. Gibson,	" 1442
John H. Gibson, et al.,	" 1443
John H. Gibson, et al.,	" 1444
John H. Gibson, et al.,	" 1445
John H. Gibson, et al.,	" 1446
John H. Gibson, et al.,	" 1447
John H. Gibson, et al.,	" 1448
John H. Gibson, et al.,	" 1449
John H. Gibson, et al.,	" 1450
John H. Gibson, et al.,	" 1451
John H. Gibson, et al.,	" 1452
John H. Gibson, et al.,	" 1453
John H. Gibson, et al.,	" 1454
John H. Gibson, et al.,	" 1455
John H. Gibson, et al.,	" 1456
John H. Gibson, et al.,	" 1457
John H. Gibson, et al.,	" 1458
John H. Gibson, et al.,	" 1459
John H. Gibson, et al.,	" 1460
John H. Gibson, et al.,	" 1461
John H. Gibson, et al.,	" 1462
John H. Gibson, et al.,	" 1463
John H. Gibson, et al.,	" 1464
John H. Gibson, et al.,	" 1465
John H. Gibson, et al.,	" 1466
John H. Gibson, et al.,	" 1467
John H. Gibson, et al.,	" 1468
John H. Gibson, et al.,	" 1469
John H. Gibson, et al.,	" 1470
John H. Gibson, et al.,	" 1471
John H. Gibson, et al.,	" 1472
John H. Gibson, et al.,	" 1473
John H. Gibson, et al.,	" 1474
John H. Gibson, et al.,	" 1475
John H. Gibson, et al.,	" 1476
John H. Gibson, et al.,	" 1477
John H. Gibson, et al.,	" 1478
John H. Gibson, et al.,	" 1479
John H. Gibson, et al.,	" 1480
John H. Gibson, et al.,	" 1481
John H. Gibson, et al.,	" 1482
John H. Gibson, et al.,	" 1483
John H. Gibson, et al.,	" 1484
John H. Gibson, et al.,	" 1485
John H. Gibson, et al.,	" 1486
John H. Gibson, et al.,	" 1487
John H. Gibson, et al.,	" 1488
John H. Gibson, et al.,	" 1489
John H. Gibson, et al.,	" 1490
John H. Gibson, et al.,	" 1491
John H. Gibson, et al.,	" 1492
John H. Gibson, et al.,	" 1493
John H. Gibson, et al.,	" 1494
John H. Gibson, et al.,	" 1495
John H. Gibson, et al.,	" 1496
John H. Gibson, et al.,	" 1497
John H. Gibson, et al.,	" 1498
John H. Gibson, et al.,	" 1499
John H. Gibson, et al.,	" 1500

**N A C 3.**

These applications were made under the provisions of the act of Congress of June 20, 1896 (30 Stat., 496), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha E. Gibson, Andrew G. Gibson, Benjamin P. Gibson, Byron Gibson, Lucy Gibson, Edna Gibson, Ethel Gibson, Jasper Gibson, William P. Gibson, Aubrey J. Gibson, Milton J. Gibson, Nellie Gibson, George B. Gibson, Aluna P. Temple, Ettie L. Roberts, Cora Roberts, Bula M. Stewart, Osella Stewart, Oeta Stewart, John N. Rhoades, Etta M. Rhoades, Beulah B. Rhoades, Lou E. Lake, Lealie Lake, Nabel Lake, Addies Lake, Eva J. Rhoades, Fannie L. McCleary, Philip E. McCleary, Edith McCleary, Ada Smith, Frank Gould, Oran Smith, Elisha J. Rhoades, Laura Rhoades, Addie Rhoades, Trudie Rhoades, Louis Rhoades, Cecil Rhoades, Samuel R. Rhoades, Charley H. Rhoades, Minnie A. Rhoades, Septimus P. Rhoades, Emmit Rhoades, Luther Rhoades, Jasper L. Rhoades, William J. Rhoades, Nevie J. Rhoades, Annie N. Rhoades, Bessie B. Rhoades, Almira K. Gould, William O. Gould, John B. Gould, Minnie J. Gould, Isey C. Gould, Emma B. Gould, Nettie Gould, Nancy A. Chapman, William T. Chapman, Annie M. Chapman, Ula M. Chapman, Martha A. Chapman, Ada M. Chapman, Adella N. Gililand, Melissa M. Baker, Sina P. Baker, Effie A. Baker, Orin Baker, Owen Baker, Mary J. Gould, Thomas J. Gould, John Gould, Elijah Gould, Robert Gould, Annie Gould, Ora Gould, William N. Rhoades, Josephus B. Rhoades, Margaret G. Sweet, Jasper H. Sweet, Lewis A. Sweet, Martha B. Sweet, Charles W. Sweet, Ethel M. Sweet, Florence E. Sweet, Lillian P. Sweet and Amanda Sweet as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

H & C

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.



U.S.R. 1884.

Mustang, Indian Territory, August 25, 1900.

Honor A. Chapman,

Fort, New Mexico Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 15th inst., relative to the decision of the Commission in your case, in which you state "what evidence did Homer Davis give in and if there is any more evidence, if so, you will please look to other persons the heads of families." You also state that you have been to a good deal of expense, and ask if there is any chance to get your claim.

In reply, you are informed that you case was communicated and considered with the case of Martha E. Gibson and other persons, applicants to this Commission for identification as Minnie-  
sippi Cheaters, claiming descent from the land

Elizabeth Larlow.

The authority vested in this Commission by Congress, the identity of so-called Minnie-  
sippi Cheaters is contained in the last section of the act of Congress approved June 24, 1896, as follows:

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

The fourteenth article of the treaty of 1830, referred to in the above legislation, is as follows:

"Each Choctaw 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 ten 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 Commission in determining the right of persons to be identified as Mississippi Choctaws requires that the applicants reasonably demonstrate that they are the descendants of Choctaw ancestors who resided in the old Choctaw Nation in the States of Mississippi and Alabama in 1830, and who complied or attempted to comply with the provisions of article fourteen above quoted, or

P A G E

were subsequently adjudicated beneficiaries thereunder by either of the two Commissions authorized for this purpose by the acts of Congress approved March 3, 1857 and August 25, 1848.

Aside from the oral statements and the proof of marriage of the several applicants, the only proof submitted in this consolidated case is the de jure affidavits of J. H. Adams and W. V. Stewart,

No proof having been submitted tending to show any compliance on the part of Elizabeth Lofgren, the ancestor through whom the applicants claim their right to identification as Mississippi Choctaws, with the provisions of article fourteen of the Choctaw Treaty of 1830, the Commission on July 29, 1908, rendered its decision refusing the right to identification as Mississippi Choctaws of the several applicants included in this consolidated case, and on the same date notified the several applicants by registered mail of such decision, and of the forwarding of the record to the Secretary of the Interior for review.

You will be duly notified of any action taken by him.

Yours truly,

Acting Chairman.

COPY. M.C.R. 1534.

Muskogee, Indian Territory, October 7, 1902.

Fancy A. Chapman,  
Wood, New Mexico.

Dear Madam:

You are hereby advised that on the 24th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Martha B. Gibson, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

*James Dixby.*

Acting Chairman.

No. 1534

For Identification as a Mississippi Choctaw.

Date *Mar. 21. 1901*

Name *Nancy A. Chapman*

Age *27* Blood *1/8*

Post Office, *Mad. New Mexico.*

Father: *Jacob B. Stone &*

Mother: *Elmira E. " &*

Claims through

*Husband*

*George W. Chapman*

Children:

*William T. - 6*

*Annie M. - 5*

*Ula M. - 4*

*Martha A. - 2*

*Eda M. - 1*

*For self and  
children -*

*H. C. Risteen*

Choctaw MCR 1535

Adella M. Gililand

See MCR 1431

MCR 1535

**REFUSED**

**DECISION RENDERED. JUL 29 1902**

**NOTICE OF DECISION MAILED APPLICANT.**

**JUL 29 1902**

**NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.**

**JUL 29 1902**

**RECORD FORWARDED DEPARTMENT.**

**JUL 29 1902**

**ACTION APPROVED BY SECRETARY OF INTERIOR:**

**SEP 24 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.**

**OCT 7 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.**

**OCT 7 1902**

**REFER TO M. C. R. / 431**

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., March 21, 1901.

In the matter of the application of Adella M. Gililand for identification as a Mississippi Choctaw.

Adella M. Gililand, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Adella M. Gililand.  
 Q What is your age? A Twenty four.  
 Q What is your post office address? A Weed.  
 Q New Mexico? A Yes sir.  
 Q How long have you lived there? A Sixteen years.  
 Q Where did you live before you lived there? A Bastrop County Texas.  
 Q Were you born in Bastrop County? A Yes sir.  
 Q What is your father's name? A Jacob B. Gould.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Elmira K. Gould.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q how much do you claim? A One eighth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citize shap in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw Tribal authorities or the Dawes Commission? A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1897? A No sir.  
 Q Is this the first application you have ever made for either citizenship or enrollment in the Choctaw Nation to the Choctaw tribal authorities or the Dawes Commission? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes  
 Q Under what treaty or treaties are you making this application?  
 A 1830.  
 Q Do you claim anything under the treaty of Hanging Rabbit Creek?  
 --Do you know anything about that? A No sir.  
 Q Do you know whether the treaty of 1830 and the treaty of Hanging Rabbit Creek are the same treaty? A No sir.  
 Q Do you claim under the whole treaty of 1830 or only a part of it?  
 A All of it.  
 Q Do you claim under articles fifteen and nineteen the same as under article fourteen? What do you think about that? A I do not know.



Adella M. Gillland----8.

- Q You claim under the whole treaty? A Yes sir.
- Q You claim under all the articles in the treaty? A Yes sir.
- Q Then you claim under article fifteen? A Yes sir, I claim under all.
- Q Do you know whether you claim under the whole treaty or only under one article? A I do not know.
- Q Did you ever have article fourteen explained to you? A No sir.
- Q Ever read it? A No sir.
- Q You do not know much about it? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Elizabeth Leffere.
- Q Is that her married name? A No, her maiden name.
- Q Whom did she marry? A Rhoades.
- Q The full name? A Elisha J. Rhoades.
- Q Did she live in Mississippi in 1830? A I do not know, I guess she did.
- Q What makes you guess she did--what makes you think she lived in Mississippi in 1830? A I do not know.
- Q You do not know whether she did live there or not? A No sir. I do not know.
- Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi, Colonel Ward, that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did she come from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1835 to 1837? A I do not know.
- Q Did you ever hear that she did? A No sir.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q You know what I mean by that, do you not? A I do not know whether I do or not.
- Q I mean by that question, if she ever received any benefits under article fourteen of the treaty of 1830 as a deed of land or money from the Government, or any rights or privileges under that article? A No sir.
- Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Did she comply in any way with the provisions of article fourteen of that treaty? A I do not know.
- Q Did she comply with the provisions of the supplement of the treaty? A I do not know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A James R. Gillland.
- Q Do you make any claim for your husband? A No sir.
- Q Have you children you want to make application for? A No sir.
- Q Have you any documentary evidence you want to introduce now? A No.
- Q I mean affidavits or certified copy of records or anything of that kind--would you like time to introduce such evidence? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to say? A No sir.

Adella M. Gilliland---S.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 23 day of March 1901.

*Charles W. Sawyer*

Notary Public.

M C R 1030

COPY.

Washoe, Indian Territory, July 29, 1902.

Adella M. Gilliland,  
Lead, New Mexico.

Dear Madam

You are hereby advised that on the 29th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Martha E. Gibson, et al., embracing the following applications for identification as Mississippi Choctaws

Martha E. Gibson, et al.,	M C R 1431
Benjamin F. Gibson, et al.,	" 1432
William F. Gibson,	" 1433
Ambray J. Gibson,	" 1434
Milton J. Gibson, et al.,	" 1435
George B. Gibson,	" 1436
Alvin P. Young,	" 1437
Edgar L. Roberts, et al.,	" 1438
John M. Stewart, et al.,	" 1439
John H. Pender, et al.,	" 1440
John E. Jones, et al.,	" 1441
John E. Jones,	" 1442
John E. Jones, et al.,	" 1443
John E. Jones, et al.,	" 1444
John E. Jones, et al.,	" 1445
John E. Jones, et al.,	" 1446
John E. Jones, et al.,	" 1447
John E. Jones, et al.,	" 1448
John E. Jones, et al.,	" 1449
John E. Jones, et al.,	" 1450
John E. Jones, et al.,	" 1451
John E. Jones, et al.,	" 1452
John E. Jones, et al.,	" 1453
John E. Jones, et al.,	" 1454
John E. Jones, et al.,	" 1455
John E. Jones, et al.,	" 1456
John E. Jones, et al.,	" 1457
John E. Jones, et al.,	" 1458
John E. Jones, et al.,	" 1459
John E. Jones, et al.,	" 1460
John E. Jones, et al.,	" 1461
John E. Jones, et al.,	" 1462
John E. Jones, et al.,	" 1463
John E. Jones, et al.,	" 1464
John E. Jones, et al.,	" 1465
John E. Jones, et al.,	" 1466
John E. Jones, et al.,	" 1467
John E. Jones, et al.,	" 1468
John E. Jones, et al.,	" 1469
John E. Jones, et al.,	" 1470
John E. Jones, et al.,	" 1471
John E. Jones, et al.,	" 1472
John E. Jones, et al.,	" 1473
John E. Jones, et al.,	" 1474
John E. Jones, et al.,	" 1475
John E. Jones, et al.,	" 1476
John E. Jones, et al.,	" 1477
John E. Jones, et al.,	" 1478
John E. Jones, et al.,	" 1479
John E. Jones, et al.,	" 1480
John E. Jones, et al.,	" 1481
John E. Jones, et al.,	" 1482
John E. Jones, et al.,	" 1483
John E. Jones, et al.,	" 1484
John E. Jones, et al.,	" 1485
John E. Jones, et al.,	" 1486
John E. Jones, et al.,	" 1487
John E. Jones, et al.,	" 1488
John E. Jones, et al.,	" 1489
John E. Jones, et al.,	" 1490
John E. Jones, et al.,	" 1491
John E. Jones, et al.,	" 1492
John E. Jones, et al.,	" 1493
John E. Jones, et al.,	" 1494
John E. Jones, et al.,	" 1495
John E. Jones, et al.,	" 1496
John E. Jones, et al.,	" 1497
John E. Jones, et al.,	" 1498
John E. Jones, et al.,	" 1499
John E. Jones, et al.,	" 1500

A N O 2.

These applications were made under the provisions of the act of Congress of June 28, 1898 (30 Stats., 498), which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Martha E. Gibson, Andrew G. Gibson, Benjamin P. Gibson, Byron Gibson, Lucy Gibson, Anna Gibson, Ethel Gibson, Jasper Gibson, William P. Gibson, Aubrey S. Gibson, Milton J. Gibson, Nellie Gibson, George B. Gibson, Aluna P. Temple, Ettie L. Roberts, Celeste Roberts, Eula M. Stewart, Ozella Stewart, Oneta Stewart, John H. Rhoades, Etta M. Rhoades, Beulah B. Rhoades, Lou E. Lake, Leslie Lake, Mabel Lake, Addie Lake, Eva J. Rhoades, Parrie L. McCleary, Philip R. McCleary, Edith McCleary, Ada Smith, Frank Gould, Oran Smith, Elisha J. Rhoades, Laura Rhoades, Addie Rhoades, Trudie Rhoades, Louis Rhoades, Cecil Rhoades, Samuel R. Rhoades, Charley H. Rhoades, Minnie A. Rhoades, Septimus P. Rhoades, Emmit Rhoades, Luther Rhoades, Jasper L. Rhoades, William J. Rhoades, Nevie J. Rhoades, Annie M. Rhoades, Bessie B. Rhoades, Elvira E. Gould, William O. Gould, John B. Gould, Minnie J. Gould, Lucy G. Gould, Emma M. Gould, Nettie Gould, Nancy A. Chapman, William T. Chapman, Annie M. Chapman, Ula M. Chapman, Martha A. Chapman, Ada M. Chapman, Adella M. Gilliland, Melissa W. Baker, Sina V. Baker, Effie A. Baker, Orin Baker, Owen Baker, Mary J. Gould, Thomas J. Gould, John Gould, Elijah Gould, Robert Gould, Annie Gould, Ora Gould, William H. Rhoades, Josephus E. Rhoades, Margaret C. Sweet, Jasper H. Sweet, Lewis A. Sweet, Martha E. Sweet, Charles W. Sweet, Ethel M. Sweet, Florence E. Sweet, Lillian P. Sweet and Amanda Sweet as Chectaw Indians entitled to rights in the Chectaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered".

A 10 1/2

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

*E. B. Needice.*

Commissioner in Charge.

Registered.

M.C.R. 1830.

COPY.

Muskogee, Indian Territory, October 7, 1902.

Adella M. Gililand,  
Wood, New Mexico.

Dear Madam:

You are hereby advised that on the 24th day of September, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Martha K. Gibson, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

(SIGNED)

*James D. ...*

No. 1535

For Identification as a Mississippi Choctaw.

Date *Mich 21. 1901*

Name *Adella M. Gililand*

Age *24* Blood *1/8*

Post Office, *Weed, New Mexico.*

Father: *Jacob B. Bond* l

Mother: *Elmira E. Bond* l

Claims through *Mother*

*Husband*

*James R. Gililand*

~~Children:~~

*Claims for prob  
alone*

Choctaw MCR 1536

Jacob Awalt

See MCR 1334

MCR 1536



STAW,

*Jacob Awatt, et al.*

# REFUSED

DECISION RENDERED. MAY 13 1902

NOTICE OF DECISION MAILED APPLICANT: MAY 31 1902

NOTICE OF DECISION MAILED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAY 31 1902

COPIES FORWARDED DEPARTMENT: MAY 31 1902

*Amended by Secty July 8 1902.  
Recd to Dept. Oct. 17 1902.*

ACTION APPROVED BY SECRETARY OF INTERIOR: MAR 11 1903

NOTICE OF DEPARTMENTAL ACTION FORWARDED APPLICANT. MAR 20 1903

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. MAR 20 1903

REFER TO M. O. N. 1334

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 APOKA, I.T., MARCH 21, 1901.

In the matter of the application of Jacob Awalt for the identification of himself, and as natural guardian for the identification of the minor orphan children, Mattie J. and William H. Davis, as Mississippi Choctaws.

Jacob Awalt, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Jacob Awalt.  
 Q What is your age? A Thirty six.  
 Q What is your post office address? A Weed, New Mexico.  
 Q How long have you lived in Weed? A About two years.  
 Q Where did you live before that? A Scurry County, Texas.  
 Q How long did you live there? A Seven years.  
 Q Where were you born? A Bastrop County, Texas.  
 Q What year were you born in? A 1865.  
 Q Lived in Texas until you removed to New Mexico? A Yes sir.  
 Q What is your father's name? A Daniel Awalt.  
 Q Living? A No sir.  
 Q What is your mother's name? A Martha Awalt.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One eighth.  
 Q Did your father ever live in the Indian Territory? A No sir, I think not.  
 Q Was he ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A Not that I know of, I would say no.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Daves Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either citizenship or enrollment in the Choctaw Nation to the Daves Commission acting under the act of Congress of June 10, 1896? A I did not.  
 Q Is this the first application you have ever made for either enrollment or citizenship in the Choctaw Nation? A Yes sir.  
 Q Are you now seeking to be identified as a Mississippi Choctaw?  
 A Yes sir.  
 Q Under what treaty or treaties are you making this application.  
 A I do not hardly understand this treaty business. I do not know about it.  
 Q Did you ever hear of the treaty of 1830? A No.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A I have been told it was Bradshaw.  
 Q What is the full name? A Sallie Bradshaw.  
 Q What relation was she to you? A Great grandmother.

Jacob Awalt---2.

Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian agent who lived in Mississippi at that time that she intended to stay in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.

Q Did she come from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1833 to 1837? A I do not know.

Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.

Q Did she comply with any of the provisions of the treaty of 1830? A I do not know.

Q Did she claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.

Q Did you ever hear that she or any person you claim under ever received any land in Mississippi from the United States government? A No sir.

Q Have you or your ancestor ever received any benefits in the Indian Territory as Choctaw Indians? A No sir.

Q Are you married? A Yes sir.

Q What is your wife's name? A Eliza Awalt.

Q Do you make any claim for her? A I do--she is here to make her own claim.

Q You do not make application for her? A No, she will come in person.

Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.

Q Do you wish to make application for them or do you wish your wife to do so? A She can make the application.

Q That is your preference is it, that she should make the application? A Yes sir.

Q Have you any documentary evidence you would like to introduce now in support of your application? A No sir.

Q Have you your marriage license and certificate that you would like to introduce now? A Yes sir.

Q Would you like time in which to introduce documentary evidence? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

Q Is there anything further you want to say? A I have a nephew and niece I want to make application for. I have been raising them.

Q What is the name of your nephew? A William H. Davis.

Q How old is he? A He is sixteen.

Q And the niece? A Mattie J. Davis.

Q How old is Mattie J. A Sixteen.

Q Whose children are Mattie J. and William H. Davis? A Children of John E. Davis and Mary Davis.

Q Which one of these children's parents was a relative of yours? A Mary Davis--my mother.

Q Are the father and mother of these children dead? A Yes sir.

Q Are they ever in the charge of the children? A They are.

Q Are they likely to be sent? A Yes, my wife is bringing them home.

Q How long have they been in your charge? A No sir.

Q How long have they been in your charge? A No sir.

Q How long since you have had the care and custody of them? A Since they were born.

Q How long since you have had the care and custody of them? A Since they were born.

Q How long since you have had the care and custody of them? A Since they were born.

Jacob Awalt---3.

Q You are taking care of them and bringing them up and have full charge and control of them? A Yes sir.

Q Is there anything further you desire to say in support of this application for the children? A No sir, all of my relatives have been before the Commission except one or two.

Q You say Jeff H. Davis is the father of these children? A Yes sir.

Q And Nancy Davis is their mother? A Yes sir.

Q Through which one of these parents do the children claim their Choctaw blood? A Through their mother.

Q How much Choctaw blood do you claim for these children? A One-sixteenth.

Q Was Nancy Davis ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.

Q Did she ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities for herself or these children? A No sir.

Q Did she ever make application for citizenship or enrollment in the Choctaw Nation for herself and these children to the Dawes Commission under the act of congress of June 10, 1896? A No sir.

Q Is this the first application that has ever been made for these children for enrollment or citizenship in the Choctaw Nation? A Yes.

Q You now make this claim for the identification of these children as Mississippi Choctaws? A Yes sir.

Q Under what treaty do you make this claim? A I do not know.

Q What is the name of the ancestor of these children who lived in Mississippi in 1830? A Sallie Bradshaw.

Q They claim through the same ancestor through whom you have made the claim in your own behalf? A Yes sir.

Q She lived in Mississippi in 1830, did she? A I have been told she did.

Q Did she comply with the provisions of article fourteen of the treaty of 1830? A I do not know.

Q Was she a beneficiary under article fourteen? A I do not know.

Q The testimony you have already given in behalf of yourself will be the same as on behalf of these children? A Yes sir.

Q Would you like twenty days in which to file documentary evidence in support of the application for these minor orphans? A Yes sir.

Twenty days from the date hereof is allowed applicant in which to file documentary evidence in support of the claim which he makes in behalf of the orphan children of his sister, Nancy Davis, he having the care and custody of said orphans.

The decision of the Commission in regard to this application which you make for the identification of yourself and in behalf of these five orphan children who are the children of your sister, Nancy Davis, will be mailed to you at

Jacob Amlt----4.

your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this *25th* day of March 1901.

*Charles H. Seymour*

Notary Public.

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

ALLISON L. AYLESWORTH,  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

A C R. 1536

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 31, 1902.

Jacob Awalt,

Wood, New Mexico.

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel Bradshaw, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel Bradshaw,	M. C. R.	1334
Edward Warren Bradshaw, et al.,	M. C. R.	1203
William H. Bradshaw, et al.,	M. C. R.	1245
James Robert Bradshaw, et al.,	M. C. R.	1246
Mary Hickson, et al.,	M. C. R.	1247
Irene Awalt, et al.,	M. C. R.	1248
Rebecca Smith, et al.,	M. C. R.	1249
Eula May Newberg, et al.,	M. C. R.	1250
Mary Ellen Wheeler, et al.,	M. C. R.	1251
Mary Lou Stone, et al.,	M. C. R.	1252
Lennie Shocklee, et al.,	M. C. R.	1253
Ida Schofield, et al.,	M. C. R.	1254
Ada Trench, et al.,	M. C. R.	1255
Laura Awalt, et al.,	M. C. R.	1256
Dosha Barnard,	M. C. R.	1257
Solomon Awalt, et al.,	M. C. R.	1258
Henry Hickson,	M. C. R.	1259
Warren Bradshaw, et al.,	M. C. R.	1260
James H. Bradshaw, et al.,	M. C. R.	1261
Oliver E. Bradshaw, et al.,	M. C. R.	1262
George Bradshaw, et al.,	M. C. R.	1263
Elizabeth Anderson, et al.,	M. C. R.	1335
Will Anderson, et al.,	M. C. R.	1336
James Anderson,	M. C. R.	1337
Rosie Smith, et al.,	M. C. R.	1338
Elizabeth Bowen,	M. C. R.	1339
Louis S. Bowen, et al.,	M. C. R.	1340
Joe W. Bowen,	M. C. R.	1341
George C. Bowen, et al.,	M. C. R.	1342
Henry M. Bowen, et al.,	M. C. R.	1343
Rebecca J. Hubbard, et al.,	M. C. R.	1344
William H. Bowen, et al.,	M. C. R.	1345
Nancy R. Banks, et al.,	M. C. R.	1346

James A. Bowen, et al.,	M. C. R.	1347
Ed F. Sorrell,	M. C. R.	1348
James S. Sorrell,	M. C. R.	1349
Jesse L. Hubbard,	M. C. R.	1351
Lizzie E. Rainbolt, et al.,	M. C. R.	1352
William Sorrell, et al.,	M. C. R.	1445
Jacob Awalt, et al.,	M. C. R.	1536
Eliza Awalt, et al.,	M. C. R.	1537
Daniel Awalt,	M. C. R.	1538
John T. Awalt, et al.,	M. C. R.	3452

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows:

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Samuel Bradshaw, Edward Warren Bradshaw, George Bradshaw, William H. Bradshaw, Hazy Bradshaw, William Bradshaw, James Robert Bradshaw, James Wilson Bradshaw, John Wallace Bradshaw, Elbert Bradshaw, Albert Bradshaw, Mary Hickson, Jimmie Hickson, Delbert Hickson, Altie May Hickson, Charlie Hickson, Harley Hickson, Irene Awalt, Rebecca Elizabeth Awalt, Martha Pain Awalt, George Awalt, Harry Awalt, Mary Ellen Awalt, Paul Awalt, Rebecca Smith, Hazel Smith, Gilton Smith, Eula May Newberg, Leona Rebecca Newberg, Edward Warren Newberg, Mary Ellen Wheeler, Bailey Wheeler, Mary Lou Stone, Bessie Lee Stone, Lennie Shocklee, William Shocklee, Bertha Shocklee, Ervin Shocklee, Ida Schofield, Lillie Susan Schofield, Viola Schofield, Lula May Schofield, Ada Trench, Jimmie Trench, Laura Awalt, Ethel May Awalt, William Henry Awalt, Doshia Barnard, Solomon Awalt, Dula Awalt, Eddie Awalt, Early Awalt, Henry Hickson, Warren Bradshaw, Emma Bradshaw, Mary Bradshaw, James H. Bradshaw, Tom Bradshaw, Joseph Bradshaw, Lillie Bradshaw, Jesse Bradshaw, Lonzo Bradshaw, Beulah Bradshaw, William Bryan Bradshaw, Rufus Bradshaw, Oliver E. Bradshaw, Edna Bradshaw, Pearl Bradshaw, George Bradshaw, Rubie Bradshaw, Oran Bradshaw, Elizabeth Anderson, Thomas Anderson, Matthew Anderson, Charlie Anderson, Will Anderson, Martha Anderson, Lenna Anderson, Cora Anderson, Katie Anderson, James Anderson, Rosie Smith, Finis Smith, Emma Smith, Sallie Smith, Elizabeth Bowen, Louis S. Bowen, Calvin O. Bowen, Ruth Bowen, Bertha Bowen, Bessie Bowen, Joe W. Bowen, George C. Bowen, Lettie Bowen, Arta Bowen, Floyd Bowen, Lizzie Bowen, Henry M. Bowen, Earl Bowen, Ivy Bowen, Bryan Bowen, Rebecca J. Hubbard, Murray Hubbard, Delma Hubbard, William H. Bowen, Aggie Bowen, Henry Bowen, Nancy R. Banks, John Banks, Miles Banks, Dillie Banks, Fred Banks, James A. Bowen, Alice Bowen, Autrey Bowen, Ed F. Sorrell, James S. Sorrell, Jesse L. Hubbard, Lizzie E. Rainbolt, Wanda M. Rainbolt, William Sorrell, Lula Sorrell, Albert Sorrell, Edward Sorrell, Jacob Awalt, William H. Davis, Mattie J. Davis, Eliza Awalt, Elsie R. Awalt, Joe Awalt, Daniel Awalt, John T. Awalt and Rex Awalt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of law above quoted and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED. *Tamc Dixby*

Acting Chairman.

Registered.



*W. C. B.*

COMMISSIONERS

TAMM BIXBY.  
THOMAS B. NEEDLES.  
C. R. BRECKINRIDGE.  
W. E. STANLEY

REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES. **N. C. R. 1536**

ALLISON L. AYLESWORTH.  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

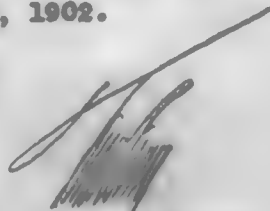
**Muskogee, Indian Territory, March 20, 1903.**

**Jacob Awalt,  
Weed, New Mexico,**

**Dear Sir:**

You are hereby notified that on the 11th day of March, 1903 the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws, of the several persons included in the consolidated case of Samuel Bradshaw, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,

  
Chairman.

*Returned to  
Sender  
from  
Army*

Unclaimed



*Returned to Writer*

Department of the Interior.

Commissioner of Indian Affairs, Bureau of Indian Affairs, Washington, D. C.

MUSKOGEE



Official use, \$300.

*Returned to Writer*

Jacob Awalt,  
Weed, New Mexico.

1536

DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
**FILED**  
APR 7 1903

*[Handwritten signature]*

CHIEF

MEX.

*[Faint circular stamp]*

No. 1536

For Identification as a Mississippi Choctaw.

Date *Mich 21. 1901*

Name *Jacob Awalt.*

Age *36* Blood *1/8*

Post Office *Ward. New Mexico.*

Father: *Samuel Awalt, d*

Mother: *Martha " l*

Claims through *father*  
*wife.*

*Eliza Awalt. -*

~~Children:~~  
*children.*

*William H. Davis. 18*

*Mathie J. " 16*

*children of*

*Jeff E. Davis d*

*Nancy " d*

*Jacob Awalt is the*

*sole of said children*

*and has the same*

Nancy Davis -  
Blood for child was 1/16

H. C. Pister  
Hens.

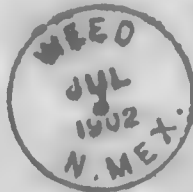
Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

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*Jacob Awalk  
Weed*

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Returned to Writer

Unclaimed

Unclaimed

*~~New Mexico~~*



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

**FILED**

JUL 23 1902

A handwritten signature in dark ink, appearing to be "H. H. ...".

ACTING CHAIRMAN



Unseen MS. 1537

MS. 1537

MS. 1537



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 APOKA, I.T., MARCH 21, 1901.

In the matter of the application of Eliza Awalt for the identification of herself and her minor children as Mississippi Choctaws.

Eliza Awalt, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Eliza Awalt.  
 Q What is your age? A Twenty four.  
 Q What is your post office address? A Weed, New Mexico.  
 Q How long have you lived at Weed? A Two years.  
 Q Where did you live before you lived there? A Scurry County, Texas? A Yes sir.  
 Q Where were you born? A Bastrop County, Texas.  
 Q And always lived in Texas until you removed to New Mexico? A Yes.  
 Q What is your father's name? A Nathaniel Serrolls.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Malila P. Serrolls.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One eighth.  
 Q Did your mother ever live in the Indian Territory? A No sir.  
 Q Was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen of that nation? A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from an opinion of either the Choctaw tribal authorities or the Dawes Commission? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Dawes Commission under the act of Congress of June 18, 1897? A No sir.  
 Q Is this the first application you have ever made for either citizenship or enrollment in the Choctaw Nation? A Yes sir.  
 Q Are you now making application to be identified as a Mississippi Choctaw? A I am.  
 Q Under what treaty are you making this application? A 1830.  
 Q Do you claim under the whole treaty of 1830 or under any particular article? A I do not know.  
 Q What is the name of your ancestor who lived in Mississippi in 1830?  
 A My father.  
 Q What was his name? A Yes sir.  
 Q What relation was she to you? A Great grandmother.

Elise Awalt---2.

- Q Was she a full blood Chectaw Indian? A Yes sir.
- Q Have you any documentary evidence of that--any proof that she was a full blood? A No sir.
- Q Just family tradition? A Yes sir.
- Q Did she within six months after the ratification of the treaty of 1830, make known to the United States Indian Agent then living in Mississippi that she desired to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Did she come to the Indian Territory from Mississippi in the years 1833 to 1837 with the other Chectaw Indians? A I do not know.
- Q Did she comply in any way with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Would you be apt to know if she received land from the United States government? A I do not know whether I would or not.
- Q Did you ever receive any benefits in the Indian Territory as a Chectaw Indian? A No sir.
- Q Are you married? A I am.
- Q What is your husband's name? A Jacob Awalt.
- Q He has just made application in his own behalf has he not? A Yes.
- Q You make no application for him then? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.
- Q What is the name of the eldest? A Elsie R.
- Q How old? A Six.
- Q The next? A Joe.
- Q Is that a girl? A No, a boy.
- Q How old? A Two.
- Q The next? A That is all.
- Q Is Jacob Awalt the father of these children? A Yes sir.
- Q You are the mother? A I am.
- Q Are you and your husband living together as husband and wife? A We are.
- Q Are these children living with you at your home and supported by you? A Yes sir.
- Q The basis of their claim is the same as yours? A Yes sir, through me and him.
- Q Have you any documentary evidence you want to introduce now and make part of your application? A No sir.
- Q In stating that these children claim their Chectaw blood through you as well as through their father, Jacob Awalt, do you wish to make reference to his testimony before the Commission in application No. 1830? A Yes sir.
- Q Do you wish time to introduce documentary evidence? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you want to state in support of this application? A No sir.

Miss Ault ----5.

The decision of the Commission in regard to this application which you make for the identification of your self and these children as Mississippian descendants will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen*

Subscribed and sworn to before me this 25 day of March 1901.

Notary Public.

COMMISSIONERS  
HENRY L. DAVIS,  
TAMM BIRDY,  
THOMAS S. NEEDLES,  
C. R. BRUCKNER

ALLISON L. AYLESWORTH  
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M C R 1837

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 31, 1902.

Eliza Awalt,

Wood New Mexico.

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel Bradshaw, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel Bradshaw,	M. C. R.	1334
Edward Warren Bradshaw, et al.,	M. C. R.	1203
William H. Bradshaw, et al.,	M. C. R.	1245
James Robert Bradshaw, et al.,	M. C. R.	1246
Mary Hickson, et al.,	M. C. R.	1247
Irene Awalt, et al.,	M. C. R.	1248
Rebecca Smith, et al.,	M. C. R.	1249
Eula May Newberg, et al.,	M. C. R.	1250
Mary Ellen Wheeler, et al.,	M. C. R.	1251
Mary Lou Stone, et al.,	M. C. R.	1252
Lennie Shocklee, et al.,	M. C. R.	1253
Ida Schofield, et al.,	M. C. R.	1254
Ada Trench, et al.,	M. C. R.	1255
Laura Awalt, et al.,	M. C. R.	1256
Dosha Barnard,	M. C. R.	1257
Solomon Awalt, et al.,	M. C. R.	1258
Henry Hickson,	M. C. R.	1259
Warren Bradshaw, et al.,	M. C. R.	1260
James H. Bradshaw, et al.,	M. C. R.	1261
Oliver E. Bradshaw, et al.,	M. C. R.	1262
George Bradshaw, et al.,	M. C. R.	1263
Elizabeth Anderson, et al.,	M. C. R.	1335
Will Anderson, et al.,	M. C. R.	1336
James Anderson,	M. C. R.	1337
Rosie Smith, et al.,	M. C. R.	1338
Elizabeth Bowen,	M. C. R.	1339
Louis S. Bowen, et al.,	M. C. R.	1340
Joe W. Bowen,	M. C. R.	1341
George C. Bowen, et al.,	M. C. R.	1342
Henry M. Bowen, et al.,	M. C. R.	1343
Rebecca J. Hubbard, et al.,	M. C. R.	1344
William H. Bowen, et al.,	M. C. R.	1345
Nancy R. Banks, et al.,	M. C. R.	1346

James A. Bowen, et al.,	M. C. R.	1347
Ed F. Sorrell,	M. C. R.	1348
James S. Sorrell,	M. C. R.	1349
Jesse L. Hubbard,	M. C. R.	1351
Lizzie E. Rainbolt, et al.,	M. C. R.	1352
William Sorrell, et al.,	M. C. R.	1445
Jacob Awalt, et al.,	M. C. R.	1536
Eliza Awalt, et al.,	M. C. R.	1537
Daniel Awalt,	M. C. R.	1538
John T. Awalt, et al.,	M. C. R.	3452

Said decision, after a review of the evidence submitted, concludes as follows :

“The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows :

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Samuel Bradshaw, Edward Warren Bradshaw, George Bradshaw, William H. Bradshaw, Hazy Bradshaw, William Bradshaw, James Robert Bradshaw, James Wilson Bradshaw, John Wallace Bradshaw, Elbert Bradshaw, Albert Bradshaw, Mary Hickson, Jimmie Hickson, Delbert Hickson, Altie May Hickson, Charlie Hickson, Harley Hickson, Irene Awalt, Rebecca Elizabeth Awalt, Martha Pain Awalt, George Awalt, Harry Awalt, Mary Ellen Awalt, Paul Awalt, Rebecca Smith, Hazel Smith, Gitton Smith, Eula May Newberg, Leona Rebecca Newberg, Edward Warren Newberg, Mary Ellen Wheeler, Bailey Wheeler, Mary Lou Stone, Bessie Lee Stone, Lennie Shocklee, William Shocklee, Bertha Shocklee, Ervin Shocklee, Ida Schofield, Lillie Susan Schofield, Viola Schofield, Lula May Schofield, Ada Trench, Jimmie Trench, Laura Awalt, Ethel May Awalt, William Henry Awalt, Dosha Barnard, Solomon Awalt, Dula Awalt, Eddie Awalt, Early Awalt, Henry Hickson, Warren Bradshaw, Emma Bradshaw, Mary Bradshaw, James H. Bradshaw, Tom Bradshaw, Joseph Bradshaw, Lillie Bradshaw, Jesse Bradshaw, Lonzo Bradshaw, Beulah Bradshaw, William Bryan Bradshaw, Rufus Bradshaw, Oliver E. Bradshaw, Edna Bradshaw, Pearl Bradshaw, George Bradshaw, Rubie Bradshaw, Oran Bradshaw, Elizabeth Anderson, Thomas Anderson, Matthew Anderson, Charlie Anderson, Will Anderson, Martha Anderson, Lenna Anderson, Cora Anderson, Katie Anderson, James Anderson, Rosie Smith, Finis Smith, Emma Smith, Sallie Smith, Elizabeth Bowen, Louis S. Bowen, Calvin O. Bowen, Ruth Bowen, Bertha Bowen, Bessie Bowen, Joe W. Bowen, George C. Bowen, Lettie Bowen, Arta Bowen, Floyd Bowen, Lizzie Bowen, Henry M. Bowen, Earl Bowen, Ivy Bowen, Bryan Bowen, Rebecca J. Hubbard, Murray Hubbard, Delma Hubbard, William H. Bowen, Aggie Bowen, Henry Bowen, Nancy R. Banks, John Banks, Miles Banks, Dillie Banks, Fred Banks, James A. Bowen, Alice Bowen, Autrey Bowen, Ed F. Sorrell, James S. Sorrell, Jesse L. Hubbard, Lizzie E. Rainbolt, Wanda M. Rainbolt, William Sorrell, Lula Sorrell, Albert Sorrell, Edward Sorrell, Jacob Awalt, William H. Davis, Mattie J. Davis, Eliza Awalt, Elsie R. Awalt, Joe Awalt, Daniel Awalt, John T. Awalt and Rex Awalt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of law above quoted and that the application for their identification as such should be refused, and it is so ordered.”

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*Tamm Dwyer*

Acting Chairman.

Registered.

41703

COMMISSIONERS  
FAME BIRDY.  
THOMAS B. NEEDLES.  
C. R. BRACKINRIDGE.  
W. E. STANLEY

REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES M. C. R. 1897

ALLISON L. AYLESWORTH,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

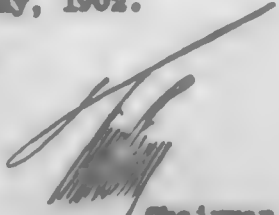
Muskogee, Indian Territory, March 20, 1903.

Eliza Awalt,  
Wood, New Mexico,

Dear Madam:

You are hereby notified that on the 11th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications, for identification as Mississippi Choctaws, of the several persons included in the consolidated case of Samuel Bradshaw, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,

  
Chairman.

No. 1337

For Modification as a Mississippi Choctaw.

Date Mich 21, 1901

Name Eliza Awset

Age 24 Sex W

Post Office, Wald, New Mexico

Father: Matthias Sourell, d

Mother: Belila P. " l

Claims through Mother

Kemban

Jacob Awset.

Children:

Elvie R. Awset 6

Joe (boy) 2

Claim for self  
and children

H. Christen

Steward



*Remained  
to bank*



POSTAGE

Returned to Writer



*Miss  
Avalt*

Eliza Avalt,  
Wood, New Mexico,

Returned to Writer

1537

8.30

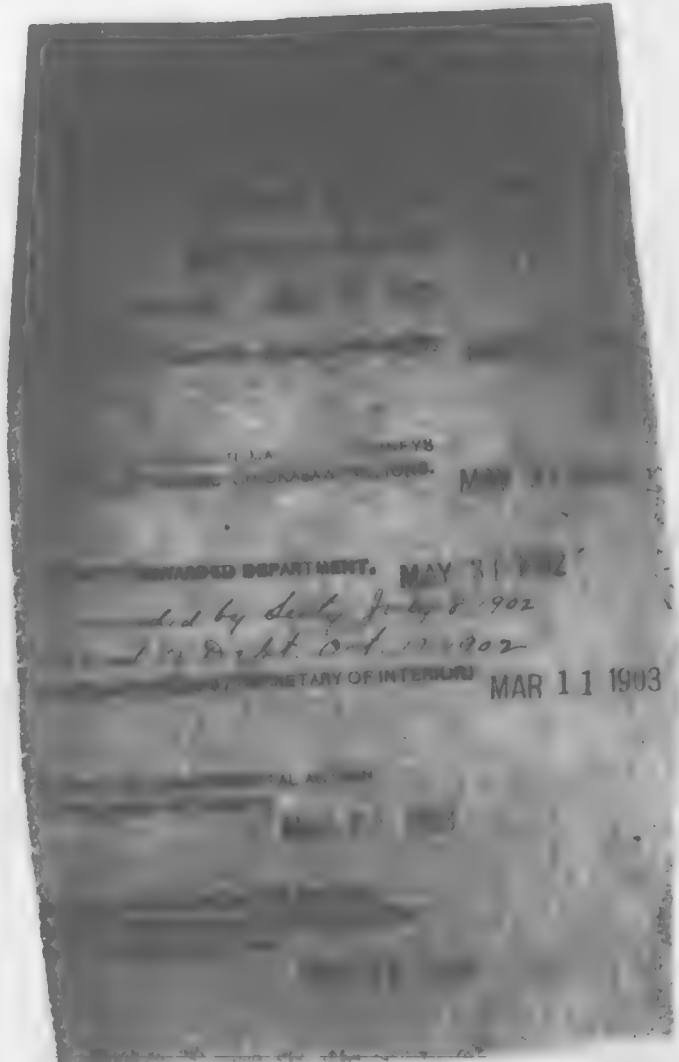
DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE P.L. CIVILIZED TRIBES

FILED

APR 7 1903

*[Handwritten signature]*





U.S.A.

MAY 31 1902

DEPARTMENT OF THE INTERIOR

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1902

SECRETARY OF INTERIOR

MAR 11 1903

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David Ault

MCR 1538

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of Daniel Awalt for identification as a Mississippi Choctaw.

Daniel Awalt, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Daniel Awalt.  
 Q What is your age? A Twenty one.  
 Q What is your post office address? A Weed, New Mexico.  
 Q How long have you lived at Weed? A Two years.  
 Q Where did you live before you lived there? A Scurry County, Texas.  
 Q Where were you born? A Bastrop County, Texas.  
 Q Did you always live in Texas until you removed to New Mexico? A Yes.  
 Q What is your father's name? A Daniel Awalt.  
 Q Living? A No sir.  
 Q What is your mother's name? A Martha Awalt.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One eighth.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Is his name on any of the tribal rolls of the Choctaw Nation?  
 A Not that I know of.  
 Q Is yours? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to them for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Department of the Interior? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1895? A No sir.  
 Q Is this the first application you have ever made either for citizenship or enrollment in the Choctaw Nation either to the Choctaw tribal authorities or the Commission to the Five Civilized Tribes?  
 A Yes sir.  
 Q Have you come before the Commission for the purpose of making application to be identified as Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A I do not know.  
 Q Do you claim under the treaty of 1801? A No sir.  
 Q Do you claim under the treaty of 1825? A No.  
 Q Do you claim under the treaty of 1830? A I do not know.  
 Q Do you know whether you claim under the treaty of 1801? A I do not.

Daniel Awalt----2.

- Q Did you ever hear of article fourteen of the treaty of 1830? A No
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Sally Bradshaw.
- Q Was she a full blood Chectaw Indian? A I do not know.
- Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did she comply in any manner with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Did you or any of your ancestors ever receive any benefits in the Indian Territory as Chectaw Indians? A No sir.
- Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Myrtle Awalt.
- Q Do you make any claim for her? A No sir.
- Q Have you any children? A No sir.
- Q You are claiming for yourself alone? A Yes sir.
- Q Have you any documentary evidence you would like to introduce and make part of your application? A No sir.
- Q Would you like time to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Chectaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said cause on said day.

*H. C. Risteen*

Subscribed and sworn to before me this 21 day of March 1901.

*Charles W. Sawyer*

Notary Public.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., MARCH 21, 1901.

In the matter of the application of Daniel Awalt for identification as a Mississippi Choctaw.

Daniel Awalt, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission-

- Q What is your name? A Daniel Awalt.  
 Q What is your age? A Twenty one.  
 Q What is your post office address? A Weed, New Mexico.  
 Q How long have you lived at Weed? A Two years.  
 Q Where did you live before you lived there? A Scurry County, Texas.  
 Q Where were you born? A Bastrop County, Texas.  
 Q And always lived in Texas until you removed to New Mexico? A Yes.  
 Q What is your father's name? A Daniel Awalt.  
 Q Living? A No sir.  
 Q What is your mother's name? A Martha Awalt.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One eighth.  
 Q Had your father ever live in the Indian Territory? A No sir.  
 Q Is his name on any of the tribal rolls of the Choctaw Nation?  
 A Not that I knew of.  
 Q Is yours? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to them for enrollment as a citizen of the Choctaw Nation? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Commission to the five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application you have ever made either for citizenship or enrollment in the Choctaw Nation either to the Choctaw tribal authorities or the Commission to the five Civilized Tribes?  
 A Yes sir.  
 Q You now come before the Commission for the purpose of making application to be identified as Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A I do not know exactly.  
 Q Do you ever hear of the treaty of 1825? A No sir.  
 Q Did you ever hear of the treaty of Dancing Rabbit Creek? A No.  
 Q Do you know whether these are the same? A I do not.  
 Q Do you know whether you claim under the treaty of 1825? A I do not.

Daniel Asalt----2.

- Q Did you ever hear of article fourteen of the treaty of 1830? A No
- Q What is the name of your ancestor who lived in Mississippi in 1830? A Sallie Bradshaw.
- Q Was she a full blood Choctaw Indian? A I do not know.
- Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi? A I do not know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830? A I do not know.
- Q Did she comply in any manner with the provisions of article fourteen of the treaty of 1830? A I do not know.
- Q Did you or any of your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A No sir.
- Q Did she ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I do not know.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Myrtle Asalt.
- Q Do you make any claim for her? A No sir.
- Q Have you any children? A No sir.
- Q Are you claiming for yourself alone? A Yes sir.
- Q Have you any documentary evidence you would like to introduce and make part of your application? A No sir.
- Q Would you like time to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application?

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 21st day of March 1901, and that the above and foregoing is a full true and correct transcript of his stenographic notes of said cause on said date.

Subscribed and sworn to before me this 21st day of March 1901.

*Charles H. Sawyer*

Notary Public.



ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 31, 1902.

Daniel Awalt,

Wood, New Mexico.

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel Bradshaw, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel Bradshaw,	M. C. R.	1334
Edward Warren Bradshaw, et al.,	M. C. R.	1203
William H. Bradshaw, et al.,	M. C. R.	1245
James Robert Bradshaw, et al.,	M. C. R.	1246
Mary Hickson, et al.,	M. C. R.	1247
Irene Awalt, et al.,	M. C. R.	1248
Rebecca Smith, et al.,	M. C. R.	1249
Eula May Newberg, et al.,	M. C. R.	1250
Mary Ellen Wheeler, et al.,	M. C. R.	1251
Mary Lou Stone, et al.,	M. C. R.	1252
Lennie Shocklee, et al.,	M. C. R.	1253
Ida Schofield, et al.,	M. C. R.	1254
Ada Trench, et al.,	M. C. R.	1255
Laura Awalt, et al.,	M. C. R.	1256
Dosha Barnard,	M. C. R.	1257
Solomon Awalt, et al.,	M. C. R.	1258
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James H. Bradshaw, et al.,	M. C. R.	1261
Oliver E. Bradshaw, et al.,	M. C. R.	1262
George Bradshaw, et al.,	M. C. R.	1263
Elizabeth Anderson, et al.,	M. C. R.	1335
Will Anderson, et al.,	M. C. R.	1336
James Anderson,	M. C. R.	1337
Rose Smith, et al.,	M. C. R.	1338
Elizabeth Bowen,	M. C. R.	1339
Louis S. Bowen, et al.,	M. C. R.	1340
Joe W. Bowen,	M. C. R.	1341
George C. Bowen, et al.,	M. C. R.	1342
Henry M. Bowen, et al.,	M. C. R.	1343
Roberta J. Bowen, et al.,	M. C. R.	1344
William H. Bowen, et al.,	M. C. R.	1345
Nancy R. Bowen, et al.,	M. C. R.	1346

James A. Bowen, et al.,	M. C. R.	1347
Ed F. Sorrell,	M. C. R.	1348
James S. Sorrell,	M. C. R.	1349
Jesse L. Hubbard,	M. C. R.	1351
Lizzie E. Rainbolt, et al.,	M. C. R.	1352
William Sorrell, et al.,	M. C. R.	1445
Jacob Awalt, et al.,	M. C. R.	1536
Eliza Awalt, et al.,	M. C. R.	1537
Daniel Awalt,	M. C. R.	1538
John T. Awalt, et al.,	M. C. R.	3452

Said decision, after a review of the evidence submitted, concludes as follows :

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495,) is as follows :

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Samuel Bradshaw, Edward Warren Bradshaw, George Bradshaw, William H. Bradshaw, Hazy Bradshaw, William Bradshaw, James Robert Bradshaw, James Wilson Bradshaw, John Wallace Bradshaw, Elbert Bradshaw, Albert Bradshaw, Mary Hickson, Jimmie Hickson, Delbert Hickson, Altie May Hickson, Charlie Hickson, Harley Hickson, Irene Awalt, Rebecca Elizabeth Awalt, Martha Pain Awalt, George Awalt, Harry Awalt, Mary Ellen Awalt, Paul Awalt, Rebecca Smith, Hazel Smith, Gilton Smith, Eula May Newberg, Leona Rebecca Newberg, Edward Warren Newberg, Mary Ellen Wheeler, Bailey Wheeler, Mary Lou Stone, Bessie Lee Stone, Lennie Shocklee, William Shocklee, Bertha Shocklee, Ervin Shocklee, Ida Schofield, Lillie Susan Schofield, Viola Schofield, Lula May Schofield, Ada Trench, Jimmie Trench, Laura Awalt, Ethel May Awalt, William Henry Awalt, Doshia Barnard, Solomon Awalt, Dula Awalt, Eddie Awalt, Early Awalt, Henry Hickson, Warren Bradshaw, Emma Bradshaw, Mary Bradshaw, James H. Bradshaw, Tom Bradshaw, Joseph Bradshaw, Lillie Bradshaw, Jesse Bradshaw, Lonzo Bradshaw, Beulah Bradshaw, William Bryan Bradshaw, Rutus Bradshaw, Oliver E. Bradshaw, Edna Bradshaw, Pearl Bradshaw, George Bradshaw, Rubie Bradshaw, Oran Bradshaw, Elizabeth Anderson, Thomas Anderson, Matthew Anderson, Charlie Anderson, Will Anderson, Martha Anderson, Lenna Anderson, Cora Anderson, Katie Anderson, James Anderson, Rosie Smith, Finis Smith, Emma Smith, Sallie Smith, Elizabeth Bowen, Louie S. Bowen, Calvin O. Bowen, Ruth Bowen, Bertha Bowen, Bessie Bowen, Joe W. Bowen, George C. Bowen, Lettie Bowen, Arts Bowen, Floyd Bowen, Lizzie Bowen, Henry M. Bowen, Earl Bowen, Ivy Bowen, Bryan Bowen, Rebecca J. Hubbard, Murray Hubbard, Delma Hubbard, William H. Bowen, Aggie Bowen, Henry Bowen, Nancy R. Banks, John Banks, Miles Banks, Dullie Banks, Fred Banks, James A. Bowen, Alice Bowen, Austrey Bowen, Ed F. Sorrell, James S. Sorrell, Jesse L. Hubbard, Lizzie E. Rainbolt, Wanda M. Rainbolt, William Sorrell, Lula Sorrell, Albert Sorrell, Edward Sorrell, Jacob Awalt, William H. Davis, Mattie J. Davis, Eliza Awalt, Elsie R. Awalt, Joe Awalt, Daniel Awalt, John T. Awalt and Rex Awalt as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of law above quoted and that the application for their identification as such should be returned, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED) *James Dixby*

Acting Chairman.

Registered.

W.C.S.

COMMISSIONERS  
TAMM DIXIE,  
THOMAS S. NEEDLES,  
C. R. BRECKINRIDGE,  
W. S. STANLEY

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

REFER IN REPLY TO THE FOLLOWING

✓ K. O. R. 1838

ALLISON L. AVLEBROOK,  
SECRETARY

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

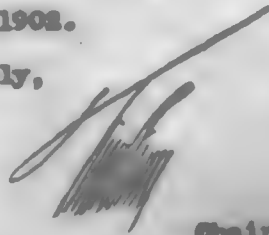
Muskogee, Indian Territory, March 20, 1903.

Daniel Awalt,  
Wood, New Mexico,

Dear Sir:

You are hereby notified that on the 11th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Mississippi Choctaws, of the several persons included in the consolidated case of Samuel Bradshaw, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,



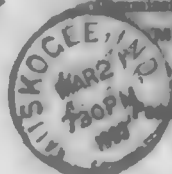
Chairman.

*Conroy*



Postmarked

Returned to Writer



Department of the Interior  
Commissioner of the Oivilized Tribes,  
MUSKOGEE, OKLA. TER.  
OFFICE OF THE COMMISSIONER,  
WASH. D. C.  
Penalty for postage use, \$300.

RECEIVED

Daniel Awalt,  
Weed, New Mexico.

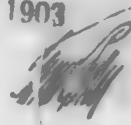
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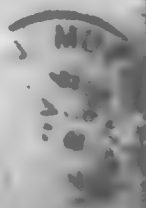
DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE PACIFIC CIVILIZED TRIBES.

FILED

APR 7 1903



Chairman



NOV 12 1901

RECEIVED MAY 13 1902

SECTION MAILED APPLICANT. MAY 31 1902

SECTION MAILED ATTORNEYS  
AND CHOKASAW NATIONS. MAY 31 1902

RECORDED DEPARTMENT. MAY 31 1902

*ended by Secty July 8. 1902.*

*to Dept Oct. 17. 1902.*

APPROVED BY SECRETARY OF INTERIOR. MAR 11 1903

ADMINISTRATIVE ACTION  
APPLICANT. MAR 20 1903

No. 1000

For Identification as a Resident Alien.

Date Mich 21. 1901

Name Samuel Avoet

Age 21 Sex M Height 5'8"

Post Office Need, New Mexico

Father: Samuel Avoet d

Mother: Martha " l

Claims through father.

wife

Myrtle Avoet.

~~Signature~~

for self alone  
not for wife



Choctaw MER 1539

Marcus L. Hickman

MER 1539

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I.T., MARCH 22, 1901.

In the matter of the application of Marcus L. Hickman for identification as a Mississippi Cheetaw.

Marcus L. Hickman, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Marcus L. Hickman.  
 Q What is your age? A Thirty three.  
 Q What is your post office address? A Cadde, I. T.  
 Q How long have you lived there? A About four years.  
 Q Where did you live before you lived at Cadde? A Giles County, Tennessee.  
 Q Born there? A Yes sir.  
 Q And always lived there until you came to the Indian Territory?  
 A No sir.  
 Q Where else did you live? A Mississippi.  
 Q Did you go from Tennessee to Mississippi? A Yes sir.  
 Q How long did you live there? A About twelve months.  
 Q And then where did you go? A Back to Tennessee.  
 Q And then where? A To Cadde.  
 Q You have lived altogether about twelve months in Mississippi?  
 A Yes sir.  
 Q And for three years last past in Indian Territory? A Yes sir.  
 Q What is your father's name? A James R. Hickman.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Lydia Hickman.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Cheetaw blood?  
 A My mother.  
 Q How much Cheetaw blood do you claim? A I would not know how to estimate it.  
 Q You do not know? A No sir, my mother was a sister to the gentleman who has just testified.  
 Q If you have any means of arriving at a conclusion so that you can testify as to your Cheetaw blood, you may do so? A No sir.  
 Q Is the name of your mother on any of the tribal rolls of the Cheetaw Nation? A I do not know.  
 Q Is your name on any of the tribal rolls of the Cheetaw Nation?  
 A Not as I know of.  
 Q Have you ever made application to the Cheetaw tribal authorities for citizenship in the Cheetaw Nation? A Yes sir.  
 Q When did you make application to them--did you ever make application to the Cheetaw tribal authorities? A Not as I know of.  
 Q Have you ever made application for citizenship to the Dawes Commission? A Yes sir.  
 Q Did you make application in person? A No sir.  
 Q Did you appear in person before the Commission? A No sir, by Attorney.

Marcus L. Hickman----2.

- Q He just presented your application did he? A Yes sir.  
Q When was that done? A I have forgotten just when.  
Q Where, do you know? A At Muskogee.  
Q Did you make application for citizenship by blood? A Yes sir.  
Q What was done with the application? A I do not know.----That application was made at Cadde and was rejected.  
Q Since that time, not other application has been made for you?  
A Not until now.  
Q I asked you a little while ago if you could tell the quantity of blood that you claim? A One eighth,  
Q You have given that matter consideration and have determined that is the quantity? A Yes sir.  
Q You are now seeking to be identified as a Mississippi Choctaw?  
A Yes sir.  
Q Under what treaty or treaties are you making this application, if you know? A I cannot explain that.

Mr Walters, counsel for applicant, states that the applicant claims under the treaty of 1830.

- Q Do you understand the provisions of the treaty of 1830? A No sir, I do not know as I do so I could explain it.  
Q Do you claim under the whole treaty or under any particular part of it? (No Answer).  
Q Did you ever hear of article fourteen of the treaty of 1830? A I cannot remember about articles and treaties that way, what little I have heard and read about it.  
Q What is the name of your ancestor who lived in Mississippi in 1830?  
A My grandmother, Elizabeth Phillips.  
Q Was she a full blood Choctaw Indian? A No sir.  
Q How much blood did she have, do you know? A One half.  
Q Have you any documentary evidence of that fact, that she was one half blood Choctaw Indian? A Yes sir, I have not in my possession.  
Q Do you wish to file writings of any kind to prove that she was half blood Choctaw Indian? A My attorney has some affidavits he will present.  
Q Did your ancestor within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she wished to remain in Mississippi and take land there and become a citizen of the United States? A I do not know.  
Q Did she come from Mississippi to the Indian Territory in the years 1833 to 1837 with the other Choctaw Indians? A No sir.  
Q Do you know why she did not come? A No sir.  
Q Did she comply in any way with the provisions of article fourteen of the treaty of 1830? A I do not know.  
Q Was she a beneficiary under article fourteen? A I do not know.  
Q Did she ever receive or claim any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I do not know.  
Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A Not that I know of.  
Q You stated a little while ago that the only other application you have ever made or that was made for you to the Dawes Commission or the Choctaw tribal authorities was made to the Commission at Cadde? A Yes  
Q And there was no other application made previous to this for you?  
A No sir.  
Q And that application was rejected? A Yes sir.

Marcus L. Hickman----3.

- Q Are you married? A No sir.  
Q Making claim for yourself alone? A Yes sir.  
Q Have you any documentary evidence you want to introduce now? A My attorney will present anything he may have.

Written application of Marcus L. Hickman is presented by Mr Walters, counsel for applicant, received, filed, marked Exhibit A and made a part of the record in this case.

Affidavit of W. F. Blakney presented by counsel for applicant, received, filed, marked Exhibit B and made part of the record in this case.

Affidavit of David Blakney presented by counsel for applicant, received, filed, marked Exhibit C, and made part of the record in this case.

- Q Do you wish time for the presentation of other documentary evidence?

Mr Walters--Counsel for Applicant--No sir, I do not think we could furnish same.

- Q You do not wish time? A No sir.

Examination by Mr Walters, counsel for applicant:

- Q Do you know whether your application at Galde was made as a citizen by blood or as a Mississippi Chectaw? A As citizen by blood.  
Q This is the first application you have ever made to be enrolled as a Mississippi Chectaw? A Yes sir.  
Q You have no means of knowledge that you know of by which you can establish the fact as to whether your ancestors have been enrolled on the rolls of the government or not? A No sir.  
Q You are acquainted with these witnesses who have filed affidavits in this case? A Yes sir.  
Q How long have you known them? A I have known Captain Dave Blakney for fifteen years, and I have known of both of them all my life, heard my mother and father speak of them always.  
Q Your father is living? A Yes sir.  
Q He is a white man? A Yes sir.  
Q Living in Tennessee? A Yes sir.

By the Commission:

- Q Is there anything farther you want to say that you can think of?  
A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Chectaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized

Marcus L. Hickman----3.

Tribes he reported in full all proceedings had in the above entitled cause on the 22nd day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. C. Risteen,*

Subscribed and sworn to before me this 25 day of March 1901.

*Charles W. Sawyer*

Notary Public.

7-154  
7-3743  
7-3794  
7-3936  
7-3942  
7-3945  
7-R- 408  
7-R-455  
7.C.R.-1539.

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

In the matter of the application for the enrollment of  
Thomas H.P. Smith, et al., as citizens of the Chectaw Nation.

DECISION.

It appears from the record herein and from the records in the possession of the Commissioner to the Five Civilized Tribes that application was made to the Commission to the Five Civilized Tribes on August 22, 1899, at Caddo, Indian Territory, by Thomas H.P. Smith for the enrollment of himself and his minor children, Mary H. Smith, Annie Smith and Laura V. Smith, as citizens by blood of the Chectaw Nation, and for the enrollment of his wife, Martha J. Smith, as a citizen by intermarriage of the Chectaw Nation; that on June 7, 1900, written application was filed for the enrollment of Addie Smith, and on September 24, 1902, written application was filed for the enrollment of Thomas H.P. Smith, Jr., minor children of Thomas H. P. Smith and Martha J. Smith, as citizens by blood of the Chectaw Nation; that on August 24, 1899, application was made to the Commission to the Five Civilized Tribes, at Caddo, Indian Territory, by Daniel A. Smith for the enrollment of himself as a citizen by blood of the Chectaw Nation; that on August 25, 1899, application was made to the Commission to the Five Civilized Tribes at Caddo, Indian Territory by Charles P. Smith, for the enrollment of himself and his minor child, Ottoma Smith, as citizens by blood of the Chectaw Nation; that on June 7, 1900, written application was filed for the enrollment of Olive Smith and on September 11, 1902, written application was filed for the enrollment of Charles Gordon Smith, minor children of Charles P. Smith and M. Ellie Smith, as citizens by blood of the Chectaw Nation; that application was made to the Commission to the Five Civilized Tribes at Caddo, Indian Territory, August 25, 1899 by Thomas H.P. Smith, for the enrollment of Mary A. Lovang as a citizen by blood of the Chectaw Nation; that application was made to the Commission to the Five Civilized Tribes at Caddo, Indian Territory, on August 25, 1899, by William R. Smith, for the enrollment of himself and his minor children, William H. Smith, Mary V. Smith, Lottie L. Smith, and Arthur R. Smith, as citizens by blood of the Chectaw Nation; that on September 25, 1902, written application was filed for the enrollment of Ella Eunice Smith, minor child of William R. Smith and Mary Ellie Smith, as a citizen by blood of the Chectaw Nation; that on February 16, 1900, application was made to the Commission to the Five Civilized Tribes by Gray V. Phillips, for the enrollment of himself and his children, Andrew B. Phillips, Jesse V. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grever Cleveland Phillips, and Martha Elizabeth Phillips, as citizens by blood of the Chectaw Nation, and for the enrollment of his wife, Susanna Augusta Phillips, as a citizen by intermarriage of said Nation.

It further appears from the records in the possession of the Commissioner to the Five Civilized Tribes that on September 2, 1896, application was made to the Commission to the Five Civilized Tribes for the admission of Gray W. Phillips (as G. W. Phillips), Mary A. Lovine (as Mary Ann Lovine, formerly Smith), Thomas T. P. Smith (as T. H. P. Smith), Daniel A. Smith (as Daniel Smith), Charles P. Smith (as Chas. Smith), and William R. Smith (as William Smith), as citizens by blood of the Choctaw Nation under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321); and that on December 2, 1896, said application was rejected by the Commission.

From said decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory, there being mentioned in said petition for appeal the following named petitioners whose names were not in the original application: Andrew D. Phillips, Jesse W. Phillips, John E. Phillips, Sarah A. Phillips, Gray T. Phillips, Grover C. Phillips, Martha E. Phillips and Marcus L. Hickman.

Said United States Court referred this cause to a Special Master for report, which report was filed on September 11, 1897, finding in addition to other matters, the following facts not theretofore appearing from the affidavits filed with the Commission, or in the petition for appeal, namely: "That said T. H. P. Smith married and is now living with his wife, and his two children, the names of his wife and children are Martha Jane Smith, wife, Mary Mattie Smith and Annie Smith, children."

On September 11, 1897, said court rendered a decision adjudging and decreeing that judgment be entered for the Choctaw Nation as to G. W. Phillips, G. V. Phillips, Andrew D. Phillips, Jessie W. Phillips, John E. Phillips, Sara A. Phillips, Gray T. Phillips, Grover C. Phillips, Martha E. Phillips, and Marcus L. Hickman. In this decision said court further adjudged and decreed that the plaintiffs, Mary A. Lovine, T. H. P. Smith, William R. Smith, Chas. P. Smith, Daniel A. Smith, Ella Smith, Mary Mattie Smith and Annie Smith, be admitted to citizenship in the Choctaw Nation, as citizens by blood of said Nation, and that Martha Jane Smith be admitted as an intermarried citizen of the Choctaw Nation. On June 19, 1899, said court entered of record a judgment "nunc pro tunc", referring the judgment of September 11, 1897, by adding the name of Mattie E. Smith to the list of persons admitted by said judgment.

From the decision of the United States Court Appeal was taken to the Supreme Court of the United States in behalf of the petitioners against whom judgment was rendered, which court, on October 24, 1898, affirmed the judgment below.

The judgment of the United States Court was subsequently vacated, set aside and held for naught by a decree of the Choctaw-Chickasaw Citizenship Court on December 17, 1902, in the test case of "Choctaw and Chickasaw Nations or Tribes vs. J. T. Riddle, et al."

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 October 20, 1904, in the case of "Gray W. Phillips, et al., Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court Case, No. 49, South McAlester District), said Citizenship Court rendered a judgment therein, wherein it was ordered, adjudged and decreed that the petition of the plaintiffs, Gray W. Phillips or G. W. Phillips, Andrew D. Phillips, Jessie W. Phillips, Sara A. Phillips, John A. Phillips or John E. Phillips, Gray T. Phillips, Grover C. Phillips, Martha E. Phillips and Marcus L. Hickman, 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, Salmina A. Phillips . . . . the Court having no jurisdiction, their petition is dismissed."

On October 20, 1904, in the case entitled "G.P. Phillips, et al. vs. Choctaw and Chickasaw Nations" (Choctaw-Chickasaw Citizenship Court case No. 107, South McAlester Docket), said Citizenship Court rendered a judgment therein, wherein it was "ordered, adjudged and decreed that the petition of the plaintiffs, Thomas W.P. Smith, or T.W.P. Smith, Martha J. Smith, Mary Mattie Smith, Annie May Smith, or Annie Smith..... Daniel A. Smith, Mattie E. Bryant, nee Smith, or Mattie E. Smith, Mary A. Bovins, Charles P. Smith or Chas. P. Smith, V.R. Smith or Wm. R. Smith, 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 said petitioners, Laura V. Smith, Addie Smith, Thomas W.P. Smith, Jr., Ottoma Smith, Ella Smith, Houston Smith, Mary Smith, Lottie Smith, Ella E. Smith, Olive S. Smith and Chas. G. Smith, the Court having no jurisdiction their petition is dismissed".

On March 25, 1901, application was made to the Commission to the Five Civilized Tribes for the identification of Gray W. Phillips, Jesse W. Phillips, Sarah A. Phillips, John A. Phillips, Gray T. Phillips, Grever C. Phillips, and Mary E. Phillips, as Mississippi Choctaws. On April 10, 1901, application was made to said Commission for the identification of Andrew D. Phillips as a Mississippi Choctaw. On March 22, 1901, application was made to said Commission for the identification of Marcus L. Hickman, as a Mississippi Choctaw. Said applications were refused by the Commission on January 27, 1905, and on October 30, 1905, the action of the Commission in refusing said applications was approved by the Department.

On November 12, 1904, the Commission to the Five Civilized Tribes issued orders dismissing the applications for the enrollment of Laura V. Smith, Addie Smith, Thomas H.P. Smith, Jr., Arthur R. Smith, Ella Eunice Smith, Ottoma Smith, Olive Smith, and Charles Gordon Smith, for the reason that the citizenship of the persons through whom said applicants claim the right to enrollment had been adversely determined by the Choctaw-Chickasaw Citizenship Court.

On November 23, 1904, said Commission issued an order dismissing the application for the enrollment of William E. Smith, Mary S. Smith, and Lottie L. Smith, for the reason that the citizenship of William R. Smith, their father, had been adversely determined by the Choctaw-Chickasaw Citizenship Court.

On February 26, 1906, there was referred to the Commissioner to the Five Civilized Tribes by the Assistant Secretary of the Interior a petition signed by W.W. Wright, attorney for the petitioners, which appears to have been received by the Department on February 21, 1906, praying for the enrollment of the following persons as citizens of the Choctaw Nation: Thomas H.P. Smith, Martha J. Smith, Mary M. Smith, Annie Smith, Laura V. Smith, Addie Smith, Thomas H.P. Smith, Jr., Daniel A. Smith, Charles P. Smith, H. Ellie Smith, Donovan W. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William R. Smith, Mary E. Smith, William H. Smith, Mary S. Smith, Lottie L. Smith, Arthur R. Smith, Ella E. Smith, Muriel M. Smith, Mary A. Loving, Gray W. Phillips, Solenna A. Phillips, Andrew D. Phillips, Jessie V. Phillips, Sarah Ann Phillips, John A. Phillips, Gray T. Phillips, Grever C. Phillips, Martha E. Phillips, Etta Phillips and Marcus L. Hickman. Said petitioners, except H. Ellie Smith, Donovan W. Smith, Mary E. Smith, Muriel M. Smith, Etta Phillips and Marcus L. Hickman are identical with the persons for whose enrollment as citizens of the Choctaw Nation application was made under the provisions of the Act of Congress approved June 20, 1898, (30 Stat. 495).



This office has no record of any application ever having been made for the enrollment of the petitioners, Donoban W. Smith, Yuriel T. Smith, Etta Phillips, M. Ellie Smith and Mary E. Smith, as citizens of the Choctaw Nation prior to the filing of the petition herein.

It is alleged in said petition that the petitioners have been bona fide residents of the Indian Territory, and particularly the Choctaw Nation, since about the year 1872; that they have ever been recognized as members of said Choctaw tribe, and have enjoyed and exercised the rights and privileges as citizens thereof; that the principal petitioner and others appear by name upon the rolls of the Choctaw Nation existing prior to June 10, 1896, and that either of said petitioners are born of parents since their names were placed upon the rolls.

It does not appear from the records in the possession of the Commissioner to the Five Civilized Tribes that any of the petitioners have ever been enrolled 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 in as much as it does not appear that any of the applicants herein have ever 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 October 20, 1904, is final, and that the applications for the enrollment of Thomas H. P. Smith, Mary M. Smith, Annie Smith, William R. Smith, Charles P. Smith, Daniel A. Smith, Mary A. Loving, Gray W. Phillips, Andrew B. Phillips, Jesse V. Phillips, Sarah Annie Phillips, John Allen Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips, as citizens by blood of the Choctaw Nation, and the application for the enrollment of Salemmia Augusta Phillips as a citizen by intermarriage of said nation, and the petition herein in so far as same applies to said applicants and to Marcus L. Hickman, 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 Martha J. Smith as a citizen by intermarriage of the Choctaw Nation, and the petition herein in so far as same applies to said applicant, should be denied under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), and it is so ordered.

I am further of the opinion that the petition herein in so far as same applies to the petitioners, Laura V. Smith, Addie Smith, Thomas H. P. Smith, Jr., Arthur R. Smith, Ella E. Smith, Ottoma Smith, Olive S. Smith, Charles G. Smith, William H. Smith, Mary S. Smith and Lottie L. Smith, whose applications for enrollment as citizens by blood of the Choctaw Nation have heretofore been dismissed by the Commission to the Five Civilized Tribes, should be dismissed, and it is so ordered.

I am further of the opinion that the petition herein, in so far as same applies to the petitioners M. Ellie Smith and Mary E. Smith, for whose enrollment as citizens by intermarriage of the Choctaw Nation no application was made prior to December 1, 1905, should be dismissed, and it is so ordered.

-6-

I am further of the opinion that the petition herein, in so far as same applies to the petitioners, Donaban W. Smith, Muriel W. Smith and Etta Phillips, should be considered as an application for the enrollment of said petitioners as citizens of the Choctaw Nation under the provisions of the Act of Congress approved April 26, 1906 (34 Stats., 137); that said application should be denied, and it is so ordered.

Commissioner.

Muskogee, Indian Territory,

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M.C.A. 1539

COPY.

Waxogee, Indian Territory, January 27, 1905.

Marcus T. Hickman,  
Cano, Indian Territory,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 27, 1905, rendered its decision refusing your application for identification as a Mississippi Choctaw, included in the consolidated case of Gray W. Phillips et al.

You are further notified that you are allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED.

*Tams Dixby*

Chairman.

Registered.

COPY

Land.  
19411-1905.

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON.

October 10, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the record in connection with the application of Gray W. Phillips, for himself and his six minor children, Jesse W., Sarah A., John A., Gray T., Grover C. and Martha E. Phillips; by Andrew D. Phillips, for himself, and by Marcus L. Hickman, for himself, for identification as Mississippi Choctaws.

The record shows that the applicants claim to be entitled to identification as Mississippi Choctaws by reason of their descent from Gabriel Pickens, Sr., through his son, Gabriel Pickens, Jr. It is alleged that Gabriel Pickens, Sr. was "almost a full blood Choctaw Indian."

The Commission reports that Gray W. Phillips, the principal applicant, was also an applicant before the Commission under the provisions of the Act of Congress approved June 10, 1896, in the case of G. P. Phillips et al., vs. the Choctaw Nation, for admission to citizenship by blood of the Choctaw Nation; that on December 2, 1896, he was denied enrollment by the Commission, and thereafter an appeal was taken to the United States Court for the Central District of the Indian Territory, and the decision of the Commission affirmed, covering the principal applicant herein and his children,

as well as Andrew D. Phillips and Marcus L. Hickman.

The Commission found that it did not appear from the testimony and other evidence submitted in support of the applications, or from its record relating to persons who complied with the provisions of article 14 of the Choctaw treaty of 1830, that Gabriel Pickens, or any ancestor less remote, signified, in person or by proxy, to William Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of article 14, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims under the Acts of Congress approved March 3, 1837 (5 Stats., 180), and August 23, 1842 (5 Stats., 513), and it accordingly rejected the applications.

There was a family of the name of Pickens who were members of the Choctaw tribe of Indians in Mississippi in 1830. James Pickens, alleged to be a white man, was a claimant under the 14th article of the Choctaw treaty. He had two wives, Chehoya and Rachel. He secured land under the 14th article for himself and in behalf of Solomon, Vacey and Moses, all of whom were dead before patents were issued, and Lydia, Tempe and Josie, who were living as late as 1843. The claim of his wife Rachel, for herself and her children, was allowed, and scrip was issued in their behalf, the children being Davis, Mahala and Hennah, who died without issue, and Nicey, Josie and Benjamin. Rachel, the wife, was a daughter of Captain Samuel Cobb.

Land was reserved for John Pickens, a son of James, on his claim under the 14th article, but was never patented. Captain John Pickens, Vacey Pickens and Levi Pickens filed claims under the 19th article of the Choctaw treaty, which claims were allowed.

Captain Joseph Pickens and Levi Pickens were transported to the Choctaw Nation, West, by the Government in 1832. James Pickens and John Pickens were transported West by the Government in 1845.

The records of this office have been carefully examined with reference to all persons of the name of Pickens, and the names given above are the only names which appear as the names of citizens of the Choctaw Nation in Mississippi or Alabama in 1830. Nowhere does the name of Gabriel Pickens appear.

The testimony submitted by the applicants is to the effect that Gabriel Pickens, Jr., and James Pickens, who was a citizen of the Choctaw Nation, were brothers, sons of Gabriel Pickens, Sr.

The records of the office show that James Pickens was a white man intermarried with the Choctaw Indians. Necessarily then, if his brother, Gabriel, Jr., had been entitled to lands as a citizen of the Choctaw Nation it must have been as a citizen by intermarriage. There is no evidence in the record submitted by the Commission or in the records of this office tending in any respect to establish such a relationship. I am therefore of the opinion that the applicants have failed to make satisfactory proof of descent

(4)

from a 14th article claimant or beneficiary, and I therefore recommend that the decision of the Commission adverse to them be approved by you.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EBH-Ma

K O R 1539

COPY.

Muskogee, Indian Territory, November 11, 1905.

Marcus L. Hickman,  
Caddo, Indian Territory.

Dear Sir:

You are hereby notified that on October 30th, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes refusing to identify as Mississippi Choctaws the several persons included in the consolidated case of Gray W. Phillips, et al.

This office now considers said case closed, and it is not believed that any of the applicants therein are in any manner entitled to possessory rights of the tribal property of the Choctaws and Chickasaws.

Respectfully,

*James Bixby.*

Commissioner.



M C R 1539

COPY.

Muskogee, Indian Territory, November 11, 1905.

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Caddo, Indian Territory.

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Respectfully,

Tam. S. S. S.

Commissioner.

No. 1234

For Identification as a Mississippi Choctaw.

Date *Mich 21, 1901*

Name *Marcus L. Vickman*

Age *33* - Blood ~~not known~~

Post Office, *Caddo, La.*

Father: *James R. Vickman*

Mother: *Lydia " d*

Claims through *mother* -

~~Children:~~

*Appears for  
himself alone -*

*H. Christen  
Steno*



Choctaw MCR 1540

James F. Gould

MCR 1540

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, I. T., MARCH 23, 1901.

In the matter of the application of James F. Gould for identification as a Mississippian Choctaw.

James F. Gould, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A James F. Gould.  
 Q What is your age? A Twenty three.  
 Q What is your post office address? A I have not any.  
 Q Do you not live anywhere? A Anywhere I have a job; I am out of employment now.  
 Q You will have to locate yourself somewhere? A I am a coal miner by trade and am going out to Coalgate.  
 Q Do you think the Commission can get communications to you at Coalgate? A Yes sir.  
 Q You mean Coalgate, Indian Territory? A Yes sir.  
 Q If you change your address from time to time will you let the Commission know where you are? A Yes sir.  
 Q How long have you lived at Coalgate? A I have not lived there yet.  
 Q How long have you lived in the Indian Territory continuously.  
 A This is the first time I have ever been in the territory  
 Q Where did you come from? A New Mexico.  
 Q When did you come here? A Yesterday evening.  
 Q Came here to go to Coalgate? A Yes sir.  
 Q Where were you born? A Bastrop County, Texas.  
 Q How long did you live in Texas? A I was very small when I left there.  
 Q Where did you go from Texas? A New Mexico.  
 Q What place? A Weed.  
 Q And have lived there since? A Up until three years ago.  
 Q Where did you live then? A In Arizona a couple of years.  
 Q Have you been going about for the last three years? A Yes sir.  
 Q And now intend to go to Coalgate? A Yes sir.  
 Q That is your present address? A Yes sir.  
 Q What is your father's name? A J. W. Gould.  
 Q Is he living? A Yes sir.  
 Q What is the name of your mother? A Nancy J. Gould.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A One eighth, I believe, they told me.  
 Q Did your mother ever live in the Indian Territory? A I declare I do not think she did.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A I couldn't say whether it is or not.  
 Q Did you ever live in the territory? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment as a citizen to the Choctaw tribal authorities? A No sir.

James F. Gould-----2.

Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Choctaw tribal authorities or the Dawes Commission? A No sir, not that I know of.

Q Did you ever make application for either enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 20, 1896? A No sir.

Q Is this the first application you have ever made either for enrollment or citizenship either to the Choctaw tribal authorities or the Dawes Commission? A Yes sir.

Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.

Q Under what treaty or treaties do you make this application? A I believe treaty of 1830.

Q Do you claim under the whole treaty of 1830? A I could not say.

Q Do you know whether you claim under articles fourteen, fifteen or nineteen? A No sir.

Q Did you ever hear of article<sup>14</sup> of the treaty of 1830? A No sir.

Q What was the name of your ancestor who lived in Mississippi in 1830? A I believe her name was Sallie Bradshaw.

Q Was she a full blood Choctaw? A I think so, I am not certain.

Q Did she within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that she intended to remain in Mississippi, take land there and become a citizen of the state of Mississippi. A I could not say.

Q Did she remove from Mississippi to the Indian Territory when the other Choctaw Indians were removed by the United States government in the years 1835 to 1837? A I could not say.

Q Did she ever comply in any way with the provisions of article fourteen of that treaty? A I could not say.

Q Did she ever claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I could not say.

Q You are not familiar with article fourteen of that treaty? A No.

Q Did you or your ancestors ever receive any benefits in the Indian Territory as Choctaw Indians? A No sir.

Q Are you married? A No sir.

Q Making claim for yourself alone? A Yes sir.

Q Have you any documentary evidence you want to introduce now in support of this application? A No sir.

Q Would you like time to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to introduce documentary evidence in support of this application.

Q Is there anything further you want to say? A No sir, I believe not.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

H. C. Risteen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized

James F. Gould----3.

Tribes he reported in full all proceedings had in the above entitled cause on the 23rd day of March 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said cause on said date.

*H. J. Risteen*

Subscribed and sworn to before me this 25 day of March 1901.

*Charles H. Sawyer*

Notary Public.

Muskogee, Indian Territory, April 5, 1901.

Mr. James P. Gould,

Phillips, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of March 30, giving your present post office address as Phillips, Indian Territory. This information has been made a matter of record.

Yours truly,

Acting Chairman.

MC 1540



101-013

COMMISSIONERS  
TAMM BIRBY,  
THOMAS S. NEEDLER,  
C. R. BISHOP,  
W. E. STANLEY.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1540.

ALANSON L. AYLESWORTH,  
SECRETARY.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES. Muskogee, Indian Territory, April 9, 1903.

James F. Gould,

Coalgate, Indian Territory.

Dear Sir:

You are hereby advised that on the 9th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Jonathan G. Eppler, et al., embracing the following applications for identification as Mississippi Choctaws:

Jonathan G. Eppler,	M.C.R. 3182;
Mary E. Nixon, et al.,	M.C.R. 3183;
James F. Gould,	M.C.R. 1540;
Kyrtle Sims,	M.C.R. 1505.

These applications were made under the provision of the act of Congress of June 28, 1898, (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

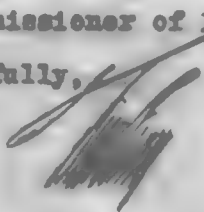
"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Jonathan G. Eppler, Mary E. Nixon, Ella Nixon, Jack Nixon, Joe Nixon, Erwin Nixon, Alta Nixon, Carl Nixon, James F. Gould and Kyrtle Sims as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen

J. P. G., 2.

of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,



Chairman.

Registered.

41.003

COMMISSIONERS:  
TAMM BIRBY,  
THOMAS B. NEEDLES,  
C. R. BRUCKNERIDGE,  
W. E. STANLEY.

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

REFER IN REPLY TO THE FOLLOWING

**K. O. R. 1440.**

ALLISON L. AYLESWORTH,  
SECRETARY.


ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES. **Wahagee, Indian Territory, August 25, 1908.**

**James F. Gould,**  
**Gealgate, Indian Territory.**

**DEAR SIR:**

You are hereby notified that on the 8th day of August, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Jonathan G. Epler, et al., of which decision you were advised by registered mail on the 9th day of April, 1908.

Respectfully,

  
Commissioner in Charge.

General Office U. C. R.

Advising that the Secretary of the Interior has affirmed the Commission's decision, in re. application for identification.

James F. Gowdy

UNCLAIMED  
RETURN TO  
MAILS  
INDIAN TERRITORY

UNCLAIMED  
RETURN TO  
MAILS

Penalty for private use.

Original

No. 1540

For Identification as a Mississippi Choctaw.

Date March 28, 1901

Name James F. Soule.

Age 23 - Blood 1/8

Post Office, Coalgate, I. T.

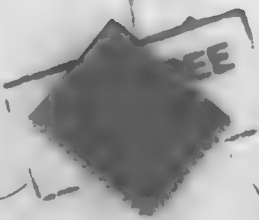
Father: J. W. Soule l

Mother: Mary J. " l

Claims through mother.

~~Children:~~

For sup alone -



Department of the Interior.

Commissioner to the Five Civilized Tribes,  
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

577  
567 Aug

~~James F. Gould,~~

~~Coalgate, Indian Territory.~~

15244  
RETURN TO  
UNCLAIMED.

UNCLAIMED.  
RETURN TO  
POST OFFICE

RETURN TO  
UNCLAIMED.

15160

REGISTERED  
MAY 13 1903  
MISSISSIPPI, INJ. TER

...to the Five Civilized Tribes  
...ROGEE, IND. TER.  
...OFFICIAL BUSINESS.  
...penalty for private use, \$300.

16929

Reg 147  
147

James J. Gould,  
Phillips,

There is no such name  
around here

D.S.

15/1/03

DEPARTMENT OF THE INTERIOR,  
GAYLAND, THE LANDS OFFICE.

**FILED**  
MAY 29 1903

*[Handwritten signature]*

CHIEF



APR 2 1903

APR 4 1903

RECEIVED FORWARDED DEPARTMENT

APR 26 1903

SECRETARY OF INTERIOR

ALBUQUERQUE

Choctaw MER 1941

Gray W. Phillips

See MER 1541

MER 1541

SECTION 14  
MISSISSIPPI CHOCTAW

*Gray W Phillips Esq*

DECISION RENDERED JAN 1 1905

**REFUSED** JAN 1 1905

COPY OF DECISION FORWARDED  
APPLICANT JAN 27 1905

COPY OF DECISION FORWARDED  
ATTORNEYS FOR CHOCTAW AND  
CHICKASAW NATIONS. JAN 27 1905

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED BY ATTORNEY  
FOR APPLICANT JAN 27 1905

**RECORD FORWARDED DEPARTMENT**

MAR - 6 1905

ACTION APPROVED BY SECRETARY OF INTERIOR

OCT 30 1905

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT

NOV 11 1905

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS

NOV 11 1905

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

NOV 11 1905

*Wm P O Caddo*

*Refer to MCR 1690-15*

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

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In the matter of the application of Gray W. Phillips, et al., for identification as Mississippi Choctaws, consolidating the applications of:

Gray W. Phillips, et al.,	M.C.R. 1541
Andrew D. Phillips,	M.C.R. 1690
Marous L. Hickman,	M.C.R. 1539.

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(COPY-DoB)

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

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In the matter of the application of Gray W. Phillips, et al., for identification as Mississippi Choctaws, consolidating the applications of:

Gray W. Phillips, et al.,	M. C. R. 1541
Andrew D. Phillips,	M. C. R. 1690
Marcus L. Hickman,	M. C. R. 1539.

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

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Gray W. Phillips for himself and his six minor children, Jesse W., Sarah A., John A., Gray T., Grover C. and Martha E. Phillips; by Andrew D. Phillips for himself; and by Marcus L. Hickman for himself, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats., 495):

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty seventh, eighteen hundred and thirty, by reason of being descendants of Gabriel (or Gabrel) Pickens, who is alleged to have been "almost a full-blood Choctaw Indian."

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation.

It appears from the records in the possession of the Commission that Gray W. Phillips, the principal applicant herein, in the case of G. P. Phillips, et al., vs. the Choctaw Nation (1896 Choctaw Citizenship case No. 546), made application to this Commission under the provisions of the Act of Congress approved June 10, 1896, (29 Stats., 321), for admission to citizenship by blood in the Choctaw Nation; that on December 2, 1896, said applicant was denied admission to citizenship by blood in the Choctaw Nation by this Commission, and that thereafter an appeal was taken therefrom to the United States Court for the Central District, Indian Territory. The names Jesse W., Sarah A., John A. (or John E.), Gray T., Grover C., Martha E., and Andrew D. Phillips and Marcus L. Hickman, applicants herein, were added in the petition for appeal. The said United States Court in the case of G. P. Phillips, et al., vs. the Choctaw Nation (Choctaw-Chickasaw Citizenship Case No. 71) affirmed the decision of the Commission denying Gray W. Phillips, and also denied the applications for citizenship by blood in the Choctaw Nation of Jesse W., Sarah A., John A. (or John E.), Gray T., Grover C., Martha E., and Andrew D. Phillips and Marcus L. Hickman. Under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), the case of G. P. Phillips, et al., vs. the Choctaw Nation was transferred from the United States Court for the Central District of Indian Territory



to the Choctaw and Chickasaw Citizenship Court for a trial de novo, South McAlester Docket, case No. 49. On October 20, 1904, said Choctaw and Chickasaw Citizenship Court denied the petition of Sarah A. Phillips, John A. (or John E.) Phillips, Gray T. Phillips the applicants, G. V. Phillips, Jesse W. Phillips, Grover C. Phillips, Martha E. Phillips, Andrew P. Phillips and Marcus L. Hickman as citizens by blood of the Choctaw Nation.

It does not appear from the testimony and the evidence offered in support of said applications, or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Gabriel (or Gabrel) Pickens, or an ancestor less remote signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said Article fourteen or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Gray W. Phillips, Jesse W. Phillips, Sarah A. Phillips, John A. Phillips Gray T. Phillips, Grover C. Phillips, Martha E. Phillips, Andrew D. Phillips and Marcus L. Hickman, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE NINE CIVILIZED TRIBES.

(Signed) J. T. R. Chairman.  
(Signed) C. R. Commissioner.  
(Signed) C. R. Commissioner.

(COPY-DeB)

UNITED STATES OF AMERICA )  
CHOCTAW INDIAN TERRITORY )

In the matter of G. W. Phillips and his family's application to be enrolled as Choctaws by blood made before the Dawes Commission at Muskogee in about February 1900, and wherein said application was disallowed by the Commission, and Applicant desired to make an appeal from said decision, to the Interior department at Washington, D. C. And now being desiros to change his application, by dismissing his application so made to the Dawes Commission at Muskogee, I. T. which he does hereby abandon, and dismiss Said application, and here now makes a new application to the Dawes Commission at Atoka, I. T. to be enrolled, him and his family as Mississippi Choctaws, and he desires now to use the testimony filed in the case formerly filed in Muskogee, the same herein dismissed.

(Signed) G. W. Phillips.

March 25th, 1901.

Attest

G. V. Walters (Signed)

Atty for G. W. Phillips & c.

THE UNITED STATES OF AMERICA )  
CHOCTAW INDIAN TERRITORY. )

In the matter of G. W. Phillips and his family's application to be enrolled as Choctaws by blood made before the Dawes Commission at Muskogee in about February 1900, wherein said application was disallowed by the Commission, and Applicant desired to take an appeal from said decision, to the Interior department at Washington, D. C. And now being desires to change his application, by dismissing his application so made to the Dawes Commission at Muskogee, I. T. which he does hereby abandon, and dismiss Said application, and here now makes a new application to the Dawes Commission at Atoka, I. T. to be enrolled, him and his family as Mississippi choctaws, and he desires now to use the testimony filed in the case formerly filed in Muskogee, the same herein dismissed,

(Signed) G. W. Phillips.

March 25th, 1901.

Attest

G. W. Walters (Signed)

Atty for G.W. Phillips & c.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 25, 1901.

In the matter of the application for identification as Mississippi Choctaws of Gray W. Phillips and his minor children. Gray W. Phillips, having been first duly sworn, on his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Gray W. Phillips.  
 Q What is your age? A I am in my fiftieth year.  
 Q What is your post office address? A Caddo; Caddo, Indian Territory.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived at Caddo? A In Caddo? I moved there three years ago last January.  
 Q Where did you live before you lived there? A In Mississippi.  
 Q Did you always live in Mississippi before you came there?  
 A Yes sir, never lived any where else.  
 Q Where were you born in Mississippi? A What county you mean?  
 Q Yes sir. A Tishomingo County.  
 Q You have been living out of the state of Mississippi for how many years last past? A I come to Caddo the fifty of last January was three years ago.  
 Q And came from Mississippi? A And came from Mississippi.  
 Q What is your father's name? A Joseph D. Phillips.  
 Q Is he living? A No sir, dead.  
 Q What is your mother's name? A Elizabeth G. Phillips.  
 Q Is she living? A No sir, she is dead.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Through my mother.  
 Q How much Choctaw blood do you claim? A Well, I have always understood that my mother was half breed.  
 Q You claim how much? A That would make me about one fourth wouldn't it?  
 Q Is the name of your mother on any of the tribal rolls of the Choctaw Nation? A Well, if it is, I don't know; I don't know whether it is or not.  
 Q Did she ever live in the Indian Territory? A No sir, not this Indian Territory.  
 Q Was she ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A Yes sir.  
 Q In the Indian Territory? A Yes sir.  
 Q In the Indian Territory here? A In the Indian Territory? No sir, she was in Mississippi.  
 Q She was considered by the people who knew her in Mississippi as a Mississippi Choctaw Indian? A Yes sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir, never did.  
 Q Did you ever make application for enrollment as a Choctaw Indian to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?  
 A Well, now, I don't know that I can - they were my--- I never did make an application to the Dawes Commission except as I tell you, about a year ago, but there was an application made for me in '96

- but I was in Mississippi, never saw the application.
- Q An application was made to the Dawes Commission in 1896? A Yes sir.
- Q Who made the application for you? A I had a nephew living in this country and he made it through an attorney.
- Q This nephew made an application for himself through an attorney?
- A Yes sir, and put me in.
- Q And put you in? A Yes sir.
- Q Did you know anything about it at the time? A Yes sir, he wrote me.
- Q But you made no personal application? A No sir.
- Q You were then living in Mississippi? A Yes sir.
- Q What was done about that application made by your nephew in '96?
- A I understood it was rejected.
- Q Did you after that make application to the Dawes Commission for enrollment or citizenship? A Yes sir, I did a little over a year ago.
- Q And where was that made? A That was made in Muskogee.
- Q Did you make your application then as a Choctaw citizen by blood?
- A Yes sir.
- Q What was done about that application? A Well, Mr. Bixby told me at the time that -- he said "I will reject your application on the ground that your name does not appear upon any of the rolls."
- Q You were given to understand then were you--- A (interrupting) I was given to understand that it would be rejected.
- Q Have you ever received a formal notification of rejection in writing? A No sir.
- Q Did you, or any body in your behalf make an effort to appeal from the action of the Commission or give notice of an appeal from the present case pending? A Yes sir; Judge Walters can tell you better about that than I can; I don't know; he has been my attorney.
- Q If that application is now pending which you made in Muskogee last year, what is your desire in reference to that application?
- A Well now I will tell you --
- Q Make it brief. A Well my desire now is to withdraw that application, but to retain the proof and have the same proof go into this application, and to make application as a Mississippi Choctaw.
- Q Whether the Commission has taken formal action or not, you don't desire to press that application? A No sir.
- Q But you desire to press this application? A Yes sir.
- Q And you would like to have the documentary evidence that you submit in that application transferred to this? A Yes sir, and made a part of the records in this case.
- Q This is the first application then that you have ever made for identification as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or treaties do you now make this application?
- A Under the treaty of 1830.
- Q Do you claim under the whole treaty or under only a certain article? A I reckon it is under a certain article; about the fourteenth.
- Q You claim under the fourteenth article? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A In 1830; my grandfather lived in in Mississippi in 1830.
- Q What his name? A His name was Gabriel Pickens.
- Q P-i-e-k-e-n-s? A Yes sir.
- Q Your mother's father? A My mother's father.
- Q Was he a full blood Choctaw? A Said to be, but of course I never saw him.
- Q Have you any documentary proof that he was? A I think so; I think I have got that proof in these other papers.
- Q Is that also a family tradition that he was a full blood?
- A Yes sir.
- Q Did he within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi that he intended to take land there and become a citizen of that state?
- A Well, I could not say that; I don't know.

- Q Do you know whether he removed from Mississippi to the Indian Territory in the years 1833 to 1837? A He never removed.
- Q When the United States Government removed the Choctaw Indians? A He never removed, he had a brother who did, but he did not.
- Q Do you know why he did not? A No sir.
- Q Was he a beneficiary under article fourteen of the treaty of 1830? A I don't think he was.
- Q Did he comply in any way with the provisions of article fourteen of the treaty of 1830? A If he did this I don't know, I could not answer.
- Q Did he claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A No sir, think he ever did.
- Q Did he ever hold any land in Mississippi? A No sir, never; never owned none no way there.
- Q Have you or any of your ancestors ever received any benefits in Indian Territory as Choctaw Indians? A In this Territory?
- Q Yes sir? A I have a sister and a lot of nephews and cousins that have.
- Q Were they court citizens? A Yes sir.
- Q You never were included in any judgment of the United States Court in Indian Territory? A I never was included, the United States Court taken judgment against me.
- Q The United States Court took a judgment against you? A Yes sir, that case was appealed.
- Q What case? A That case I was telling you about.
- Q That application that was made by your nephew where you made no personal appearance? A Yes sir.
- Q An appeal was taken and your name went up to the court? A Yes sir.
- Q And the action of the court was adverse to you, was it? A Yes sir.
- Q Are you married? A Yes sir I still lived in Mississippi then
- Yes sir, I am married.
- Q What is your wife's name? A Salamina A.
- Q How do you spell that? A S-a-l-e-m-n-i-a
- Q S-a-l-e-m-n-i-a do you spell it? A Yes sir.
- Q Do you make any claim for her? A Yes sir.
- Q As what? A As an intermarried citizen.
- Q The only authority vested in this Commission to receive applications for identification as Mississippi Choctaws is found in the twenty first section of the act known as the Curtis Act, which I will read. "Said Commission (meaning this Commission) shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty seventh, eighteen hundred and thirty, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereto, and make report to the Secretary of the Interior." That is the only authority there is. If it were not for this clause in section twenty one of the Curtis Act you would not have a right to come before the Commission now and make an application for your self as a Choctaw Indian descended from a Mississippi Choctaw ancestor. But your wife is not descended from a Mississippi Choctaw ancestor; she has no Choctaw blood at all-- (Interrupting) He sir--- Q I understood she is white? A Yes sir.
- Q Therefore it is the position the Commission has taken, and founded upon their interpretation of this law, that it has no authority to act in the case of a person claiming citizenship by intermarriage. And with this explanation it is left with the applicant then to declare whether he intends to make application for his wife or not. I wish to say that the Commission's position is that it will not refuse your application for your wife, but we do not know of any authority.

- Applicant: Well, it would not weaken the case any, would it, so far as others are concerned, that is, so far as my children are concerned?
- A Commission: It does not weaken the case any; it is just something thrown in that is a superfluity.
- Applicant: Well, I will just leave that to your honor.
- Commission: Well, I don't like to have you leave it to the Commission
- Q Do you think you care to make application for your wife?
- A Why, I expect maybe it would not be any use.
- Q Have you any children under twenty one years of age and unmarried that you wish to make application for? A My children are all under twenty one years of age except one.
- Q What is the name of the eldest, unmarried and under twenty one?
- A They are all unmarried.
- Q What is the name? A Jesse W.
- Q Boy? A Yes sir.
- Q How old? A Nineteen.
- Q What is the name of the next? A Sarah A.
- Q What is the age? A Seventeen.
- Q What is the name of the next? A John A.
- Q How old is John A.? A Fourteen.
- Q Next? A Gray T.
- Q How old? A Gray is twelve years old.
- Q Next? A Grover C. eight years; Martha E., four years; now that is all except one twenty one.
- Q These are all the children you have under twenty one years of age?
- A I have got one just turning into his twenty second year.
- Q He will have to make application for himself. Is Salemnia Phillips the mother of these children? A Yes sir.
- Q And you are the father? A Yes sir.
- Q Are you and she living together as husband and wife? A Yes sir.
- Q Are the children all living with you at your home? A Yes sir.
- Q Is the basis of their claim the same as yours? A Yes sir.
- Q Have you any documentary evidence you wish to submit now in support of your application? A Yes sir, I have two affidavits.

Affidavit of W. F. Blakney submitted by applicant, received filed, marked Exhibit A and made a part of the records in this case; affidavit of David Blakney presented by applicant, received, filed, marked Exhibit B and made a part of the records in this case; application of Gray W. Phillips presented, received, filed, marked exhibit C and made a part of the records in this case. Statement by G. W. Phillips presented by applicant, received, filed, marked Exhibit D and made a part of the records in this case.

- Q Do you wish time in which to procure such other evidence as consider necessary? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file other documentary evidence in support of your application.

- Q Is there anything further you would like to state now in support of your claim? A No sir.

Examination by G. W. Walters, attorney for applicant

- Q You were not a citizen of the Indian Territory at the time your friends made your application for you and was rejected? A No sir, I was a resident of Mississippi.

Gray W. Phillips 5

- Q Well after that when you made another application to the James Commission you understood that to have been rejected for the reason that the case had been decided once when you were not a citizen?
- A Well, that might have been one reason.
- Q Did you see that in the letter I sent you from Cadde that he wrote?
- A Yes sir. Mr. Bixby told me that day, he says I expect you ought to be enrolled but I will reject this application on the ground that your name or none of your ancestors, that is your mother, appears on none of the rolls, something about to that effect; He wrote us d nt you recollect that I wrote you; he never has made any decision; he said he would do it and I don't know but he said when he did do it it would be because it had been decided once by the court and for the reason that your ancestors, your mother or father names did not appear upon the rolls. That is the two grounds on which Mr. Bixby stated he would make his decision when he wrote it up?
- A That is all except that he said when he wrote it he would send it to me.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and children will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on March 25, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 26 day of March, 1901.

*Charles H. Sawyer*

Notary public.



Muskogee, Indian Territory, April 23, 1901.

Mr. G. W. Walters,  
San Saba, Texas,

Dear Sir:

The Commission is in receipt of your letter of April 15, in reference to the application of G. W. Phillips for the identification of himself and his minor children as Mississippi Choctaws. You are advised that the Commission will take up this application as early as possible, and after a careful consideration of all the evidence in the case, will render a decision. A copy of such decision will be mailed to the applicant.

1541

Yours truly,

Muskogee, Indian Territory, June 6, 1901.

G. W. Phillips,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 23rd of May in which you state that you desire a certified copy of the affidavits of Arabella Brown and William R. Scott on file with the records of this Commission in the application of Gray W. Phillips for the identification of himself and minor children as Mississippi Choctaws.

You also request that the Commission furnish you with the address of some proper person who could make a copy of these affidavits for you.

Replying to your letter the Commission has to inform you that it is impossible for us to furnish you with any original records or certified copies of the same unless they are made at your own expense. You can probably obtain the services of Mr. Hayden Ednebaugh at Atoka, Indian Territory, who is a stenographer and Notary Public at that place and who would be allowed to make a copy from the original records on file in your application with the Commission's office at Atoka, Indian Territory.

Yours truly,

Muskogee, Indian Territory, September 7, 1901.

Mr. G. W. Walters,  
Attorney at Law,  
San Saba, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 3rd, in which you ask to be advised as to the status of the application for identification as Mississippi Choctaws of Gray W. Phillips et al.

In reply to your letter you are informed that it appears from our records that at Atoka, Indian Territory, on March 25, <sup>1901</sup> Gray W. Phillips, of Caddo, Indian Territory, applied for the identification of himself and his minor children as Mississippi Choctaws. No action has yet been taken in this case or an opinion rendered. When this case is finally determined a copy of the decision of the Commission, stating fully therein the reasons for any action taken, will be mailed to Mr. Phillips at his present post office address.

If he desires to offer any further evidence in support of his application, either the oral testimony of witnesses, their de-

C.W.V. 42

positions or affidavits, or any documentary evidence, the same will be accepted and made a part of the records in this case.

Yours truly,

H.C. 1541

Miss. Choct. 1841

Muskogee, Indian Territory, February 24, 1902.

George W. Walters,  
Attorney at Law,  
San Saba, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the nineteenth instant, in which you ask what disposition has been made of the application for identification as Mississippi Choctaws of Gray W. Phillips, et al.

In reply to your letter you are advised that no decision has yet been reached or opinion rendered relative to the rights of Gray W. Phillips and his children as Mississippi Choctaws, and it is impossible at this time to say when this case will be reached for consideration and final determination. As soon as a decision is reached the applicant will be notified of the action taken by the Commission.

Yours truly,

Commissioner in Charge.

Miss. Choctaw 154

Muskogee, Indian Territory, April 29, 1902.

G. W. Walters,

Attorney at Law,

San Saba, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of April 25, in which you request that the application for the identification of Gray W. Phillips and his family as Mississippi Choctaws be taken up by the Commission for consideration and that Mr. Phillips be advised of the action taken by the Commission.

In reply to your letter you are advised that the Commission is taking up for consideration and passing upon applications for identification as Mississippi Choctaws as rapidly as possible, and as soon as decisions are rendered the applicants and their attorneys of record are advised of the same. It is impossible at this time to say when this case will be reached, but, at the earliest date possible, the application of Gray W. Phillips for the identification of himself and his family as Mississippi Choctaws will receive consideration and you and the applicants will be notified of the action of the Commission.

Yours truly,

Commissioner in Charge.

Miss. Choctaw 1841.

Muskogee, Indian Territory, June 2, 1902.

Gray W. Phillips,  
Cadeo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 28, in which you state that you appeared before the Commission and made application for identification as a Mississippi Choctaw, and ask to be advised what has been done with reference to your case.

In reply to your letter you are advised that no decision has yet been reached nor opinion rendered relative to your rights as a Mississippi Choctaw. As soon as a decision is reached you will be notified of the action of the Commission.

Yours truly,

Acting Chairman.

Miss. Choctaw R 1541

Muskogee, Indian Territory, June 9, 1902.

Gray W. Phillips,

Caddo, Indian Territory,

Dear sir:

Your letter of May 28, addressed to the Secretary of the Interior, has been referred to this Commission for consideration and appropriate action. Therein you ask with reference to your application for the identification of yourself and your family as Mississippi Choctaws.

As you were advised in our letter of June 2, 1902, no decision has yet been reached nor opinion rendered relative to your rights as Mississippi Choctaws. As soon as a decision is reached you will be notified of the action of the Commission.

Yours truly,



Miss. Choctaw R1541

Muskogee, Indian Territory, June 13, 1902

Gray W. Phillips,  
Cade, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 11, in which you state that your sister and her family have their rights established and are holding land in the Choctaw Nation, and you ask to be permitted to submit additional affidavits in support of your application.

In reply to your letter you are advised that the Commission will accept such affidavits as you may desire to offer in your case, provided the same are submitted for filing within thirty days from this date.

Yours truly,

Commissioner in Charge.

H O B 1801

McAdoo, Indian Territory, September 11, 1902.

G. W. Walters,  
Attorney at Law,  
San Saba, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, relative to the Mississippi Choctaw case of Gray W. Phillips. You ask therein to be advised of the powers of the citizenship court created by the recent act of Congress, and if, in the opinion of the Commission, it will benefit Mr. Phillips for you to make personal appearance before the Commission to further prosecute his claim.

In reply you are informed that the act of Congress approved July 1, 1902, created a court to be called the "Choctaw and Chickasaw Citizenship Court." The jurisdiction of this court extends only to the cases of those persons who were admitted to citizenship in the Choctaw and Chickasaw nations by decree of the United States Court in Indian Territory under the act of Congress approved June 10, 1900. The jurisdiction of this court in no manner extends to cases of applicants for identification as Choctaw or Chickasaw who claim rights in the Choctaw lands in Indian Territory under the provisions of the fourteenth article of the Constitution.

G. W. W.--2.

cluded between the United States and the Choctaw Nation, September 27, 1830.

The authority vested in this Commission to determine the identity of so-called Mississippi Choctaws is contained in the act of Congress approved June 26, 1898, and is as follows:

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

Article fourteen of the Choctaw treaty of 1830 referred to in this legislation is as follows:

"Each Choctaw 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 after 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 ten 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 entitled to any portion of the Choctaw annuity."

The Commission in determining the right of persons to

C. V. W.-3.

to be identified as Mississippi Choctaws requires that the applicants reasonably demonstrate that they are descendants of Choctaw ancestors who resided in the old Choctaw Nation in the states of Mississippi and Alabama in 1830, and who complied or attempted to comply with the provisions of article fourteen above quoted, or who were subsequently adjudicated beneficiaries thereunder by either of the two Commissions authorized for this purpose by the acts of Congress approved March 3, 1837, and August 23, 1842.

The Assistant Attorney General for the Interior Department, in an opinion of December 3, 1901, defining the power of this Commission to identify so-called Mississippi Choctaws under the provision of the act of Congress approved June 26, 1830, used the following language:

"There is no escape from the conclusion that the provision in the act of June 26, 1830, contemplated the identification of only those Choctaw Indians claiming title to Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty."

Relative to that part of your letter in which you ask if it will be necessary for you to make personal appearance before the Commission to further prosecute the claim of Mr. Phillips, you are advised that any evidence tending to show a compliance on the part of the ancestor through whom he claims his right to identify

**G. V. Wood.**

action as a Mississippi Choctaw with the provisions of article fourteen herein quoted, will be received and considered by the Commission if placed before it within thirty days from the date hereof. If at the expiration of this time no such evidence is presented, the Commission will take up and pass upon his application for identification as a Mississippi Choctaw, upon the record already made.

Yours truly,

Acting Chairman.

Miss. Choctaw 1641

Muskogee, Indian Territory, September 28, 1903.

Gen. W. Phillips,

Okfuskee, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your affidavit which you refer in support of your application for the identification of yourself and your children as Mississippi Choctaws, and the same has been filed with the record in this case.

Respectfully,

Acting Chairman.

Miss. Choctaw 1641

Muskogee, Indian Territory, September 26, 1902.

G. W. Phillips,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 23, with reference to your application for the identification of yourself and your minor children as Mississippi Choctaws.

In reply to your letter you are advised that no decision nor opinion has yet been reached relative to your rights as such Mississippi Choctaws. As soon as a decision is rendered you will be duly notified of the action of the Commission, and of the forwarding of the record in the case to the Secretary of the Interior.

Respectfully,

Acting Chairman.

Miss. Choctaw 1841

McKehee, Indian Territory, October 20, 1902.

G. V. Phillips,

Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 17, inclosing affidavit of Edward E. Pitchlynn, which you offer in support of your application for identification as a Mississippi Choctaw, and the same has been filed with the record in this case.

The Commission cannot pass upon the sufficiency of the evidence offered in support of applications for identification as Mississippi Choctaws until the same are taken up for consideration and determination. If you desire, however, to appear before the Commission, or introduce any further testimony, you will be permitted to do so, prior to and including November 1, 1902.

Respectfully,

Acting Chairman.



Miss. Choctaw 1941.

Muskogee, Indian Territory, October 10, 1902.

Gray W. Phillips,  
Caddo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 6, asking for additional time within which to introduce evidence in your case, and in reply thereto you are advised that in compliance with your request the time has been extended in your case until November 1, 1902. Prior to that date the Commission will hear the testimony of such witnesses as you may desire to introduce and accept such documentary evidence as may be offered in your case.

The Commission, however, is averse to accepting affidavits in support of applications for identification as Mississippi Choctaws and prefers, whenever it is possible, to examine the witnesses in person. If for any reason it is impossible for you to bring your witnesses in person before the Commission, their depositions will be considered if taken in accordance with the rules and regulations governing the taking of depositions in support of applications for identification as Mississippi Choctaws, a copy of which is inclosed herewith.

Respectfully,

Walter H. Phillips

Commissioner of Indian Affairs

Miss. Choctaw 1541

Muskogee, Indian Territory, November 3, 1902.

Geo. W. Phillips,

Cardo, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letters of October 20, enclosing affidavit of James A. Harrison and James F. Carpenter, which was offered in support of your application for the identification of yourself and your minor children as Mississippi Choctaws. The same have been filed with the record in your case.

Respectfully,

Miss. Choctaw 1341

Muskogee, Indian Territory, November 11, 1902.

Gray W. Phillips,

Cade, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 8, asking that a date be fixed for taking up your application for identification as a Mississippi Choctaw for hearing, and that you be advised of the same.

In reply to your letter you are informed that several continuances having already been granted in this case, and no personal appearance having been made by you nor evidence filed in your case on November 1, 1902, the day to which it was continued in accordance with your request, the Commission now considering your rights to identification as a Mississippi Choctaw on the record already submitted, and a decision will be reached as early as possible, and you will be duly notified of the action of the Commission.

Respectfully,

M. C. R. 1841

Muskogee, Indian Territory, December 18, 1908.

Gray V. Phillips,

Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th inst., in which you ask to be advised if "one Geo. Colbert is appointed by the Secretary of the Interior to look up lost Mississippi Cheestaw". You also ask if a decision has yet been rendered in your case.

In reply, you are informed that the Commission knows of no person by the name of Geo. Colbert who is in any manner authorized to act for the Department of the Interior or this Commission in Mississippi Cheestaw matters.

No opinion or decision has yet been reached in your case, but the Commission is now considering your application, and it is probable that a decision will be rendered in the near future. Upon the rendition thereof you will be duly notified of the action of the Commission and of the forwarding of the record to the Secretary of the Interior.

Respectfully,

Acting Chairman.

M C R 154

Muskogee, Indian Territory, January 7, 1902.

Hon. H. S. Candler, Jr.,  
Washington, D. C.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th ultimo, in which you state that G. W. Phillips, of Caddo, Indian Territory, has a case pending before this Commission for identification as a Choctaw Indian. You also state "I think he is a Choctaw, and that his claim as such is just", and ask that the same be taken up for consideration as early as possible.

In reply to your letter you are informed that it appears from the records of the Commission that Gray W. Phillips, fifty years of age, residing in Caddo, Indian Territory, is an applicant for the identification of himself and six minor children as Mississippi Choctaws.

The Commission has not up to the present time reached any opinion or decision relative to the right of these applicants to such identification, but is now considering their applications, and it is probable a decision will be reached in the near future. The principal applicants will be notified by the Commission and of the forwarding of the record.

**E. S. G., Jr.**

**of the Interior.**

**Respectfully,**

**Acting Chairman.**

Muskogee, Indian Territory, February 13, 1903.

G. W. Walters,  
Attorney at Law,  
San Saba, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter, without date, relative to the application of Gray W. Phillips, et al., for identification as Mississippi Choctaws.

In reply to your letter you are advised that no opinion nor decision has yet been reached relative to the rights of Gray W. Phillips and his children for identification as Mississippi Choctaws. It appears from our records that Gray W. Phillips was an applicant to this Commission in 1896 for citizenship in the Choctaw Nation and on December 2, 1896, the Commission denied the application, and that appeal was taken to the United States Court for the Central District of the Indian Territory at South McAlester, and on June 19, 1899, the said United States Court for the Central District of the Indian Territory entered a judgment *non pro tunc* as of September 11, 1897, decreeing that judgment be *granted* for the Choctaw Nation as to G. W. Phillips, Andrew D. Phillips, Jesse W. Phillips, John E. Phillips, Sarah A. Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips.

G. W. V.--2

Your attention is invited to sections 31, 32 and 33 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations, September 28, 1902, a copy of which is herewith enclosed.

Respectfully,

Acting Chairman.

Cho.-Chic.  
Agreement.



Muskogee, Indian Territory, February 13, 1903.

Gray W. Phillips,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 27, in which you ask if any action has been taken in regard to your application for identification of yourself and minor children as Mississippi Choctaws.

In reply to your letter you are advised that no decision has yet been reached nor opinion rendered relative to your right to identification as Mississippi Choctaws. It appears from our records that you were an applicant to this Commission in 1896 for citizenship in the Choctaw Nation and on December 2, 1896, the Commission denied the application, and that appeal was taken to the United States Court for the Central District of the Indian Territory, at South McAlester, and on June 19, 1899, said United States Court for the Central District, Indian Territory, rendered a judgment *nunc pro tunc* as of September 11, 1897, decreeing that judgment be entered for the Choctaw Nation as to G. W. Phillips, Andrew D. Phillips, Jesse W. Phillips, John E. Phillips, Sarah A. Phillips, Gray T. Phillips, Grever G. Phillips and Martha E. Phillips.

G. W. P.--2

Your attention is invited to sections 31, 32 and 33 of the act of Congress approved July 1, 1902, which was ratified by the citizens of the Choctaw and Chickasaw Nations, September 25, 1902, a copy of which is herewith enclosed.

Respectfully,

Acting Chairman.

Choct.-Chic.  
Agreement.

M C R 1641

Muskogee, Indian Territory, March 5, 1903.

Gray W. Phillips,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 16th ultimo, which is in response to our communication addressed to you on the 15th ultimo. Therein you state that you should be advised of the decision of the Commission in your Mississippi Choctaw case before you take any further steps towards prosecuting any rights which you may have to citizenship in the Choctaw Nation before the Choctaw-Chickasaw citizenship court.

In reply you are advised that the Commission will not render any decisions in cases of this character until after the expiration of the ninety days from the date of the decree of the citizenship court, when the time within which appeals of this nature can be taken before this court will have expired.

Respectfully,

Chairman.

M C R 1641

Muskogee, Indian Territory, March 5, 1903.

Gray W. Phillips,  
Caddo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 27th ultimo, in which you state "If I am to appeal to the citizenship court, kindly inform me how to proceed as I am not in touch with my attorney."

In reply to your letter you are informed that this is a matter that does not come within the province of this Commission and we cannot therefore advise you in the premises.

Respectfully,

Chairman.

U.S.A. 1841  
COPY.

Muskogee, Indian Territory, January 27, 1905.

Gray W. Phillips,  
Caddo, Indian Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered January 27, 1905, refusing the application for identification as Mississippi Choctaws of yourself, and of your children, Jesse W. Phillips, Sarah A. Phillips, John A. Phillips, Gray T. Phillips, Grover C. Phillips and Martha E. Phillips, included in the consolidated case of Gray W. Phillips, et al.

You are hereby notified that the applicants herein are allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

*[Signature]*

*James Bixby*  
Chairman.

Incl. U.S.A. 1841.

Registered.

M.C.R. 1541

COPY.

Muskogee, Indian Territory, January 27, 1905.

G. W. Walters,  
Attorney at Law,  
San Baba, Texas,

Dear Sir:

You are hereby notified that the Commission to the Five Civilized Tribes, on January 27, 1905, rendered its decision refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gray W. Phillips et al., embracing the following cases:

Gray W. Phillips, et al.,	M.C.R. 1541
Andrew D. Phillips,	M.C.R. 1690
Marcus L. Hickman,	M.C.R. 1539.

You are further notified that the applicants herein are allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,  
SIGNER

*James Dixey*

Registered.

Chairman.

M.C.R. 1541

Muskogee, Indian Territory, January 27, 1906.

Mansfield, McMurray & Cornish,

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

Gentlemen:

Inclosed herewith you will find a copy of the decision of this Commission rendered January 27, 1906, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Gray W. Phillips, et al.

You are further advised that the applicants herein have been allowed fifteen days from the date of this notice within which to file arguments in this office, and that at the expiration of said time the papers in the case, together with such arguments as may be filed, will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED,

*Erns Biaby*

Chairman.

Incl. M.C.R. 1541.

Muskogee, Indian Territory, March 6, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record in the consolidated case of Gray W. Phillips, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of January 27, 1908, refusing their applications.

The above consolidated case embraces the following original applications heard by the Commission:

Gray W. Phillips, et al.,	M. C. R. 1001
Andrew D. Phillips,	M. C. R. 1002
James L. Bickens,	M. C. R. 1003

The Commission has the honor to report that the applicants in the several separate applications, their attorneys of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

There is also transmitted herewith argument of Gray W. Phillips in support of his claim. In said argument he requests that the evidence in the matter of his application be taken up in the Choctaw Nation in 1907, the evidence in the Chickasaw



before the United States Court and also the Choctaw-Chickasaw Citizenship Court be made a part of his Mississippi Choctaw application. Mr. Phillips has been informed that it would be impractical to withdraw from the files of the citizenship court records such evidence, but that if he desires copies made of the same, any responsible person authorized by him to make such copies may have access to the records at any time.

Respectfully,

Commissioner in Charge.

Through the Commissioner  
of Indian Affairs.

A Inol. MUR 1541.

M C R 1841

Muskogee, Indian Territory, March 6, 1906.

Gray W. Phillips,

Quade, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of February 9, 1906, enclosing argument in support of your application for identification as a Mississippi Choctaw, and requesting that the evidence offered by you in your original application in 1896, (Choctaw Citizenship Case No. 646, G. P. Phillips, et al., the evidence offered by you in the appealed case to the United States Court for the central District of the Indian Territory, and the evidence offered by you in your case before the Choctaw-Chickasaw Citizenship Court be made a part of the record in your Mississippi Choctaw application.

In reply you are informed that while the evidence above referred to is in the care and custody of the Commission, yet we cannot comply with your request by forwarding said evidence with the record in the matter of your application for identification as a Mississippi Choctaw to the Department. However, if you desire copies of such evidence, any responsible person authorized by you to make same will be given access to said records at any time.

Respectfully,

Muskogee, Indian Territory, April 13, 1901.

Mr. Gray W. Phillips,

Cadde, Indian Territory,

Dear Sir:

There is inclosed you herewith a copy of the order granting your petition to withdraw your application for the enrollment of yourself and family as citizens by blood of the Choctaw Nation, and to have the papers heretofore filed by you in support of that application transferred to your application for the identification of yourself and family as Mississippi Choctaws. You are advised that this application has been dismissed, and the papers so filed by you have been made a part of your application for identification as a Mississippi Choctaw, made at Atoka, Indian Territory, March 23, 1901.

Yours truly,

Muskogee, Indian Territory, April 23, 1901.

Mr. C. W. Walters,

Attorney at Law,

San Saba, Texas.

Dear Sir:

The Commission has granted the petition of Gray W. Phillips to withdraw the application made by him for the enrollment of himself and family as citizens by deed of the Cherokee Nation, and to have the evidence filed in support of said application transferred to his application for identification as Mississippi Choctaw of himself and his minor children, made at Atoka, Indian Territory, March 20, 1901. A copy of the order issued by the Commission has been mailed to Mr. Phillips at Cadeo, Indian Territory.

Very truly,

Chairman.

MM 1541

Muskogee, Indian Territory, September 18, 1908.

Gray W. Phillips,  
 Sado, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 9th instant, asking if the record in your case and the appeal have been forwarded to the Department.

In reply you are informed that on March 6, 1905, the record in the matter of your application for identification as a Mississippi Choctaw, together with the decision of the Commission to the Five Civilized Tribes of January 27, 1905, refusing your application, and your argument, were forwarded the Secretary of the Interior, and up to the present time this office has not been advised of any departmental action thereon.

Respectfully,

Acting Commissioner.

C O P Y

80038-1908.  
I.T.D. 13348-1908.

G.R.  
RJR

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

L.R.S.

October 30, 1908.

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

Sir:

March 6, 1908, the Commission to the Five Civilized Tribes transmitted the record of the consolidated applications for identification as Mississippi Choctaws made by Gray W. Phillips for himself and his six minor children, Jesse W., Sarah A., John A., Gray T., Grover C., and Martha E. Phillips; by Andrew D. Phillips for himself, and by Marcus L. Hickman for himself, including the decision of the Commission dated January 27, 1908, refusing to identify the aforementioned applicants as Mississippi Choctaws, claiming rights in the Choctaw lands under article 14 of the treaty of September 27, 1830.

The evidence submitted shows that the principal applicant, Gray W. Phillips (whose wife, Salome A. is a white woman), is the legitimate son of Elizabeth G. Phillips, an alleged half-breed Choctaw (whose husband J. D. Phillips, was a white man), whose immediate ancestor, her father, Gabriel Pickens, came from the State of Georgia and settled in Tishomingo County, Mississippi (the northeastern part of the original Chickasaw Nation), and died in Mississippi most probably prior to the treaty of 1830. At any rate, his name does not appear among those who complied or attempted to comply with the provisions of article 14 of the treaty of 1830, nor was he in

(2)

anywise a beneficiary thereunder; but his alleged brother, an alleged uncle of applicant, James Pickens, received an allotment of land in Leake County, Miss., under article 14 of the treaty of 1830. In 1846 James Pickens, the alleged uncle, was transported west by the Government.

The evidence and the records fail to show that ~~Sabriel~~ Pickens and James Pickens were brothers, as claimed, and even were that fact true the records of the Indian Office show that said James Pickens, who was allotted land in Leake County, Mississippi, as a beneficiary under article 14 of the treaty of 1830, was a white man. Neither the name of the applicant nor the names of his lineal ancestors appear upon any of the tribal rolls of the Choctaw Nation.

October 10, 1905, the Acting Commissioner of Indian Affairs reporting thereon, is of opinion that the applicants have failed to make satisfactory proof of descent from a 14th article claimant or beneficiary thereunder, and recommends that the decision of the

~~Commissioner be concurred in.~~ A copy of his

letter is inclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated January 27, 1905, refusing to identify the aforementioned applicants as Mississippi Choctaws is hereby affirmed.

COPY

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS  
WASHINGTON.

Land.  
1941-1906.

October 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the record in connection with the application of Gray W. Phillips, for himself and his six minor children, Jesse W., Sarah A., John A., Gray T., Grever C. and Martha E. Phillips; by Andrew D. Phillips, for himself, and by Marcus L. Hickman, for himself, for identification as Mississippi Choctaws.

The record shows that the applicants claim to be entitled to identification as Mississippi Choctaws by reason of their descent from Gabriel Pickens, Sr., through his son, Gabriel Pickens, Jr. It is alleged that Gabriel Pickens, Sr. was "almost a full blood Choctaw Indian."

The Commission reports that Gray W. Phillips, the principal applicant, was also an applicant before the Commission under the provisions of the Act of Congress approved June 10, 1896, in the case of G. P. Phillips et al., vs. the Choctaw Nation, for admission to citizenship by blood of the Choctaw Nation; that on December 2, 1896, he was denied enrollment by the Commission, and thereafter on appeal was taken to the United States Court for the Central District of the State of Mississippi, and the decision of the Commission was affirmed by the United States Court for the Central District of the State of Mississippi.



as well as Andrew D. Phillips and Marcus L. Hickman.

The Commission found that it did not appear from the testimony and other evidence submitted in support of the applications, or from its record relating to persons who complied with the provisions of article 14 of the Choctaw treaty of 1830, that Gabriel Pickens, or any ancestor less remote, signified, in person or by proxy, to William Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of article 14, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims under the Acts of Congress approved March 3, 1837 (5 Stats., 180), and August 23, 1842 (5 Stats., 513), and it accordingly rejected the applications.

There was a family of the name of Pickens who were members of the Choctaw tribe of Indians in Mississippi in 1830. James Pickens, alleged to be a white man, was a claimant under the 14th article of the Choctaw treaty. He had two wives, Chehoya and Rachel. He acquired land under the 14th article for himself and in behalf of Solomon, Vircy and Moses, all of whom were dead before patents were issued, and Lydia, Tempe and Jones, who were living as late as 1843. The claim of his wife Rachel, for herself and her children, was allowed, and scrip was issued in their behalf, the children being Davis, Mahala and Hannah, who died without issue, and Niece, Jemie and Benjamin. Rachel, the wife, was a daughter of Captain Samuel Cotho.

(3)

Land was reserved for John Pickens, a son of James, on his claim under the 14th article, but was never patented. Captain John Pickens, Vincy Pickens and Levi Pickens filed claims under the 19th article of the Choctaw treaty, which claims were allowed.

Captain Joseph Pickens and Levi Pickens were transported to the Choctaw Nation, West, by the Government in 1832. James Pickens and John Pickens were transported West by the Government in 1846.

The records of this office have been carefully examined with reference to all persons of the name of Pickens, and the names given above are the only names which appear as the names of citizens of the Choctaw Nation in Mississippi or Alabama in 1830. Nowhere does the name of Gabriel Pickens appear.

The testimony submitted by the applicants is to the effect that Gabriel Pickens, Jr., and James Pickens, who was a citizen of the Choctaw Nation, were brothers, sons of Gabriel Pickens, Sr.

The records of the office show that James Pickens was a ~~white man~~ intermarried with the Choctaw Indians. Necessarily then, if his brother, Gabriel, Jr., had been entitled to lands as a citizen of the Choctaw Nation it must have been as a citizen by intermarriage. There is no evidence in the record submitted by the Commission or in the records of this office tending in any respect to establish such a relationship. I am therefore of the opinion that the applicants have failed to make satisfactory proof of descent

(4)

from a 14th article claimant or beneficiary, and I therefore recom-  
mend that the decision of the Commission adverse to them be approved  
by you.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

END-176

ME 1841

COPY.

Muskogee, Indian Territory, November 11, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on October 30th, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes refusing to identify as Mississippi Choctaws the several persons included in the consolidated case of Gray W. Phillips, et al.

Respectfully,

*Tams Pixby.*

Commissioner.

N O R 1641

COPY.

Muskogee, Indian Territory, November 11, 1906.

Gray W. Phillips,  
 Cadeo, Indian Territory.

Dear Sir:

You are hereby notified that on October 30th, 1906, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes rendered January 27, 1905, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated Mississippi Choctaw case of Gray W. Phillips, et al.

This case is now considered closed and it is not believed that any of the applicants therein are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chick-  
 saw tribes.

Respectfully,

*James Bixby.*

Commissioner.

NOV 1941

10 P. 1.

Muskogee, Indian Territory, November 11, 1906.

G. W. Walters,  
Attorney at Law,  
San ~~John~~, Texas.

Dear Sir:

You are hereby notified that on October 30th, 1906, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes rendered January 27, 1906, refusing to identify as Mississippi Choctaws the several persons included in the consolidated case of Gray W. Phillips, et al.

This office now considers said case closed, and it is not believed that any of the applicants therein are in any manner entitled to possessory rights of the tribal property of the Choctaws and Chickasaws.

A copy of departmental letter of October 30th is herewith enclosed for your information.

Respectfully,

*Tamm Dwyer*

Commissioner.

NOV 11/12

7733-1901? Gray W. Phillips, Caddo, I.T.

MCR 1641 Gray W. Phillips, et al.

On March 28, 1901, Gray W. Phillips appeared before the Commission at Atoka, Indian Territory, and applied for the identification of himself and minor children as Mississippi Choctaws. The affidavits of Arabella Brown and William R. Scott are on file with the record in this case. If it is not contrary to the customs of the Commission, the name of Mr. Hayden Linebaugh might be given to Mr. Phillips, as he has already made certified copies of affidavits on file with the Commission in several cases, and he is a Notary Public.

Atoka, June 6, 1901.

AD

No. 1541

For Identification as a Mississippi Choctaw.

Date Mich 25. 1901

Name Gray W. Phillips

Age 50 Blood 1/4

Post Office, Caddo, I. T.

Father: Joseph W. Phillips d

Mother: Elizabeth G. " d

Claims through mother -

wife,

Salemnia Phillips.

Children:

Grace W. 19

Sarah A. 17

John A. 14

Gray T. 12

Ernest C. 8

Martha C. 4

Claims for self  
and children.

Stenographer:

W. W. Bell.



3/28/1901

Original testimony and  
statement of G. H. Phillips Esq.  
sent to Mr. Birby at Muskogee  
for his consideration upon his  
request.

A.B.

Returned Apr. 13 1901  
CMS

Capt James Pickens

Brother of

Gabriel Pickens, frd Elizabeth G. Pickens

married

Joseph D. Phillips

G. P. Phillips #

chor  
3945

Mary A Phillips, 60 1/2

married

W. H. P. Smith, dead

— Loving,

chor  
3943

Joseph C Smith, 39 1/2

Nancy J. Smith

chor  
3947

William R Smith, 33 1/8

wife

Mary E Smith

chor  
3948

Thomas H. P. Smith, 36 1/2

wife

Martha J. Smith, D. W.

chor  
3936

Charles P. Smith, 30 1/2

wife

Ellie Smith

chor

3935 Gertrude E. Smith, 14

Henry D Smith, 10

Cleo E Smith, 8

John M Smith, 6

Ella + Smith, 3

Onie M Smith 1 mo

chor  
3944

Arthur R Smith, 5 mo

chor

3949 Mary M Smith, 9

Annie Smith, 7

Laura V. Smith, 2 mo

Addie Smith, 3 mo

chor

3934 Ottoma Smith, 16 mo.

Olive Smith, 6 mo.

chor

3946 Daniel A Smith, 21 1/2

chor

3921 Mack D Smith, 21 1/8

Marcus L Hickman 33 1/8

William B Hickman ?

Lyle Phillips, de

+ = Admitted by U.S. Court Central Dist, Case # 70

# = Refused . . . . .

REFER TO M. O. R. 1548

Gray W. Phillips et al

Consolidated Case

Margaret H Phillips?

Sarah Phillips ?

Eliza Phillips ?

Gabriel Phillips, full Elizabeth G. Pickens, D

married

Joseph D Phillips D

met  
1541

Gray W Phillips, 50. 1/2

married

Salemmia Anderson

met #  
1099

Andrew D Phillips  
21. '18

met  
1541

Jesse W. Phillips, 19

" Sarah A Phillips, 17

" John A Phillips, 14

" Gray J. Phillips 12

" Grover C. Phillips, 8

" Martha E. Phillips 4

# Refused by U. S. Court, Central Dist. Case # 71

Choctaw MCR 1542

John Dewitt

MCR 1542

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

-----

In the matter of the application of John Dewitt, et al.,  
for identification as Mississippi Choctaws, H.C.R. 1542.

List of papers forwarded to the Secretary of the Interior  
comprising the record in the case of  
John Dewitt, et al.

	(Page)
Original application of John Dewitt, et al., before the Dawes Commission for identification as Mississippi Choctaws . . . . .	1
Certified copy of marriage license of J.H. Dewitt and Laura Bush . . . . .	6
Decision of the Commission denying the application of John Dewitt, et al., for identification as Mississippi Choctaws . . . . .	7

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DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 26, 1901.

In the matter of the application for identification as Mississippi Choctaws of John Dewitt and his minor child. John Dewitt having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A John Dewitt.  
 Q What is your age? A My age is twenty six years.  
 Q What is your post office address? A Ardmore, Indian Territory.  
 Q How long have you lived at Ardmore? A I have lived there six months and a few days.  
 Q Where did you live before you lived in Ardmore? A Paris, Texas.  
 Q How long did you live in Paris, Texas? A All my life.  
 Q Born there? A Yes sir.  
 Q What is your father's name? A Judge Dewitt.  
 Q J- u- d - g - e? A Yes sir.  
 Q Is he living? A I could not tell you.  
 Q What is your mother's name? A Phyllis Hickerson.  
 Q Dewitt, isn't it? A Phyllis Hickerson.  
 Q Before she was married? A After she married Hickerson.  
 Q Did she get a divorce from Judge Dewitt? A I don't know.  
 Q What did you say that name is? A Phyllis Hickerson.  
 Q Is she living? A No sir, she is dead.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Through my mother.  
 Q How much do you claim? A One fourth  
 Q You say you don't know whether your father is living or dead?  
 A No sir.  
 Q Was he a colored man? A No sir.  
 Q What was he? A White man.  
 Q Had no colored blood? A Why, if it is it came through my mother's side.  
 Q I say he had no colored blood? A No sir.  
 Q Or Indian blood? A No sir.  
 Q Was your mother or any of her people colored people? A Her father was colored.  
 Q Her father? A Yes sir.  
 Q How much colored blood did she have, do you know? A No sir.  
 Q How much Indian blood did she have? A Said to be half; her mother was Choctaw Indian; that is what she claims.  
 Q Were any of your mother's kin people slaves? A Well, I don't know.  
 Q Did your mother ever live in the Indian Territory?  
 A I don't know that; I could not tell.  
 Q You say her name is Phyllis Hickerson? A Yes sir.  
 Q And you don't know whether Judge Dewitt is living or dead?  
 A No sir, I don't know.  
 Q Do you know whether she obtained a divorce from him? A I could not tell that either. I don't know.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A How is that?  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.

- Q Did you ever make application for enrollment as a citizen to the Choctaw tribal authorities? A No sir.
- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.
- Q Is this the first application of any kind that you have ever made either for enrollment or citizenship in the Choctaw Nation either to the Choctaw tribal authorities or the Dawes Commission?
- A Yes sir, this is the first time.
- Q You now claim the right to be identified as a Mississippi Choctaw?
- A Yes sir.
- Q Under what treaty or treaties do you make this claim?
- A Under what treaty or treaties? Under the treaty of 1830.
- Q Do you claim under all of the treaty of 1830? A No sir.
- Q Under what part of it do you claim? A Under the fourteenth article of the treaty of 1830.
- Q Do you claim anything under the fifteenth or nineteenth article of the treaty of 1830? A No sir.
- Q Do you claim anything under the supplement to that treaty? A No sir.
- Q Did you ever hear of the treaty of Dancing Rabbit Creek? A No sir.
- Q Do you know whether that treaty is the same as the treaty of 1830?
- A No sir, I don't.
- Q Do you know between whom the treaty of 1830 was made? A No sir.
- Q Did the United States Government have anything to do with it?
- A I think so; yes sir.
- Q Did the Choctaw Indians living in the Indian Territory have any thing to do with it? A Yes sir.
- Q How could they? The treaty of 1830 was made before they came here?
- A That is my understanding that through the treaty of 1830 they get their rights as Mississippi Indians.
- Q Well, did they get their rights before they left Mississippi or after? A After I think.
- Q After they left Mississippi was it? A Yes sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A My mother, Phyllis Hickerson.
- Q Your mother? A Yes sir.
- Q She is the ancestor through whom you claim? A Yes sir.
- Q Did she live in Mississippi in 1830? A She did.
- Q What? A She did.
- Q Did she within six months after the ratification of the treaty of 1830, tell the United States Indian Agent then living in Mississippi, Colonel Ward, that she intended to stay in Mississippi and take land there and become a citizen of that state? A I don't know.
- Q Do you know whether she came from Mississippi to the Indian Territory in the years 1833 to 1837 with the other Choctaw Indians?
- A She did not.
- Q Do you know why she did not? A Don't know just why she didn't; no sir.
- Q Do you know the name of her father? A No sir.
- Q Do you know the name of her mother? A No sir, I could not give it just exactly.
- Q Do you know the name of any of her ancestors? A No sir.
- Q You don't know much about her people? A No sir.
- Q Where was she born in Mississippi? A Just what place I don't know.
- Q Where did she die? A She died in Paris.
- Q Texas? A Yes sir.
- Q How old was she when she died? A I don't know exactly, it would take me some little time to estimate, but if she was living now



- she would be sevent three.
- Q If she were living now in 1901 she would be seventy three years old? A She would be seventy three, yes.
- Q Can you tell what date she was born? A No sir, I could not.
- Q Or the place where she was born in Mississippi? A No sir.
- Q Anything about her people? A No sir, I could not tell.
- Q Anything about her family history? A No sir.
- Q How do you know that she had any Choctaw blood? A Well, just by the statements that she has given and what the people tell me and what she told me.
- Q What people told you? A People in the community in which we lived.
- Q Down in Texas? A Yes sir.
- Q What do they know about how much blood she had? A Why from information they had received from her and others who had known her from a child.
- Q Everybody in the community told you? A Not every body.
- Q I mean common talk that she was a half breed? A Yes sir.
- Q That her mother was a full blood? A Well, I won't say; I think so my mother claimed to be a half breed.
- Q Did she tell you so? A Yes sir.
- Q Have you any documentary proof of that fact? A What is that?
- Q Have you any documentary proof of that, proof in writing, that she was a half blood? A I haven't, but I can get it.
- Q You haven't it with you? A No sir.
- Q Did she conform to all the conditions of article fourteen of the treaty of 1830? A Well, I don't know.
- Q Was she a beneficiary under article fourteen of the treaty of 1830?
- A Was she beneficiary?
- Q Yes. That is, did she receive any benefits under it?
- A No sir, I don't think she did; I don't know.
- Q Did she claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A No sir.
- Q Have you ever received any benefits in Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Laura Dewitt.
- Q Is she a white woman? A No sir.
- Q What is she? A She is a colored woman.
- Q Do you make any claim for her? A I don't know whether I can or not; no sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.
- Q What is the name of the oldest? A Priccy Dewitt.
- Q P-r-i-c-c-y? A Yes sir.
- Q Is that a boy? A Girl.
- Q How old? A Three years old.
- Q Any others? A That is all.
- Q Is Laura Dewitt the mother of Priccy? A Yes sir.
- Q And you are the father? A Yes sir.
- Q Are you and Laura Dewitt living together as husband and wife?
- A No sir, we are not.
- Q Is Priccy living with you at your home? A No sir, she is with her mother.
- Q Then you haven't the charge of her. How is it that you and Laura Dewitt are not living together? A We just can't agree and we separated.
- Q Have you or she obtained a divorce? A No sir.
- Q How long have you been living apart? A Three years and four months.
- Q How long has Priccy been with her mother? A All her life.
- Q You never had charge of the child? A No sir.

- Q You gave the custody of the child to the mother? A Yes sir, the mother raised the child.
- Q Well, I say did you voluntarily give the custody of the child to the mother? A No sir, I let her take her 'while she was well', of course I could not take care of it as well.
- Q Was not? A I didn't think a father could do as much for a child as a mother.
- Q You had the means to do so had you? A Yes sir.
- Q Well, is it your purpose to claim the child from the mother?
- A How is that?
- Q Is it your purpose to take charge of the child? A Certainly.
- Q Then are you going to do so? A Why, when the child can easily do without its mother; I could not do as well for it.
- Q Why is it that you or your wife have neither one secured a divorce?
- A Why, whenever I have made out an application for divorce-- the first time I received a communication from Garnet Smith and Merritt she had made application for divorce and got blanks to sign.
- Q She has made application for divorce? A Yes sir.
- Q On what ground? The ground she claimed was cruel treatment.
- Q That divorce has not been granted yet? A No sir.
- Q Is it pending yet? A I don't know; I have not seen the lawyers or anything since, and she told me when I saw her since that she just stopped it, she didn't get it.
- Q Then until that action is decided you consider that you have the right to the child? A I do.
- Q Well, now, when do you propose to get possession of that child?
- A Well, my intention was to take possession of it this fall if I possibly could.
- Q You are going to make a legal claim, are you? A That is my intention.
- Q Do you propose to contest the action of divorce that she has brought against you? A How is that.
- Q Are you going to fight the action of divorce that she has brought against you? A No sir.
- Q You are not? A No sir.
- Q Going to let her get it? A Yes sir.
- Q Well, then, she will get the custody of the child, won't she?
- A I don't think she can.
- Q Are you going to contest for the possession of the child? A Yes sir.
- Q On what ground? A On the ground that I think I am more capable to take care of the child.
- Q Have you any documentary evidence you want to file now? A No sir.
- Q Would you like time? A Yes sir.

Twenty days from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Have you your marriage license and certificate that you want to file now? A No sir, I haven't it with me.
- Q Would you like the same time to file the marriage license and certificate? A Yes sir.

Twenty days from the date hereof is granted applicant in which to file marriage license and certificate.

- Q Is there anything further that you want to say in support of this application? A No sir.

John Devitt 8

The decision of the Commission in regard to this application which you make for yourself and this child, Priccy, for identification as Mississippi Choctaws, will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 26, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 26 day of March, 1901.

*Charles McLawrence*

Notary public.

*M*

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

In the matter of the application of John Dewitt, et al.,  
for identification as Mississippi Choctaws, H.C.R. 1848.

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

It appears from the record herein that application for  
identification as Mississippi Choctaws was made to this Commission  
by John Dewitt for himself and his minor child, Friccy Dewitt, under  
the following provision of the act of Congress approved June 20,  
1866 (19 Stat., 406):

"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 hear and try all claims  
therein, examine witnesses and perform all other acts necessary  
therein and make report to the Secretary of the Interior."

It also appears that the said applicants claim rights  
in the Choctaw lands under article fourteen of the treaty between  
the United States and the Choctaw Nation, concluded September twenty-  
seventh, eighteen hundred and thirty, by reason of being descendants

(2)

of one Phyllis Hickerson, who is alleged to have been a half blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

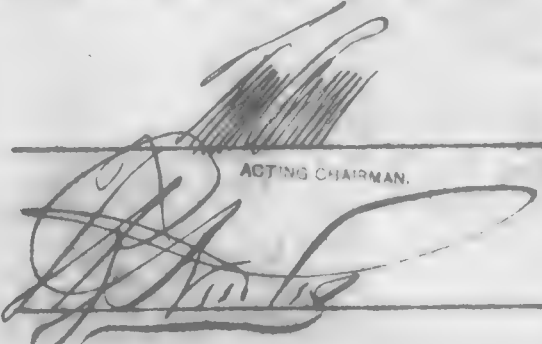
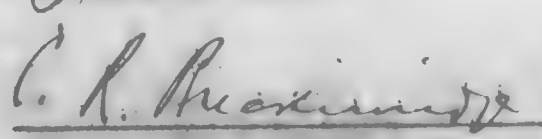
It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Phyllis Hickerson signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (9 Stats., 180) and August 22, 1860 (9 Stats., 512).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John Hewitt and Fanny Hewitt, as Choctaw Indians entitled to rights in

(3)

the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

  
\_\_\_\_\_  
ACTING CHAIRMAN.  
  
\_\_\_\_\_  
Commissioners.

Muskogee, Indian Territory,

JUL 25 1902

COPY.

H.C.R. 1842

Mustagee, Indian Territory, July 25, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of John Dewitt, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 25, 1902.

The Commission has the honor to report that the principal applicant herein and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letter being attached to the record.

Respectfully,

SIGNED:

*T. B. Needles.*

Commissioner in Charge.

Through the  
Commissioner of Indian Affairs.  
& enclosure.

COPY.

H.C.R. 1948

Mustagee, Indian Territory, July 25, 1908.

Messrs. Mansfield, McFarrey & Gernick,  
Attorneys for the Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 25th day of July, 1908, the Commission to the Five Civilized Tribes rendered a decision in the case of John Devit, et al., applicants for identification as Mississippi Choctaws:

This application was made under the provision of the act of Congress of June 28, 1906 (34 Stat., 496) which is as follows:

"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, contained in the Statutes at Large, chapters numbered and titled, and to issue warrants and orders of sale, and to make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John Devit and Princy Devit, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this



(N E 6 0)

Have forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

H. O. R. 1842

OPY.

Muskogee, Indian Territory, July 28, 1902.

John Hewitt,  
 Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 25th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of John Hewitt, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provisions of the act of Congress of June 20, 1898 (30 Stat., 496) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article thirteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-second, eighteen hundred and thirty, and to transmit to the Secretary of the Interior, within six months after the expiration of the term of office of the Commission, a report to the Secretary of the Interior."

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of John Hewitt and Frank Hewitt, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of article thirteen of the treaty of 1832, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this

(7-5)

Have forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

Registered.

*I. B. Needles*  
Commissioner in Charge

N.C.R. 1848

Atoka, Indian Territory, August 2, 1908.

Atoka, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th inst., in which you state that you appeared before the Commission at Atoka, Indian Territory, in March, 1901, for enrollment as a Mississippi Choctaw.

In reply you are informed that it appears from our records that you are an applicant for the identification of yourself and your minor daughter, Fricoy, as Mississippi Choctaws, having made your application at the office of the Commission at Atoka, Indian Territory, March 24, 1901.

The Commission on July 20, 1908, rendered its decision, denying the right of yourself and minor daughter to identification as Mississippi Choctaws, and on the same day notified you by registered mail of such decision and of the provisions of the statute in that respect, and of the fact that you are hereby notified to be the secretary of the Interior for the purpose.

Yours truly,

John C. ...

-:- COPY -:-

Land

45,096-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Nov. 4, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to submit for your consideration the record of the Commission to the Five Civilized Tribes in the matter of the application of John Dewitt, et al., for identification as Mississippi Choctaws, wherein the Commission rendered a decision adverse to the applicants on July 25, 1902.

The applicants in this case base their claims on descent from one Phyllis Hickerson who is alleged to have been a half blood Choctaw Indian and to have resided in Mississippi in 1830.

In its decision the Commission says it does not appear from the testimony and evidence offered in support of said application or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article 14 of the treaty of 1830, and to persons

who heretofore were claimants thereunder, that said Phyllis Hickerson signified in person or proxy to Col. William Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article 14 or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims.

The testimony of John Dewitt in this case shows that his mother, through whom he claims, could not have been to exceed two years of age in 1830; that she married one Dewitt and afterwards married Hickerson, but there is no question asked nor any answer elicited with reference to the surname of Phyllis Dewitt-Hickerson in 1830. There were beneficiaries under the 14th article of the treaty of 1830 of the name of Phyllis and I am not satisfied to make a recommendation in this case without further investigation by the Commission with reference to the maiden name of Phyllis Hickerson.

I therefore recommend that this case be remanded to the Commission for further investigation with reference to that fact.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(E. R. H.)

P.

-:- COPY -:-

D.C. 21631.

I.T.D. 6816-1902.

I.R.S.

J.P.

W.H.

DEPARTMENT OF THE INTERIOR.

Washington, November 8, 1902.

The Commission

to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the Mississippi Choctaw case of John Dewitt and Friccy Dewitt, transmitted with your letter of July 25, 1902, you having on that day rendered your opinion holding that the evidence was not sufficient to determine the identity of said parties as Choctaw Indians entitled to rights in the Choctaw Nation under the provisions of Article 14 of the treaty of 1830.

The applicants in this case base their claim on descent from Phyllis Nickerson, who is alleged to have been a half blood Choctaw Indian, and to have resided in Mississippi in 1830.

November 4, 1902, reporting in the matter, the Commissioner of Indian Affairs refers to that portion of your decision

which states that it does not appear from the testimony and evidence offered, or from the records in the possession of your Commission relating to persons who complied or attempted to comply with the provisions of said article 14, and to persons who heretofore were claimants thereunder, that said Phyllis Hickerson signified, in person or by proxy, to the Indian Agent, Choctaw Agency, an intention to comply with the provisions of said Article 14, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims.

He states that as it appears that Dowitt's mother, Phyllis Hickerson, could not have been less than two years of age in 1830, and as there was no question asked, nor any answer elicited with reference to the surname of Phyllis Hickerson in 1830, and as there were beneficiaries under the 14th article of said treaty of the name of Phyllis, he is not satisfied to make a recommendation in this case without further investigation by you with reference to the maiden name of Phyllis Hickerson. He recommends that the case be remanded for further investigation.

The applicant has failed after due opportunity, to furnish any evidence whatever indicating that his alleged ancestor ever complied or attempted to comply with the provisions of the 14th article of the treaty of 1830. He stated that he knew nothing of his mother's people and nothing of her <sup>family</sup> history; that he merely has been informed that she had Choctaw Blood and that



It is claimed to have resolved to do in ...  
Under the circumstances ...  
reported in ...  
You will, in giving notice of this decision, furnish the applicant  
with a copy hereof and of the Commissioner of Internal Revenue's  
letter, in order that he may make application to the Department,  
through your Commission, for a rehearing if he sees proper.

A copy of the Commissioner's letter is enclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

P.S.D.

1 inclosure.

M. C. R. 1842.

Muskogee, Indian Territory, November 20, 1902.

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

Gentlemen:

You are hereby advised that on the 8th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of John Dewitt, et al., of which decision you were advised by mail on the 28th day of July, 1902.

By direction of the Secretary of the Interior, the principal applicant has this day been furnished a copy of his letter affirming the decision of the Commission in this case, together with a copy of the letter of the Commissioner of Indian Affairs reporting thereon.

Respectfully,

SIGNED.

*Tame Dinby.*

Acting Chairman.

M.C.R. 1542

Muskogee, Indian Territory, November 22, 1902.

John Dewitt,

Armore, Indian Territory.

Dear Sir:

You are hereby advised that on the 8th day of November, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of John Dewitt, et al., of which decision you were advised by registered mail on the 28th day of July, 1902.

The Commission is directed to furnish you a copy of the letter of the Secretary of the Interior affirming the decision of the Commission in this case, together with a copy of the letter of the Commissioner of Indian Affairs reporting thereon, and the same are herewith inclosed.

Respectfully,

(SIGNED).

James L. Dwyer.

Acting Chairman.

Inclosures.  
NOB 1

M. T. 1542.

Muskogee, Indian Territory, December 8, 1902. ,

Enc. Rules & Reg.

John Dewitt,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st inst., in which you state that you desire to take depositions in proof of the maiden name of your mother, Phillis Hickerson, with a view of asking for a rehearing of your case, in accordance with the ruling of the Secretary of the Interior thereon. In conclusion, you ask how to proceed to take such depositions.

There is enclosed you herewith a copy of the rules and regulations promulgated by this Commission governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws.

Depositions taken in conformity therewith showing the maiden name of your mother, Phillis Hickerson, and compliance on the part of your ancestors through whom you claim your right to identification as a Mississippi Choctaw, will receive the consideration of the Commission.

Respectfully,

Enc. Rules & Reg.

Acting Chairman.

DECISION RENDERED JUL 23 1900  
DECISION MAILED APPLICANT JUL 23

DECISION MAILED ATTORNEYS  
DOCTAW AND CHICKASAW NATIONS JUL 23

RECORD FORWARDED DEPARTMENT

APPROVED BY SECRETARY OF INTERIOR  
NOV 8

DEPARTMENTAL ACTION  
NLV

DEPARTMENTAL ACTION  
FOR CHICKASAW

For Identification as a Mississippi Citizen.

Date Feb 26, 1901

Name John Hewitt

Age 26 - Blood 1/4

Post Office Ardmore, D. T.

Father: Judge Hewitt, -

Mother: Phie's Henderson, d

Claims through Mother

and

Laura Hewitt

Children:

Pricey (girl) 3

Stenographer:

2300

Choctaw MCR 1543

Sarah W. Johnson

See MCR D.1

MCR 1543

*W. Johnson*

REFER TO M. C. B. D. I.

# REFUSED.

DECISION RENDERED. MAR 2 1902

NOTICE OF DECISION MAILED APPLICANT.

MAR 15 1902

NOTICE OF DECISION  
FORWARDED ATTORNEY  
FOR APPLICANTS.

MAR 15 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

MAR 15 1902

RECORDS FORWARDED DEPARTMENT.

MAR 15 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

APR 14 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

APR 24 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

APR 24 1902



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 26, 1901.

In the matter of the application for identification as Mississippi Choctaws of Sarah N. Johnson and her minor children. Sarah N. Johnson, having been duly affirmed, testifies as follows:

Examination by the Commission.

- Q What is your name? A Sarah N. Johnson.  
 Q What is your age? A Twenty eight.  
 Q What is your present office address? A Sulphur, I.T.  
 Q Sulphur? A Yes sir.  
 Q Indian Territory? A Yes sir.  
 Q How long have you lived at Sulphur? A I come there the third day of last June.  
 Q Where did you live before you lived in Sulphur? A Lived in Texas.  
 Q Where in Texas? A In different portions; I lived in McClellan County and Bailey County.  
 Q Where were you born? A In Missouri.  
 Q Where in Missouri? A In Denton County.  
 Q Denton County? A Benton County.  
 Q B-e-n-t-o-n? A Yes sir.  
 Q When did you leave Missouri? A When I was about eight years old.  
 Q Where did you go? A To Arkansas.  
 Q How long did you remain in Arkansas? A Till ten years ago in October.  
 Q And you went to Texas from there? A Yes sir.  
 Q And lived there until you removed to Sulphur? A Yes sir.  
 Q What is your father's name? A Glover.  
 Q What is the full name? A William R. Glover.  
 Q G-l-o-v-e-r is it? A Yes sir.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Glover.  
 Q What is her name? What is her given name? A Lucinda.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Mother.  
 Q How much do you claim? A One sixteenth.  
 Q Does your mother live in the Indian Territory? A Yes sir.  
 Q How long has she lived in the Indian Territory? A Since last May.  
 Q Since last May? A Yes sir.  
 Q Has she ever been recognized by the tribal authorities of the Choctaw Nation as a Choctaw Indian? A Well she went before the Commission about three weeks ago.  
 Q What Commission was that? A Here.  
 Q Well, the question is, was she ever recognized as a Choctaw Indian by the Choctaw tribal authorities? A Not as I knew of.  
 Q She made application for identification as a Mississippi Choctaw here three weeks ago? A Yes sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application for enrollment as a Choctaw Indian?  
 A No sir.  
 Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on ap-

- deal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for citizenship or enrollment as a citizen to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.
- Q Is this the first application that you have ever made of any description, either to the Dawes Commission or the Choctaw tribal authorities? A Yes sir.
- Q You now seek to be identified as a Mississippi Choctaw? A Sir?
- Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.
- Q Do you know under what treaty or treaties you make this claim? A No sir.
- Q Do you know anything about the treaty of 1830? A No sir.
- Q Did you ever hear of it? A No sir.
- Q Did you ever hear of the treaty of Dancing Rabbit creek? A No sir.
- Q Do you know is that is the same treaty? A No sir.
- Q Do you know whether you claim under the whole treaty of 1830, or only under an article of it? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830, your kin, I mean? A Yes sir, well my great grandfather.
- Q What was his name? A Jimmy Harris.
- Q James Harris? A Yes sir.
- Q Your great grandfather on your mother's side? A Yes sir.
- Q Did he live in Mississippi in 1830? A I don't know.
- Q Do you know whether he, within six months after the ratification of the treaty of 1830, told the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi and take land there and become a citizen of that state? A No sir.
- Q Did he come from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1833 to 1837? A Not as I know of.
- Q Was he a beneficiary under article fourteen of the treaty of 1830? A I don't know.
- Q Did he comply with any or all of the conditions of article fourteen of that treaty? A I don't know.
- Q Did he claim or receive any land in Mississippi from the United States Government as a beneficiary under article fourteen of that treaty? A I don't know.
- Q Have you ever received any benefits in Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Johnson.
- Q Full name? A George Wesley.
- Q Do you make any application for him? A No sir.
- Q Have you any children that you wish to make application for? A I have four.
- Q Under twenty one years of age and unmarried? A Yes sir.
- Q What is the name of the eldest? A Maggie L.
- Q How old is she? A Ten years old February.
- Q The next? A Eva May.
- Q How old is she? A Eight.
- Q Next? A John R?
- Q How old? A Five.
- Q Any other? A One, James W.
- Q How old? A Two years old in August.
- Q Two? A Yes sir.
- Q Is that all? A Yes sir.
- Q Is George W. Johnson the father of these children? A Yes sir.
- Q Are you the mother? A Yes sir.
- Q Are you and he living together as husband and wife? A Yes sir.
- Q Are these children living with you at your home? (No answer)

Sarah N. Johnson 3

- Q Are these children living with you at your home? A Yes sir, I have two of them with me and the other two is at home.
- Q The basis of their claim is the same as yours, isn't it? A Sir?
- Q The basis of their claim is the same as yours? They claim through you? A Yes sir.
- Q Have you any documentary evidence you want to file now? A No sir.
- Q Would you like time in which to file it? A Yes sir.

Twenty days from the date hereof is allowed applicant in which to file such documentary evidence as she may desire in support of her application.

- Q Is there anything further you want to say that you can think of? ( No answer)
- Q Did you say? A Well, Henry Harris was my grandfather.
- Q Henry Harris was your grandfather? A Yes sir.
- Q Was he a Choctaw Indian? A Yes sir.
- Q How much blood did he have? A One quarter.
- Q Is there anything more you would like to say? A No sir, I believe not.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and these children will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on March 25, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 26 day of March, 1901.

*Charles H. Sawyer*

Notary public.

COMMISSIONERS  
HARRY L. DAVIS,  
TAMM DIXON,  
THOMAS S. NEEDLES,  
C. R. BOCKENRIDGE.

ALLISON L. AYLESWORTH,  
SECRETARY.

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 29, 1901.

Sarah E. Johnson,  
Sulphur, Indian Territory.

Dear Madam:

In the matter of the applications for identification  
as Mississippi Choctaws of

John Harris et al., John L. Jones,  
Margaret E. Rodgers et al., James M. Jones et al.,  
Nannie A. Lawson et al.,

you are informed that under date of July 31, 1901, the Commissioner of Indian Affairs remanded to this Commission the records theretofore forwarded the Department for approval, with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such applications.

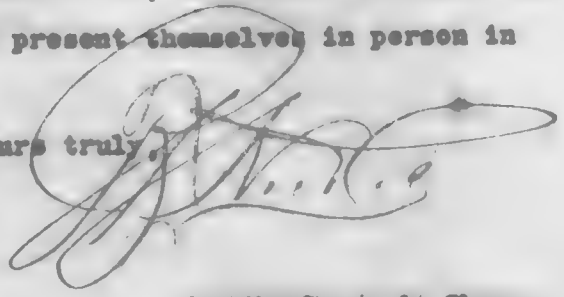
It appears from our records that at Atoka, Indian Territory, on March 26, 1901, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and four minor children, claiming descent from the same common ancestor.

In accordance with the instructions above referred to, you are hereby notified that at the office of the Commission to the Five Civilized Tribes, Muskogee, Indian Territory, on Monday,

S. H. J.--2.

January 13, 1902, at nine o'clock A. M., there will be heard the testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

A large, stylized handwritten signature in cursive script, likely belonging to the Commissioner in Charge, is written over the typed name.

M.C.-1543

Commissioner in Charge.

COMMISSIONERS  
HENRY L. DAUBS,  
TAMM BERRY,  
THOMAS B. NEEDLES,  
C. R. BUCKENBIDGE.

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 1543

ALLISON L. AYLESWORTH,  
SECRETARY.

COPY.

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 15, 1902.

Sarah N. Johnson,  
Sulphur, Indian Territory,  
Dear Madam:

You are hereby advised that on the third day of March, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John S. Martin, et al., embracing the following applications for identification as Mississippi Choctaws:

John S. Martin, et al.,	M.C.D.	1
Margaret Emeline Rodgers, et al.,	M.C.R.	13
Lemuel Harris, et al.,	M.C.R.	10
John Harris, et al.,	M.C.R.	11
James M. Jones, et al.,	M.C.R.	12
Robert Columbus Jones,	M.C.R.	14
John Lewis Jones,	M.C.R.	15
Celestia T. Hurst, et al.,	M.C.R.	721
James Madison Harris,	M.C.R.	724
Thomas Jefferson Harris, et al.,	M.C.R.	725
William T. Harris, et al.,	M.C.R.	915
Grant Harris, et al.,	M.C.R.	917
Cordelia Rogers, et al.,	M.C.R.	919
Mattie Findley, et al.,	M.C.R.	920
Birdie Richards, et al.,	M.C.R.	997
Ota White, et al.,	M.C.R.	1001
Rhoda A. Rowland, et al.,	M.C.R.	1005
James M. Martin, et al.,	M.C.R.	1004
Dollie Ralls,	M.C.R.	1007
Sara E. Rowles, et al.,	M.C.R.	1006
Dora Lee Caldwell, et al.,	M.C.R.	1008
Mattie J. Denning, et al.,	M.C.R.	1009

Nannie May Gilvin, et al.,	M.C.R.	1010
Izzie Lee Wood, et al.,	M.C.R.	1011
Carl Clark,	M.C.R.	1012
Estella Trice, et al.,	M.C.R.	1013
Susan Lucinda Glover, et al.,	M.C.R.	1441
Mary J. Smith, et al.,	M.C.R.	1442
Sarah N. Johnson et al.,	M.C.R.	1543
Mary J. McDaniel, et. al.,	M.C.R.	3208
Martha J. Odneal, et al.,	M.C.R.	3209
Matilda Sullins, et al.,	M.C.R.	3212
Lucinda Francis Duncan, et al.,	M.C.R.	3288
William Alfred Duncan,	M.C.R.	3289
Fannie Adcock, et al.,	M.C.R.	3290
Luenettie Carpenter,	M.C.R.	3291
James Franklin Carpenter, et al.,	M.C.R.	3292
Susan Dale, et al.,	M.C.R.	2818
Fannie A. Lawson, et al.,	M.C.R.	16
Viola J. Oakman, et al.,	M.C.R.	716
Eliza J. Martin, et al.,	M.C.R.	717
Willis W. Martin,	M.C.R.	719
Aubrie Lawson, et al.,	M.C.R.	722
Charles C. McAdoo,	M.C.R.	723
Eva Chandler, et al.,	M.C.R.	1042
Roberta J. McAdoo,	M.C.R.	1043
Ellen Chambers,	M.C.R.	2595
Francis M. Martin, et al.,	M.C.R.	2819
Mary C. Martin,	M.C.R.	3200
Margie A. Miller, et al.,	M.C.R.	3210
Harvey A. Martin, et al.,	M.C.R.	3218
Mary Leona Swarner, et al.,	M.C.R.	3287
George A. Chambers, et al.,	M.C.R.	3440
Susan Coffelt, et al.,	M.C.R.	2698
Nancy J. Walser, et al.,	M.C.R.	3204
John G. Snodgrass, et al.,	M.C.R.	3207
William Harris, et al.,	M.C.R.	3211
Sarah E. Snyder, et al.,	M.C.R.	3769
Charles C. Snyder, et. al.,	M.C.R.	3770
William L. Snyder, et al.,	M.C.R.	3484
Annie L. Kerfoot, et al.,	M.C.R.	3849
John T. Snyder,	M.C.R.	3850
Edmond P. Snyder, et al.,	M.C.R.	3851
Sallie T. Bristow, et al.,	M.C.R.	4225
William Stanton Mundell,	M.C.R.	1014
Daniel W. Son, et al.,	M.C.R.	1386
John W. Son, et al.,	M.C.R.	1385
James F. Son, et al.,	M.C.R.	1387
George W. Son, et al.,	M.C.R.	2594
Finis M. Son,	M.C.R.	2596
Maggie Bradford, et al.,	M.C.R.	2597

Irene E. Son,	M.C.R. 2598
Jennie Karstetter, et al.,	M.C.R. 2599
Eliza J. Son,	M.C.R. 2600
Thomas A. Son, et al.,	M.C.R. 3039
Joseph H. Son, et al.,	M.C.R. 3040
Mary R. Wiser, et al.,	M.C.R. 3220
Nancy I. Stark, et al.,	M.C.R. 3221
Anna E. McGinnis, et al.,	M.C.R. 3222
Alice M. Holstein, et al.,	M.C.R. 3660
Frances Mabrey, et al.,	M.C.R. 4511
John S. Harris, et al.,	M.C.R. 4508
Sadie Chambers, et al.	M.C.R. 4509

Said decision, after a review of the evidence submitted, concludes as follows :

“The authority vested in the commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows :

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

“It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Ida May Clark (deceased), Louisa May Martin (deceased), Margaret Emeline Rodgers, Jesse Francis Rodgers, Myrtie Irene Rodgers, Minnie Ola Rodgers, James Alfred Rodgers, Lemuel Harris, Mollie Belle Harris, Nancy Ann Harris, William Thomas Harris, Mary (or Laura) Agnes Harris, Stella Theresa Harris, John Harris, Little John Harris, James M. Jones, Robert Columbus Jones, John Lewis Jones, Celestia T. Hurst, Lallia Pearl Hurst, Henry Jefferson Hurst, Mary Gertrude Hurst, Floyd Raymond Hurst, James Madison Harris, Thomas Jefferson Harris, George Henry Harris, Lola May Harris, William T. Harris, Nannie Bell Harris, Grant Harris, Loyce Jefferson Harris, Euyal Harris, Cordelia Rogers, Willie May Rogers, Roy Rogers, Mattie Findley, Annie Ethel Findley, Thomas Payne Findley, Ira Hershal Findley, Birdie Richards, Lillie Richards, Lonie Richards, Loys Richards, Ota White, John L. White, Rhoda A. Rowland, Lela Rowland, Jimmie Rowland, James M. Martin, Dollie Lee Martin, Jimmie C. Martin, Violet Martin, Vivian Martin, Dollie Ralls, Sarah E. Rowles, John Stephen Rowles, White Rowles, Dora Lee Caldwell, Frankie May Caldwell, John Willis Caldwell, Cory Nell Caldwell, Mattie J. Denning, John Roy Denning, Nannie May Gilvin, Benjamin Franklin Gilvin, Izzie Lee Wood, Jesse Lee Wood, Carl Clark, Estella Trice, Eddie Leon Trice, Archie Leroy Trice, Susan Lucinda Glover, William M. Glover, Matarlee Glover, Mary J. Smith, Otto McDonald, James J. McDonald, Sarah N. Johnson, Maggie L. Johnson, Eva May Johnson, John R. Johnson, James W. Johnson, Mary J. McDaniel, Mordecai



McDaniel, Martha J. Odneal, Flora Odneal, Thomas Odneal, Matilda Sullins, Harvey E. Sullins, Mary H. Sullins, Lucinda Francis Duncan, Emma Belle Duncan, Josie Duncan, Bertha Agnes Duncan, William Alfred Duncan, Fannie Adcock, Beulah Laurine Adcock, Ola Marie Adcock, Luenettie Carpenter, James Franklin Carpenter, Gabriel William Carpenter, Katherine L. Carpenter, Susan Dale, Cora Dale, Maggie Dale, Mattie Dale, Fannie A. Lawson, Laurie I. Ora Lawson, Grover Cleveland Lawson, Estelle Lawson, Valentine Lawson, Viola J. Oakman, Maggie Cecil Oakman, William Norris Oakman, Norman Estill Oakman, Eliza J. Martin, Willis W. Martin, Aubrie Lawson, Charles C. McAdoo, Eva Chandler, Martin Chandler, Merrill Chandler, Willie Winfrey Chandler, Roberta J. McAdoo, Ellen Chambers, Francis M. Martin, Minnie Martin, Sallie Martin, Mary C. Martin, Margie A. Miller, Charley A. Miller, Bertha E. Miller, Jessie F. Miller, Lillie A. Miller, Harvey A. Martin, Myrtle M. Martin, Jesse W. Martin, Johnnie A. Martin, Henry L. Martin, Mary Leona Swarner, Lloyd Paul Swarner, George A. Chambers, Orene L. Chambers, Herbert Chambers, Susan Coffelt, Sarah E. Coffelt, Charles E. Coffelt, Lucy I. Coffelt, Nannie M. Coffelt, Nancy J. Walser, Nellie Gray Walser, John G. Snodgrass, Mary P. Snodgrass, Charlie S. Snodgrass, Lucy H. Snodgrass, William Harris, Tilman G. Harris, Sterling Harris, Nettie S. Harris, John W. Harris, Albert G. Harris, Martin M. Harris, Grover Cleveland Harris, Sam S. Harris, Grace M. Harris, Bertha T. Harris, Sarah E. Snyder, Leoda Snyder, Charles C. Snyder, Glenn E. Snyder, Roy L. Snyder, William L. Snyder, Ernest Snyder, Maudie Snyder, Clarence Snyder, Annie L. Kerfoot, Claude Wallace Kerfoot, John T. Snyder, Edmond P. Snyder, Sallie T. Bristow, Abram W. Bristow, William Stanton Mundell, Nellie May Mundell, Mary V. Mundell, John Whitefield Mundell, Millie Francis Mundell, Margaret D. Mundell, William Reed Mundell, Odre Leroy Mundell, Daniel W. Son, Alma J. Son, Ruth Son, Daniel R. Son, Ireta Son, Macolm Son, James A. Son, John W. Son, Albert E. Son, Minnie M. Son, James E. Son, Henry Son, John H. Son, Mary E. Son, Gertrude Son, Ruth L. Son, Rubie Son, ——— Son (male, unnamed), James F. Son, Edgar E. Son, Landon F. Son, Madge Son, Marie Son, George W. Son, James B. Son, Thomas O. Son, Finis M. Son, Maggie Bradford, Lena Bradford, Lois Bradford, Irene E. Son, Jennie Karstetter, Ethel Karstetter, Wilbur Karstetter, Edith Karstetter, George Karstetter, Eliza J. Son, Thomas A. Son, Alvin D. Son, John E. Son, Blanche E. Son, James B. Son, Goldie M. Son, Elva Maud Son, Della Son, Joseph H. Son, Elsie M. Son, Nellie G. Son, Henry L. Son, Ethel B. Son, Ruth Son, Mary R. Wiser, Roy S. Wiser, Mary A. Wiser, Ernest Ray Wiser, John E. Wiser, Nancy I. Stark, William E. Stark, Pearl E. Stark, Bertie F. Stark, Elmer R. Stark, Clarence E. Stark, John F. Stark, Anna E. McGinnis, Oscar L. McGinnis, Alice M. Holstein, Charles W. Holstein, Clyde E. Holstein, Jean J. Holstein, Frederick A. Holstein, Mark M. Holstein, Paul Holstein, Lorena E. Holstein, Frances Mabrey, Seabern Mabrey, Myrtle Mabrey, John S. Harris, Cornelia Harris, John W. Harris, Nancy E. Harris, Thomas Harris, Lacy Harris, Lee Roy Harris, Porter Harris, Sadie Chambers, Clarence R. Chambers, Mabel M. Chambers, Vera G. Chambers, and Travis Chambers, as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered.

"In view of the fact that a motion was heretofore made by the attorneys for the applicants withdrawing the application made by John S. Martin for the identification of himself, the application of Lemuel Harris for the identification of his wife, Eliza Harris, the application of John Harris for the identification of his wife, Flora Harris, the application of James M. Jones for the identification of his wife, Nancy Ellen Jones, the application of Fannie A. Lawson for the identification of her husband, Sylvanus Lawson, the application of Viola Oakman for the identification of her husband William N. Oakman, the application of Eliza J. Martin for the identification

of her husband, Jefferson C. Martin, the application of Celestia T. Hurst for the identification of her husband, James Munroe Hurst, the application of Aubrie J. Lawson for the identification of his wife, Bertha Lawson, and the application made by Thomas Jefferson Harris for the identification of his wife, Elizabeth Harris, as intermarried Mississippi Choctaws, and that upon said motion said applications were dismissed by the Commission, no further consideration of their cases is necessary."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.



M.C.R. 1843.

COPY

Muskogee, Indian Territory, November 16, 1906.

Sarah M. Johnson,

Roma, Oklahoma.

Dear Madam:

You are hereby notified that the Secretary of the Interior on November 7, 1906, denied the petition filed with this office by J. O. Pool, attorney at law, South McAlester, Indian Territory, on June 26, 1906, for the readjudication of the consolidated Mississippi Chectaw case of John B. Martin, et al.

Respectfully,

SIGNED

*Tams Bixby.*  
Commissioner.

No. 1540  
For Identification as a Mississippi Choctaw.

Date *March 26. 1901*

Name *Sarah A. Johnson*

Age *28*

Blood *1/16*

Post Office, *Suephur, I.T.*

Father: *William R. Glover, d*

Mother: *Lucinda " l*

Claims through *Mother,*

*husband*

*George W. Johnson*

Children:

*Maggie L. " 10*

*Eva M. " 8*

*John R. " 5*

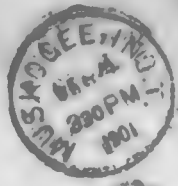
*James W. " 2*

*for self and  
children*

Stenographer:

*Annie Bell*

*Opened  
Thru mistake  
to H. Whitney*



Department of the Interior  
Commission to the Five Civilized Tribes.  
MUSKOGEE, OKLA.  
Penalty for postage, \$300.

~~Sarah H. Johnson,  
Adelphi~~

~~H. Whitney - Will Corbett~~



3

**FILED**  
JAN 2 1912  
COMMUNICATIONS DIVISION

WILL CREEK, INDIAN  
DEC 29  
7 AM

WILL CREEK, INDIAN  
DEC 29  
7 AM

Choctaw MCR 1544

Guy Watson

See MCR 726

MCR 1544



*action.*  
**REFUSED**  
JUL 29 1902  
RECORD FORWARDED DEPARTMENT.

JUL 29 1902

NOTICE OF DECISION MAILED APPLICANT

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS

ACTION APPROVED BY SECRETARY OF INTERIOR

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT

OCT 11 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

OCT 11 1902

REFER TO M. C. R. 726

**REFUSED**

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 26, 1901.

In the matter of the application of Guy E. Watson for identification as a Mississippi Choctaw. Guy E. Watson, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Guy E. Watson.  
 Q What is your age? A Twenty one; I will be twenty two the first day of next April.  
 Q What is your post office address? A Ennis, Texas.  
 Q How long have you lived at Ennis? A I moved there right recently, I haven't been there but a week.  
 Q Where did you live before you lived there? A Commerce, Texas.  
 Q Where were you born? A Aberdeen, Mississippi, Monroe County.  
 Q How long did you live in Mississippi? A I lived there till I was eleven years old.  
 Q And then moved to what state? A Texas.  
 Q And lived there since? A Yes sir.  
 Q What is your father's name? A Henry H. Watson.  
 Q Is he living? A No sir, he is dead.  
 Q What is your mother's name? A Her present name.  
 Q Yes? A Fannie F. McCauley.  
 Q Is she living? A Yes sir.  
 Q What is her husband's name? Present husband? A George C. McCauley.  
 Q White man? A Yes sir.  
 Q Through which one of your parents do you claim Choctaw blood?  
 A Why my mother was one sixteenth and my father was one sixteenth.  
 Q Through both of them? A Yes sir.  
 Q You claim one sixteenth from both of them? That is, they both have one sixteenth? A They both have one sixteenth.  
 Q How much do you claim? A I suppose that would make me one sixteenth that is what I claim, adding them together.  
 Q Did your father or mother ever live in the Indian Territory?  
 A No sir.  
 Q Have they ever been recognized by the Choctaw tribal authorities as Choctaw Indians? A Not that I know of.  
 Q Did you ever make application for enrollment as a citizen to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the Act of Congress of June 10, 1899? A No sir.  
 Q Is this the first application that you have ever made either for citizenship or enrollment either to the Choctaw tribal authorities or the Dawes Commission? A It is.  
 Q The first of any kind? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw?  
 A Yes sir.

- Q Under what treaty or treaties do you make this claim?  
A Under the treaty of 1830.  
Q Under the whole treaty? A No sir.  
Q Under what part? A The fourteenth article.  
Q What is the name of your ancestor who lived in Mississippi in 1830 through whom you claim the right to be identified as a Mississippi Choctaw? A Rebecca pass.  
Q What kin was she to you? A My great grandmother.  
Q On which side? A Both sides.  
Q Did you say what proportion of Choctaw blood she had?  
A She was a quarter breed.  
Q Did she live in Mississippi in 1830? A Yes sir.  
Q Did she, within six months after the ratification of the treaty of 1830, declare to the United States Indian Agent who then lived in Mississippi, that she intended to remain in Mississippi and take land there and become a citizen of that state? A That I don't know.  
Q Do you know whether she came from Mississippi to the Indian Territory in the years 1833 to 1837 when the other Indians came here?  
A No sir, she died in Mississippi.  
Q Was she a beneficiary under article fourteen of the treaty of 1830?  
A She was living in Mississippi at the time.  
Q Well, was she a beneficiary under the provisions of article fourteen of the treaty of 1830? A Well, that I don't know.  
Q Did she comply in any manner with the provisions of article fourteen of the treaty of 1830? A I don't know.  
Q Did she claim or receive any lands in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A That I don't know.  
Q Do you claim under article fifteen or article nineteen of the treaty of 1830? A No sir.  
Q Are you married? A No sir.  
Q Claiming for yourself alone? A Yes sir.  
Q Have you any documentary evidence you wish to submit now and make a part of your application? A Documentary evidence?  
Q Yes, anything in writing? A No sir, I suppose not.  
Q Would you like time in which to present it? A Yes sir.

Twenty days from the date hereof is allowed applicant in which to file documentary evidence in support of this application which he makes in his own behalf.

- Q Is there anything more you would like to say? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw for yourself will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on March 26, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 27 day of March, 1901.

*Charles H. Sawyer*

Notary Public.

Wokogee, Indian Territory, July 20, 1902.

Guy F. Watson,  
 Texas.

Dear Sir:

You are hereby advised that on the 20th, day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of James F. Head, et al., embracing the following applications for identification as Mississippian Chestaws:

James F. Head, et al.,	" C R	726
Laura Pickens, et al.,	"	730
Iddie Head, et al.,	"	731
William A. Head, et al.,	"	732
Alzada Nash, et al.,	"	735
Cassie Elizabeth Camie Lancaster, et al.,	"	900
James H. Head,	"	901
Leonard Mason Head,	"	906
Annie Lee Stith, et al.,	"	908
William Y. Head,	"	909
Danreath Wilkinson, et al.,	"	1137
Owen Head, et al.,	"	1143
James Head,	"	1416
Sidney A. Head, et al.,	"	1430
Sidney I. Watson,	"	1526
James Atkins, et al.,	"	1527
Guy F. Watson,	"	1544
Georgia Vaden, et al.,	"	1747
Fannie McCaskey,	"	1748
Catherine McFee,	"	1749
W. H. Keltner, et al.,	"	1750
W. H. Keltner, et al.,	"	1757
W. H. Keltner, et al.,	"	3227
W. H. Keltner, et al.,	"	3228
W. H. Keltner, et al.,	"	3229
W. H. Keltner, et al.,	"	3230
W. H. Keltner, et al.,	"	3231
W. H. Keltner, et al.,	"	3232
W. H. Keltner, et al.,	"	3233
W. H. Keltner, et al.,	"	3234
W. H. Keltner, et al.,	"	3235
W. H. Keltner, et al.,	"	3236
W. H. Keltner, et al.,	"	3237
W. H. Keltner, et al.,	"	3238
W. H. Keltner, et al.,	"	3239
W. H. Keltner, et al.,	"	3240

-4-

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence in this case is insufficient to determine the identity of James F. Head, Walter Isaac Head, Laura Pickens, William Pickens, Dovie E. Pickens, Herbert Houston Pickens, Jesse Leroy Head, Henry Floyd Head, William A. Head, Olive E. Head, Wm. P. Head, Isaac L. Head, Roxy M. Head, Wirtle . . . Head, Alzada Hash, Willie Irene Hash, James Arthur Hash, Cassie Elizabeth Cammie Lancaster, Hubert W. Lancaster, James D. Lancaster, Lula Edna Lancaster, Boley May Lancaster, Robert L. Stuckey, Mary Stuckey, William G. Stuckey, James H. Head, Leonard Mason Head, Annie Lee Stith, Stella Maud Stith, William Y. Head, Benreath Wilkinson, Marcus Gillespie Wilkinson, Azalee Dunreath Wilkinson, Thomas Moody Wilkinson, Mattie Audry Wilkinson, Owen Head, Lee Head, May Head, Bertha Head, Pearl Head, Ruth Head, Herbert Head, Ralph Head, James Head, Sidney A. Head, Willavry Head, Bessie Lou Head, Hilliard Head, Leonard G. Head, Sidney Head, Sidney I. Watson, James Atkins, Essie O. Atkins, Guy E. Watkins, Georgia Vaden, Leon Vaden, Fannie McCauley, Catherine McKee, Effie Keltner, Walton Keltner, Norman Keltner, Hugh W. Watson, Houston Pete Watson, Theibert Otho head, Carl head, Fannie head, Birdie Head, Ruby Head, L. Eunice Rogillio, Lillie May Rogillio, Clovis Henry Rogillio, Luther Rogillio, Anna Belle Rogillio, Ella Gatlin, Leas Adelia Gatlin, Verdie Lucoll Gatlin, Dora Harvey, Julia Castle, Lessie Castle, Millie J. Wilcox, Belle Wilcox, Ulysses Wilcox, Lurie Wilcox, Dealy Wilcox, Tommy Wilcox, Guy Wilcox, Willie J. Atkins, Alice Marvin Atkins, Ida May Atkins, John R. Atkins and Oreggie Atkins as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

"It is the further opinion of this Commission that under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, no person is entitled to identification as a Mississippi Choctaw by marriage, and that the application made by James F. Head for the identification of his wife, Lucinda Head, by Laura Pickens for the identification of her husband, Joseph Pickens, by Lydia Head for the identification of herself, and by Alanda Hask for the identification of her husband, Robert C. Hask, in each case as an incorporated Mississippi Choctaw, should therefore be refused, as so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SECRET

Registered.

Commissioner in Charge.

Muskogee, Indian Territory, October 11, 1902.

Guy R. Watson,  
Emis, Texas.

Dear Sir:

You are hereby advised that on the 1st day of October, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of James F. Head, et al., of which decision you were advised by registered mail on the 29th day of July, 1902.

Respectfully,

(SIGNED)

*E. J. ...*

Commissioner in Charge.

MCR 1544

Muskogee, Indian Territory, December 5, 1906.

Guy R. Watson,

Rnnis, Texas.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 23, 1906, denied a motion for rehearing filed by Attorney D. H. Linebaugh of Atoka, Indian Territory, June 25, 1906, in the consolidated Mississippi Choctaw case of James F. Head, et al.

Respectfully,

Acting Commissioner.



No. 1544

For Identification as a Mississippi Choctaw.

Date Mich 26. 1901

Name Guy C. Watson

Age 21 - Blood 1/16

Post Office, Ennis, Texas,

Father: Henry C. Watson, d

Mother: Fanny F. McAuley, l

Claims through both 1/16 each

Signature:

For my alone

Stenographer:

Adna Bell

Choctaw MCR 1545

Louis D. Cooper

MCR 1545

*Wm D. Cooper, et al*

# REFUSED

NOTICE OF DECISION MAILED APPLICANT.

JUL 28 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKSAW NATIONS.

JUL 28 1902

RECORD FORWARDED DEPARTMENT.

JUL 28 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 28 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP -5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKSAW NATIONS.

SEP -5 1902

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

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In the matter of the application of Louis D. Cooper, et al., for identification as Mississippi Choctaws, M.C.R. 1848.

List of papers forwarded to the Secretary of the Interior comprising the record in the case of Louis D. Cooper, et al.

	(Page)
Original application of Louis D. Cooper, et al., before the Dawes Commission for identification as Mississippi Choctaws .....	1
Marriage certificate of "Louis D. Cooper and Eliza Richardson .....	4
Marriage license of L.D. Cooper and Mary Belle Yarbrough .....	5
Testimony of Ella Stern, et al .....	6
Affidavit of Abraham Ditty .....	11
Marriage certificate of Louis D. Cooper and Elizabeth Jane Thomas .....	11-4
Decision of the Commission denying the application of Louis D. Cooper, et al., for identification as Mississippi Choctaws .....	12

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DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
AT KA, INDIAN TERRITORY, MARCH 27, 1901.

In the matter of the application for identification as  
Mississippi Choctaws of Louis D. Cooper and his minor children,  
Louis D. Cooper, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Louis D. Cooper.
- Q What is your age? A Forty eight years old.
- Q What is your post office address? A Rogers, Arkansas.
- Q How long have you lived at Rogers? A Six years.
- Q Where did you live before you lived there? A I lived at Cassville between five and six years; six years you might say.
- Q Is that in the same state? A No, that is in Missouri.
- Q Where were you born? A Tennessee.
- Q Where in Tennessee? A Putnam County, near Cookville.
- Q And you removed from Tennessee to where? A Illinois.
- Q And from Illinois? A To Missouri.
- Q And from Missouri? A To Arkansas.
- Q And you live there now? A Yes sir.
- Q What is your father's name? A Caleb Cooper.
- Q Is he living? A No sir, he is not living.
- Q What is your mother's name? A Elizabeth Cooper.
- Q Is she living? A She was the last account.
- Q Through which one of these parents do you claim Choctaw blood?
- A Through my mother.
- Q How much do you claim? A One eighth.
- Q Did your mother ever live in the Indian Territory? A I don't know.
- Q Is your name on any of the tribal rolls of the Choctaw Nation?
- A No sir, I think not.
- Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
- Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No sir.
- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of either the Dawes Commission or the Choctaw tribal authorities? A No sir. I reckon I understand that now, I think I did.
- Q Well, the question, briefly, is if you were admitted to citizenship in the Choctaw Nation by judgment of a United States Court? A No sir.
- Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes acting under the act of Congress of June 10, 1896? A No sir.
- Q Is this the first application for citizenship or enrollment in the Choctaw Nation that you have ever made? A Yes sir.
- Q You now seek to be identified as a Mississippi Choctaw?
- A How was that?
- Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.
- Q Under what treaty or treaties do you make this claim? A Eighteen and thirty.
- Q Do you claim anything under the treaty of Dancing Rabbit Creek?
- A No sir.

- Q Do you claim under the whole treaty of 1830 or under any part of it?
- A I reckon I understand that, again.
- Q Well, do you claim under the whole treaty of 1830, or just a certain article of it? A Just under a certain article of it.
- Q What article? A The fourteenth article.
- Q You never heard of the treaty of Dancing Rabbit Creek? A No sir.
- Q Never heard that that was identical with the treaty of 1830 did you? A No was that?
- Q You never heard that that was identical with the treaty of 1830, the same as 1830? A No sir.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A What was the name of her?
- Q Your ancestor who lived in Mississippi in 1830? A My grandmother was a Jackson, her maiden name was a Jackson.
- Q What was her full name? A I don't know.
- Q Did she live in Mississippi in 1830? A That is what they say.
- Q Was she a full blood Choctaw Indian? A No sir.
- Q How much? A She claimed a half blood.
- Q Have you any documentary proof of that? A How was that.
- Q Have you any documentary proof of that? A Nothing only hearsay, what my parents told me.
- Q Do you know whether your grandmother, within six months after the ratification of the treaty of 1830, told the United States Indian Agent then living in Mississippi, Colonel Ward, that she intended to remain in Mississippi and take land there and become a citizen of the United States? A I don't know.
- Q Do you know whether your ancestor removed from Mississippi to the Indian Territory in the years 1833 to 1837, when the other Indians came here? A No sir.
- Q Was your ancestor a beneficiary under article fourteen of the treaty of 1830? (No answer)
- Q Do you understand what I mean by beneficiary? A I don't know whether I do or not; I was just studying whether I understood the question.
- Q I will put it this way. Did your ancestor receive any benefits under article fourteen of the treaty of 1830 in the way of land or money or any other rights from the United States Government?
- A I don't know; not that I ever heard of.
- Q Do you know whether your ancestors any of them ever complied in any way with the provisions of article fourteen of the treaty of 1830? A No sir, I don't know.
- Q Did this ancestor under whom you claim, receive or claim any land in Mississippi from the United States Government under that article? A I don't know.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Well, I have been married three times.
- Q All right. What is the name of the first wife? A Her name was-- Her maiden name, you mean?
- A No. Her name was Jane Cooper, Elizabeth Jane I believe.
- Q Is she dead? A Don't know whether she is or not.
- Q Did you get a divorce from her? A Yes sir.
- Q What is the name of the next wife? A Eliza Cooper.
- Q Eliza? A Yes sir.
- Q Is she living? A No sir, she is dead.
- Q Now number three? A Mary Bell.
- Q That is Mary B. Cooper? A Yes sir.
- Q Mary B. is living is she? A Yes sir.
- Q Do you make any application for Mary B. Cooper? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes sir.

- Q Give me the name of the oldest by Elizabeth J. Cooper? A Well, we have three of them, but two of them is over age and married, but we have one that is not married.
- Q What is her name? A Mabel Cooper.
- Q Mabel? A Yes sir.
- Q How old is she? A Sixteen.
- Q Now the next oldest? A That is my second woman; I have two. Her name is Minnie P.
- Q Minnie P.? A Yes, Minnie P.
- Q How old is she? A She is seven years old.
- Q Any other children? A She has a sister; her name is Ada P.
- Q A-d-a? A Yes sir.
- Q How old is she? A She is five years old.
- Q Is that all? A No, me and my last woman have one six months old.
- Q What is her name? A Her name is Flossie B.
- Q How old? A Six months old.
- Q Mabel Cooper is your child by Elizabeth J. Cooper? A Yes sir.
- Q Minnie P. and Ada P. are your children by Eliza Cooper? A Yes sir.
- Q And Flossie B your child by Mary B. Cooper? A Yes sir.
- Q Are these children all living with you at your home? A Well, the oldest one is off going to school.
- Q You are supporting them? A Yes sir.
- Q They claim through you, do they not? A Yes sir.
- Q Have you your marriage licenses and certificates that you would like to introduce now? A Not at present, I can get them.
- Q You would like time in which to introduce them? A Yes sir.
- Q Have you any documentary evidence you want to introduce, documents of any kind in support of your claim? A Not at present; I would like a little time.

Twenty days time is granted applicant in which to file marriage licenses and certificates or certified copies of same, and other documentary evidence.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application for identification as a Mississippi Choctaw which you make in your own behalf and in behalf also of these children as Mississippi Choctaws, will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings in the above entitled cause on March 27, 1901, and that the above and foregoing is a full, true, and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell.*

Subscribed and sworn to before me this 27 day of March, 1901.

*Charles H. Sawyer*

Notary Public.

DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE NINE CIVILIZED TRIBES.  
Muskegee, I. T., December 4, 1901.

1845.

In the matter of the application of Louis D. Cooper for the identification of himself and his four minor children as Mississippian Choctaw.

--Applicant represented by Wm. Rampendahl, Attorney--

Hila Storm, called as a witness on behalf of applicant, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Hila Storm.  
Q What is your age? A Thirty one.  
Q Where do you live? A I live on the edge of town.  
Q Muskegee, Indian Territory? A Yes sir.

Examination by Wm. Rampendahl, for applicant:

- Q Where did you live before you lived here? A Rogers, Arkansas.  
Q How long did you live there? A I lived there off and on for about six years.  
Q Were you acquainted with Louis D. Cooper while he was a resident of Rogers, Ark? A Yes sir.  
Q How long were you acquainted with him? A About six years.  
Q Do you know what the general opinion was in relation to his nationality? A Yes sir, the folks that I heard speak of it though he was a Choctaw Indian.  
Q Can you state that to be the general opinion? A Yes sir.  
Q Do you know whether or not he claimed citizenship in any nation? A It was in the Choctaw Nation.  
Q How long have you known him to have made that claim? A I don't know as I could exactly tell, but ever since I knew him.  
Q Did he also state what nation he claimed citizenship in? A Yes sir.  
Q What nation? A Choctaw.  
Q Did you ever hear him speak of his ancestors? A Yes sir, I have heard him speak of them some.  
Q What did he claim they were? A Choctaw Indians.

By the Commission:

- Q How long did you live there among these people whom you heard say they thought he was a Choctaw? A The most of them about six years.  
Q They knew him about six years? A Yes sir--some of them came in and lots of them had lived there six years.  
Q They were white people? A Yes sir.  
Q They don't know anything more about his having Indian blood except what he told them? A There were some of them said they knew his mother was part Indian, but I don't know how many said that.  
Q Give the names of any person who said his mother was part Indian? A I don't know as I can give names, except him and his own family.  
Q The claimant said to you that his mother was part Indian? A Yes.



Louis D. Cooper et al-----2.

- Q And who of his family said that? A His wife.  
Q A white wife? A Yes sir.  
Q About how old is she? A I guess she is about twenty three.  
Q Give me the names of any other persons in the community who said Mr Cooper was part Indian? A I don't know as I could call any names now.

By Mr Rasmundahl:

- Q Can't you give the names of his neighbors that knew that he was an Indian? A I don't know as I could give any of their names now.  
Q Were you well acquainted in Rogers? A Yes sir, I was tolerably well acquainted.  
Q You have heard it spoken generally? A Yes sir I have heard it spoken.  
Q Are you acquainted with his wife? A Yes sir.  
Q Are you acquainted with his children? A Yes sir, I am acquainted with the three little ones.  
Q How many children has he by his last wife? A Just one by his last wife.  
Q How many children has he under age? A A I don't know, he has not got but three that I know of that are under age.

(Witness Excused)

WILLIAM M. HOHMAN, called as a witness on behalf of applicant, having been first duly sworn, upon his oath testifies as follows:

Examination by Mr Rasmundahl:

- Q What is your name? A William M. Hohman.  
Q What is your age? A Forty four.  
Q What is your post office address? A My post office address at the present time would be this town, but I can't call the name of it now.  
Q Where did you live before you came here? A Rogers.  
Q How long did you live there? A Off and on six years.  
Q When you were a resident there were you acquainted with the applicant, Louis D. Cooper? A Yes sir.  
Q How long were you acquainted with him? A Six years.  
Q If you know, you can state what the general opinion was in Rogers as to the nationality of Louis D. Cooper? A I have heard several different people call him an Indian and he claimed to be Indian.  
Q I ask what is the general opinion if you know of the people in Rogers as to the nationality of Louis D. Cooper? A Yes, I believe I do.  
Q What is that general opinion? A I have heard it talked out a great deal among the people there that he was an Indian and he claimed to be Indian. I have heard him called an Indian by different men; some I was acquainted with and some I was not.

Louis D. Cooper et al-----3.

- Q Do you know what rights this applicant claims in any of the nations in the Indian Territory? A He claims to be Choctaw.  
Q Did you ever hear him speak of his ancestors? A Yes sir, they were from Tennessee, he told me.  
Q Did he state where his ancestors were from? A I can't say that he ever told me anything further back than his mother.  
Q You don't know of your own knowledge where any of his ancestors were from? A No sir.

By the Commission:

- Q You say that he bears the reputation among his neighbors of being a Choctaw Indian? A Yes sir.  
Q Full blood, A No sir, I believe he claimed to be one eighth.  
Q What knowledge have the neighbors that he was one eighth Choctaw Indian? A Only from his talk, I suppose.  
Q From having heard him say so and then having gotten the idea from him that he had Choctaw blood? A Yes sir.  
Q Who of his neighbors did you ever hear say that they thought he was one eighth Choctaw blood? A I have heard Mr William Weaver call him an Indian.  
Q Who is William Weaver? A He is a fellow living there in town; I couldn't tell what his occupation was.  
Q How old a man? A I would judge him to be thirty eight or forty years old.  
Q A merchant? A No sir, a working man, I would judge him to be.  
Q A white man? A Yes sir.  
Q Any others? A Yes that I can't call to save my life, and I know them as well as I know his name---Garden was one of them.  
Q What is his first name? A That I couldn't tell you.  
Q What does he do? A I don't believe I could tell that either; I believe he is a farmer.  
Q How did he know he was part Choctaw Indian? A By his talk.

By Mr Rampendahl:

- Q Are you acquainted with the applicant's family? A Yes sir.  
Q Do you know his children? A I do the three last.  
Q I will ask you if any of them bear striking resemblance to an Indian? A Yes they resemble Indians considerable. He has one girl looks a heap like an Indian.  
Q Do you know any one in Rogers, Ark., who was acquainted with Louis D. Cooper's parents? A I knew a man that had lived there he lived not very far from there.  
Q In that vicinity? A Yes sir, that was acquainted with his mother.  
Q Did you ever hear him say anything in regard to the nationality of his mother? A I believe I have heard him speak---I would be positive, but I believe I have heard him speak of his mother as being resembling Indian considerably.  
Q Did you ever hear him say anything in regard to what was the nationality of his parents? A No, I couldn't say that I ever have.

(Witness Excused)

JOHN L. WATKINS called as a witness on behalf of applicant,

Louis D. Cooper, et al-----4.

having been first duly sworn, upon his oath testified as follows:

Examination by Mr Rampendahl:

- Q What is your name? A John J. Watkins.  
Q What is your age? A Thirty four.  
Q What is your post office address? A Mascogee.  
Q Where did you live before you came here? A Rogers, Arkansas.  
Q While you resided there were you acquainted with Louis D. Cooper? A Yes sir.  
Q The same Louis D. Cooper that makes application as a Mississippi Choctaw? A Yes sir.  
Q How long were you acquainted with him? A About six years, I should judge.  
Q I will get you to state whether or not you know the general opinion as to the nationality of Louis D. Cooper in Rogers Arkansas or in that vicinity? A Yes sir.  
Q State what that opinion was? A The opinion of the people generally in my neighborhood that knew him was that he had Indian blood, but what nationality I couldn't say. I never learnt whether it was Choctaw or not, and I couldn't say.  
Q Did you ever hear Cooper himself say what his nationality was? A Yes sir.  
Q What did he say it was? A Choctaw is what he always represented to me.  
Q Did you ever hear him say where his ancestors lived? A I heard him speak of his grandparents living in Tennessee I believe. I am satisfied that is the place.  
Q His grandparents or his parents? A Grand parents.  
Q Do you know any of his grandgrandparents--his great grandfather? A No sir, I do not.  
Q Do you know where his grand grandmother lived? A No sir.  
Q Are you acquainted with his family? A Yes sir.  
Q How many children under age has he? A He has three under age, I believe.  
Q Do they resemble Indian in any respect? A Yes sir, very much so.

(Witness Excused)

LOUIS D. COOPER, having been called, being first duly sworn, upon his oath testified as follows:

Examination by Mr Rampendahl:

- Q State your name? A Louis D. Cooper.  
Q You are the claimant in this case? A Yes sir.  
Q You appeared before the Commission in March last? A Yes sir.  
Q Your testimony was taken at Atoka, was it not? A Yes sir.

Here Watkins and Rampendahl, attorneys for applicant, ask that the Commission give the appearance and physical characteristics of this applicant, the same having been omitted from the record when it was made at Atoka, Indian Territory.

By the Commission:

This applicant appeared for identification as a Mississippi

Louis B. Cooper-----0.

Chectaw on the 27th day of March, 1901, at the office of the Commission at Atoka, Indian Territory, and then and there gave testimony in said application for himself and children at which time and place a description of the personal appearance of this applicant was omitted. At that time, no statement was given under the rules and regulations issued by the department governing applications for identification as Mississippi Choctaws, of the personal appearance of the applicant. The applicant now appears before the Commission for further examination, and his attorneys, Watkins and Remondahl, make a motion for a statement of his appearance:

This applicant as he now appears before the Commission has the appearance and physical characteristics of being descended from a mixed ancestry composed of white and Indians blood. There is no question in the mind of the Commission, but that he has Indian blood, and further in the opinion of the Commission he has the quantity which he claims, one eighth. This is evidenced from the deep color of his skin, hair straight, somewhat coarse and nearly black, dark mustache nearly black, deep blue eyes.

Examination by the Commission:

Q Do you speak or understand the Choctaw language? A No sir, I was raised in Illinois and never learnt their language.

Q Have you any knowledge of any compliance on the part of your ancestors with any of the provisions of article fourteen of the treaty of 1830---Do you know whether they complied with the provisions of that article of that treaty? A No sir.

The applicant has no knowledge of the Choctaw language and no knowledge of any compliance on the part of his ancestors with any of the provisions of article fourteen of the treaty of 1830.

H.C. Piateen, having been first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 4th day of December, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

*H.C. Piateen*

Subscribed and sworn to before me at Muskogee, Indian Territory, this 11th day of December, 1901

*Charles H. Wood*  
Notary Public.

J. F. M.  
J. W. W.  
C. O. W.

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

---0---

In the matter of the application of Louis D. Cooper, et al., for identification as Mississippi Choctaws, M.C.R.1845.

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

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Louis D. Cooper for himself and his four minor children, Mabel, Minnie F., Ada F., and Flossie B. Cooper, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants

of one -----West, (nee Jackson), who is alleged to have been an one-half blood Choctaw woman and to have resided in Mississippi in eighteen hundred and thirty.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw Tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

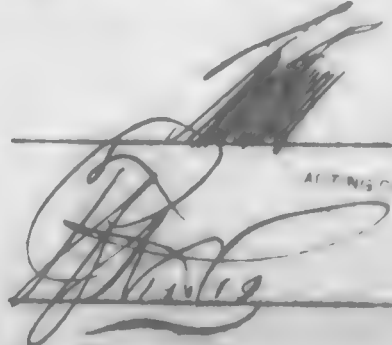
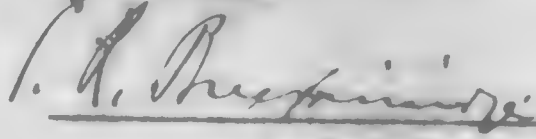
It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said -----West (nee Jackson), or a less remote ancestor of the applicants herein, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (9 Stats., 100) and August 25, 1868 (9 Stats., 515).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Louis B. Cooper, Mabel Cooper, Minnie F. Cooper, Ada F. Cooper and Flossie

(3)

B. Cooper, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

  
\_\_\_\_\_  
ACTING CHAIRMAN  
  
\_\_\_\_\_  
Commissioners.

Muskogee, Indian Territory,

JUL 28 1902

COPY

... N. 1545

Muskogee, Indian Territory, July 28th, 1902.

Mr. Louis D. Cooper,  
Rogers, Arkansas.

Dear Sir:

You are hereby advised that on the 28th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Louis D. Cooper, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Louis D. Cooper, Nabel Cooper, Minnie F. Cooper, Ada F. Cooper and Flossie B. Cooper, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."



Louis B. Cooper-8

COPY.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED:

*I. E. Needles.*

Commissioner in Charge.

Registered.

COPY.

H. C. R. 1548

Muskogee, Indian Territory, July 28, 1902.

William Rampendahl,

Attorney at Law,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on the 28th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Louis D. Cooper, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats., 498), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Louis D. Cooper, Mabel Cooper, Minnie F. Cooper, Ada F. Cooper and Flossie B. Cooper, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered".

~~1000 . . . . .~~

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED: *T. B. Needles.*

Registered.

Commissioner in Charge.

COPY,

Muskogee, Indian Territory, July 28, 1902.

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

Gentlemen:

You are hereby advised that on the 28th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Louis D. Cooper, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 26, 1898 (30 Stats., 495), which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Louis D. Cooper, Mabel Cooper, Minnie F. Cooper, Ada F. Cooper and Flossie B. Cooper, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered".

M, Mem & C-2

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

SIGNED: *T. B. Needles.*

Commissioner in Charge.

COPY

M.C.H. 1545

Muskogee, Indian Territory, July 28, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Louis D. Cooper, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 28th, 1902.

The Commission has the honor to report that the principal applicant herein, her attorney of record, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

*T. B. Needles.*

SIGNED

Commissioner in Charge.

Through the Commissioner  
of Indian Affairs.

1 enclosure.

D. C. 14089-1902.

51459

KAF.

DEPARTMENT OF THE INTERIOR.

Washington.

ITD. 4784-1902.

August 28, 1902.

L. R. S.

Commission to the Five Civilized Tribes,  
Muskegee, I. T.

Gentlemen:

With your letter of July 28, 1902, you transmitted the record and your decision of that date, in the matter of the application for identification of Louis D. Cooper and his minor children, Mabel, Minnie F., Ada F., and Flessie B. Copper, as Mississippi Chectaws.

The applicants endeavor to trace their descent from one .....West (nee Jackson), alleged to have been a half blood Chectaw woman residing in Mississippi in 1830.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Chectaw Nation, or that said West or a less remote ancestor of the applicants ever complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 ( 5 Stat., 180), and August 23, 1842 ( 5 Stat., 513). You refused the application.

-2-

The Acting Commissioner of Indian Affairs forwarded the papers August 5, 1902, and recommended that your decision be approved. A copy of his letter is inclosed.

Having carefully considered the entire case, the Department affirms your decision.

Respectfully,

1 inclosure.

Thos. Ryan,

Acting Secretary.

R.M.D.



COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Land 45517-1902.

Washington, August 5, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made July 28, 1902, by the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application for identification as Mississippi Choctaws of Louis D. Cooper for himself and minor children Mabel, Minnie F., Ada F., and Flossie B. Cooper.

Descent is claimed from the parents of the principal applicant, Caleb Cooper and Elizabeth Cooper, nee West; also from the grandmother of principal applicant, - a person named West, nee Jackson, first name not given.

An examination of the records of this office fails to show that any of the persons from whom descent is claimed received or attempted to secure the benefits of the fourteenth article of the Treaty of Dancing Rabbit Creek.

The office agrees with the decision of the Commission refusing to identify the applicants as Mississippi Choctaws, and

respectfully recommend that it be affirmed.

Very respectfully,

Your obedient servant,

WCV  
D

A. C. Tenner,

3 inclosures.

Acting Commissioner.

H. C. R. 1545

cc

Muskogee, Indian Territory, September 8, 1908.

Louis D. Geeser,  
Rogers, Arkansas.

Dear Sir:

You are hereby advised that on the 28th day of August, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Louis D. Geeser, et al., of which decision you were duly advised by registered mail on the 28th day of July, 1908.

Yours truly,

(SIGNED)

*James D. Kirby*  
Acting Chairman.

H. C. R. 1848

CC

Washago, Indian Territory, September 8, 1908.

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

Gentlemen:

You are hereby advised that on the 28th day of August, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaw of the several persons included in the application of Louis B. Cooper, et al., of which decision you were duly advised by mail on the 28th day of July, 1908.

Yours truly,

(SIGNED)

*James L. Gandy*  
Acting Chairman.

1545  
A MISSISSIPPI HISTORY

Louis D Cooper Etal

MR 1545

JOHN WATKINS.  
W. B. RAMPENDAHL.

**WATKINS & RAMPENDAHL,**  
ATTORNEYS AT LAW.

TERMS OF COURT

**MUSKOGEE**  
First Monday in September.  
Fourth Monday in January.

**MOBILE**  
First Monday after first Tuesday  
in October.  
Third Monday in January.

**TALMADGAN**  
First Monday after second Tues-  
day in October.  
Fourth Monday in April.

**WALDELA**  
First Monday in November.  
First Monday after first Tuesday  
in April.

**WALTON**  
Second Monday in November.  
First Monday in March.

**VIRITA**  
First Monday in December.  
Second Monday in May.

*Accepted and paid for 7c 3/4 1002*  
Commissioners To The Five Civilized Tribes,  
Muskogee, Ind. Terr.,  
Gentlemen:

We acknowledge receipt of  
copy of decision in the application of  
Lewis D. Cooper, as a Mississippi Choctaw,  
made on the above given date, also the  
receipt of a copy of testimony taken in  
said case.

Yours truly,  
Watkins & Rampendahl

INDEX

COMMISSION TO F. E. HIGGS.		
No.	Received	DATE
2339		Book
1902	AUG 1 1902	

Watkins Campendall  
 Muskogee, I. T.  
 July 31, 1902

CHOCATAW  
 Ack receipt of deposition  
 case of Louis D. Cooper

2339  
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No 1545

For Identification as a Mississippi Choctaw.

Date Mich 27. 1901

Name Louis W. Cooper.

Age 48 - Blood 1/8

Post Office, Rogers, Ark.

Father: Caleb Cooper. d.

Mother: Elizabeth " i

Claims through Mother

- 1. ~~Elizabeth Cooper~~ - deceased
- 2. ~~Elizabeth Cooper~~ - dead
- 3. Mary D. Cooper. - living

Children:

Mabel Cooper - mother's No. 1 16

Minnie F. " } mother's 7

Ada F. " } No. 2. 5

Florence B. " } mother's No. 3 6 m.

For self and children  
not for wife -

Stenographer,  
P. O. 12 00



Choctaw MCR 1546

Hugh G. Bell

See MCR 879

MCR 1546

*1 Sell etc*  
**REFUSED.**

**DECISION RENDERED. APR 15 1902**

**NOTICE OF DECISION MAILED APPLICANT.**

**APR 19 1902**

**NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS**

**APR 19 1902**

**NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.**

**APR 19 1902**

**RECORDS FORWARDED DEPARTMENT.**

**APR 19 1902**

**ACTION APPROVED BY SECRETARY OF INTERIOR.**

**JUN 4 1902**

**NOTICE OF DEPARTMENTAL  
ACTION MAILED APPLICANT.**

**JUN 13 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT**

**JUN 13 1902**

**NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.**

**JUN 13 1902**

**REFER TO M. C. R. 879**

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 27, 1901.

In the matter of the application for identification as Mississippi Choctaws of Hugh G. Bell, and his minor children. Hugh G. Bell, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Hugh G. Bell.  
 Q What is your age? A My age is--- I will be fifty next July.  
 Q What is your post office address? A Toccoola, Mississippi.  
 Q How long have you lived there? A I have been living there nine years.  
 Q Where were you born? A Pontotoc County.  
 Q Mississippi? A Yes sir.  
 Q Ever lived out of the state of Mississippi? A Not till I came over here about a week ago.  
 Q Where is your home now? A Toccoola, Mississippi.  
 Q You just came here temporarily? A Yes sir.  
 Q What is your father's name? A Robert Bell.  
 Q Is he living? A He is dead.  
 Q What is your mother's name? A Elizabeth D. Bell.  
 Q Is she living? A She is.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Robert Bell.  
 Q Your father? A Yes sir.  
 Q How much do you claim? A Supposed to be about a fourth.  
 Q Did your father ever live in the Indian Territory?  
 A Yes sir, he died here.  
 Q Here? A Yes sir.  
 Q Was he recognized by the Choctaw tribal authorities as a Choctaw Indian? A Yes, that is what they tell me; I have heard them say he was.  
 Q Well, by the tribal authorities, I mean by act of council did they vote upon him and vote him in and make him a member?  
 A I suppose so.  
 Q Do you know? A No, I don't.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A My father is, I am not.  
 Q Your father is on what tribal roll? A The Choctaw tribe.  
 Q Where, in Mississippi? A He was enrolled so I have been told, in Mississippi.  
 Q Well, has he been enrolled here in the Indian Territory?  
 A No sir, he was enrolled in Mississippi.  
 Q What proof have you that he was enrolled in Mississippi?  
 A Only what I have been told, that he was.  
 Q By whom? A By my father.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No sir, never made any.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No sir.

- Q Did you ever make application either for enrollment or citizenship in the Choctaw Nation under the act of Congress of June 10, 1896?
- A Not till this present time.
- Q This is the first application of any kind you have ever made?
- A Yes sir.
- Q You now seek to be identified as a Mississippi Choctaw?
- A Yes sir.
- Q Under what treaty or treaties are you making this application?
- A Thirty six I believe.
- Q What is that? A June, thirty six.
- Q What is that? A In June the third, 1836.
- Q The treaty of 1836? A I think that is right.
- Q Between whom was that treaty made in June 1836? A Why, I really don't know, sir, it was between the United States and the Choctaw Nation I suppose.
- Q Do you claim under the whole treaty, or only under a part of it?
- A Really I don't know how is that.
- Q Did you ever hear of the treaty of Dancing Rabbit Creek?
- A No, I don't know anything about that treaty.
- Q What is the name of your ancestor who lived in Mississippi in 1830 under whom you claim now? A My ancestor-- you mean my great grandfather.
- Q Well, if that is the one you claim through? A I claim through my father.
- Q Did he live in Mississippi in 1830? A Yes sir, he did.
- Q Did he within six months after the ratification of the treaty of 1830, tell the United States Indian Agent then living in Mississippi, Colonel Ward, that he intended to stay in Mississippi and take land there and become a citizen of the United States?
- A I could not tell you about that.
- Q Did he ever come from Mississippi to the Indian Territory?
- A Yes he come.
- Q When did he come? A It was about five or six years ago.
- Q He didn't come here between the years 1833 and 1837?
- A He came here about five or six years ago and died here at Durant.
- Q Was he a beneficiary under the treaty of 1830? A I don't know.
- Q Did he ever comply with the provisions of the fourteenth article of the treaty of 1830? A What is that.
- Q Well, you should know what the article is and not ask me to tell you. If you claim under any law or treaty you should know under what law or treaty or what part of the treaty you claim. As a matter of fact the only right you have to come here and make application for identification as a Mississippi Choctaw is that contained in the conditions and provisions of article fourteen of the treaty of 1830. A If I could see that article, I could tell more about it.
- Q I will read it to you. Article fourteen of the treaty of 1830 reads: "Each Choctaw 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 ten 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, and if they ever remove are not to be entitled to any portion of the Choctaw annuity." That is the only law under which we have a right to claim? A Well, I claim it under that.
- Q Now, my question is was your father, or your ancestor however you claim under, a beneficiary under this article? A Not to my knowledge; not that I know of.
- Q Did he comply in any way with any of these conditions in this article that I have read? A No, I think not; I don't know; I have never heard him speak of it.
- Q Did he ever claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I only heard him say that if he could come to the Indian Territory he would have a right here.
- Q What do you know with reference to his having any land in Mississippi from the Government? A I don't know anything at all.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Ollie M. Bell.
- Q Do you make any claim for her? A None.
- Q Do you know anything further about your father Robert Bell? A Yes sir.
- Q Can't you tell me a little more about him? A Well, if I know what you want to know.
- Q Well, I want to know if you know anything about him having claimed any land in Mississippi under article fourteen of the treaty of 1830? A Well, I don't know whether he ever did or not.
- Q Don't you know anything about his history? A Yes.
- Q Don't you know that a Robert Bell appeared before a Commission in Mississippi composed of Murray and Vroom and that he there put in an application for his rights to be identified under article fourteen of the treaty of 1830 and that his application was passed upon favorably by the President, by President Tyler? A No, I don't know it, only I see his name--
- Q Well, Robert Bell's case was adjudicated under the law of March 3, 1837, and if you can prove that you are descended from him, or if that is the Robert Bell whom you claim as your ancestor, it is a very material fact in your case? A Yes sir.
- Q Did you ever hear it? A Yes sir.
- Q What did you hear? A Well, I heard his name was on the register; yes, I heard that his name was on the register and that he was enrolled at that time.
- Q Well, at what time? A Well, I don't know, on 1836.
- Q It was on the register of 1837? A Well if it was that time, you won't find it on the record any where else I don't suppose.
- Q Have you any proof of any kind other than what you have stated, any documentary proof to show that you are lineally descended from Robert Bell whose case was adjudicated under the act of March 3, 1837? A We have brothers and sisters and then some proof, we have some proof of that.
- Q Well, have you any documentary proof of that? A We have some papers
- Q You want to present these affidavits, do you? A Yes sir.

Application of H. G. Bell presented by applicant, received, filed, marked exhibit "A" and made a part of the records in this case; affidavit of W. G. Bell, presented by applicant, received, marked Exhibit "B", made a part of the records in this case. Affidavit of H. G. Bell presented by applicant, received, marked Exhibit "C", made a part of the records in this case. Affidavit of Elizabeth D. Bell presented by applicant, received, marked Exhibit "E", filed and made a part of the records in this case.

Marriage certificate between W. G. Bell and Miss O.M. Morrow received, filed, marked with "F" and made a part of the records in this case.

Examination by W. S. Johnson, attorney for applicant.

- Q Now, Mr. Bell, you stated that your mother is still living and you have attached her affidavit here? A Yes sir.
- Q Your brother Donald Bell is related to you and you attached his affidavit? A Yes sir.
- Q Now I will ask you if you had an uncle in Mississippi? A I had an uncle James Bell.
- Q Well, was he recognized the same as your father, or do you know? A I suppose so, my father's brother--
- Q Well, how do you suppose it? Did anybody ever tell you? A Yes sir.
- Q Well, speak it right out then; did you have any other relatives on the rolls? A Yes, Levi Bell.
- Q Now Levi Bell was a cousin of your father and James Bell, who was your uncle? A That is what they tell me.
- Q I will ask you if either one of them resemble Indians? A Levi Bell, my father told me, looked very much like an Indian, more than he did himself.
- Q Well, did your father resemble an Indian? A He was tall, dark complected, very black hair, and I never saw an Indian till I came out here, what they call a full blood, and I'd hate to favor them.
- Q Well, Mr. Bell, did either one of them ever talk the Choctaw language? A My father could speak it very well. I learned some sentences from him that I have never forgot.
- Q Well he never come to the Territory till about '96? A I suppose about '96.
- Q I believe you stated about five years ago? A Yes.
- Q And he died here? A Yes.
- Q How old was he when he died? A He was in his eighty first or eighty second year.
- Q How old is your mother? A She is eighty I believe.

Commission:

- Q He died when? A In his eighty second year.
- Q What year did he die? A '95 or '96.
- Q Do you make any claim for your wife, Ollie M. Bell? A No, I don't.
- Q Have you any children under twenty one years of age and unmarried? A I have two, a boy and a girl.
- Q What is the name of the oldest? A The oldest under age you mean?
- Q Yes, the oldest under age and unmarried? A Glenn E.
- Q How old? A He is nineteen.
- Q The next? A The same; they are twins; a girl, Clyde A.
- Q You say your other children are over age? A One more, she is present.
- Q Is Ollie M. Bell the mother of these two children? A Yes sir.
- Q Are you the father? A I am.
- Q Are you and she living together as husband and wife? A We are.
- Q Are these children living with you at your home? A They are.
- Q The basis of their claim is the same yours? A It is.
- Q You have filed your marriage license and certificate? A Yes sir.
- Q Is there anything further you want to say in support of this application that you make for yourself and these two children?
- A I don't know that there is; I don't think of anything else.

B. S. Johnson, attorney, asks for twenty days time in which to file additional evidence.

Hugh G. Bell 5

Twenty days time is granted applicant in which to file other documentary evidence in support of this application.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and your children will be mailed to you at your present post office address, Tocopola, Mississippi.

Anna Bell, having been first duly sworn, on her oath, states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 27, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 27 day of March, 1901.

*Charles H. Sawyer*

Notary Public.



Muskogee, Indian Territory, April 19, 1902.

Hugh G. Bell,  
Teeepola, Mississippi.

Dear Sir:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of William D. Bell et al., embracing the following applications for identification as Mississippi Choctaws:

William D. Bell et al.,	M C R	879
Thomas Allen Donaldson et al.,	"	873
Margaret E. Williams et al.,	"	874
Leila Collins et al.,	"	875
Sarah Francis Carroll,	"	877
Jettie Pearle Glenn,	"	881
Robert Donaldson,	"	883
Gertie Emma Bell,	"	885
Elizabeth D. Hubbard,	"	887
James D. Williams,	"	889
Castilla Belle Williams,	"	891
Gilbert Allen Williams,	"	893
Mary Caroline Atkinson et al.,	"	872
Hugh G. Bell et al.,	"	1346
Thrace G. Bell,	"	1347
Emma J. Pickens et al.,	"	1348.

Said decision, after a review of the evidence submitted, concludes as follows:

"The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, is as follows:



H G B--2

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of William D. Bell, Clyde Bell, Mattie Jane Bell, William W. Bell, Robert Bell, Thomas Ellen Donaldson, Irene D. Donaldson, Marl Donaldson, Cora Donaldson, Margaret E. Williams, John Ellis Williams, Robert Paton Williams, Minnie Earl Williams, Jack French Williams, Mary Emma Williams, Clark Lewis Williams, Lela Forest Williams, Leila Collins, Jesse Collins, Ivy Collins, Harnest Collins, Lizzie Lee Collins, Robert Collins, Forest May Collins, Bailey Collins, Horton Collins, Dan Collins, Sarah Francis Carrell, Jettie Pearle Glenn, Robert Donaldson, Gertie Emma Bell, Elizabeth D. Hubbard, James D. Williams, Castilia Belle Williams, Gilbert Allen Williams, Mary Caroline Atkinson, Don Ellis Atkinson, Cammie Elizabeth Atkinson, Robert Pratt Atkinson, Sallie Bell Atkinson, Leonard Atkinson, Lettie Atkinson, Hugh G. Bell, Clelan B. Bell, Clyde A. Bell, Thrace G. Bell, Emma J. Pickens, Mary D. Pickens, Beulah B. Pickens and Fannie M. Pickens as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

Acting Chairman.

COPY. M C R 1546

Muskogee, Indian Territory, June 13, 1902.

Hugh G. Bell,  
Tocopola, Mississippi.

Dear Sir:-

You are hereby advised that on the 4th day of June, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of William D. Bell, et al., of which decision you were advised by registered mail on the 19th day of April, 1902.

Yours truly,

J. E. Hedden.

Commissioner in Charge.

M.C.R.1546.

Muskogee, Indian Territory, March 14, 1907.

Hugh C. Bell,  
Tocopola, Mississippi.

Dear Sir:

You are hereby notified that the Secretary of the Interior on March 4, 1907, denied a motion filed February 28, 1907, by R. T. Wilkinson, of Ravia, Indian Territory, for a rehearing in the Mississippi Choctaw case of William D. Bell et al.

Respectfully,

Commissioner.

No. 1546

For Identification as a Mississippi Choctaw.

Date Mich 27. 1951

Name Hugh G. Bell.

Age 50 Blood 1/4

Post Office, Tocopola, Miss.

Father: Robert Bell. d

Mother: Elizabeth W. l

Claims through father -

wife

Ellie M. Bell.

Children:

Leelan E. - (Thomas) 19

Clyde A. - (Thomas) 19

For self and

children -

Not for wife.

Stenographer's

Anna Bell.

Choctaw MCR 1547

Thrace G. Bell

See MCR 879

MCR 1547

*Bel.*

# REFUSED.

DECISION RENDERED. APR 17 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 14 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

APR 19 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 19 1902

RECORD FORWARDED DEPARTMENT

APR 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 1 1902

NOTICE OF DEPARTMENTAL  
ACTION MAILED APPLICANT.

JUN 13 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

JUN 13 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

JUN 13 1902

REFER TO M. C. R. 879

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 27, 1901.

In the matter of the application of Thrace G. Bell for identification as a Mississippi Choctaw. Thrace G. Bell, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Thrace G. Bell.  
 Q What is your age? A Twenty one, I will be twenty two tomorrow.  
 Q What is your post office address? A Tocopela, Mississippi.  
 Q How long have you lived there? A I have lived there nine years.  
 Q Where did you live before that? A We lived in Pontotoc County.  
 Q Where were you born? A Pontotoc County.  
 Q In Mississippi? A Yes sir.  
 Q Always lived there? A Yes sir.  
 Q What is your father's name? A Hugh G. Bell; H.G.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Ollie M. Bell.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much Choctaw blood do you claim? A I don't know; my grandfather was about a fourth, I don't know anything about how much that would make me.  
 Q Your father claims one eighth don't he? A I don't know.  
 Q How much would you claim? A I don't know.  
 Q You would claim a half of one eighth wouldn't you? A I don't know Well, I don't know anything about it only what I have been told.  
 Q Well, you heard him say he claimed an eighth? A I don't know.  
 Q You heard him say so didn't you? A I heard him just then.  
 Q Well, if he claims one eighth how much do you claim? A I don't know.  
 Q Well, one half of one eighth is one sixteenth, isn't it? A Yes sir  
 Q Now that is right, isn't it? That is just simply a question of figures? A Well, I knew that was right.  
 Q One half of one eighth is how much? A One sixteenth.  
 Q Did your father ever live in the Indian Territory? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to the Dawes Commission for either citizenship or enrollment as a Choctaw? A No sir, not till now; this is my first.  
 Q This is the first application? A The first I ever made in my life.  
 Q You now seek to be identified as a Mississippi Choctaw do you?  
 A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A I don't know.  
 Q Do you know anything about the treaties? A No sir, I don't know anything about it only what I have heard and been told and I don't know much about it.  
 Q Did you ever hear of the treaty of 1830? A I have heard of it, yes sir.

- Q Did you ever hear that you had rights under that treaty?  
A Yes sir, I have heard it.  
Q Did you ever hear that you had rights under that treaty?  
A Yes sir.  
Q But you don't know what the provisions are? A Nothing more than just that my grandfather was an Indian and my father.  
Q What is the name of your ancestor who lived in Mississippi in 1830? A Robert Bell.  
Q What relation was he to you? A My grandfather.  
Q Was he on any of the registers or rolls made in Mississippi?  
A Yes sir.  
Q On which one? A I don't know; I have just been told, and I saw it yesterday.  
Q Did you see that he was on the roll made by the Commissioners appointed to take the names in 1837? A Well, I don't know for certain I just saw his name and I didn't try to remember what it was.  
Q Was he a claimant in 1837 under the fourteenth article of the treaty of 1830? A I don't know whether he was.  
Q Well, have you heard that he was? A I don't know whether I have heard he was or not; I have heard so much about it I don't know what I have heard.  
Q How do you know that he was placed on the register made by the United States Commissioners under the act of Congress of March 3, 1837? How do you know? A Well, I have just been told that by my father.  
Q And other people in the family? A And other uncles and aunts.  
Q Did you hear that other uncles were on that list? A Yes sir.  
Q Could you give me the names of any of them? A My grandfather's brother was James Bell and his cousin Levi Bell.  
Q Well do you know whether your ancestor, (your grandfather was it?) -  
A Yes sir.  
Q Do you know whether he or any of his brothers told the United States Indian Agent, Colonel Ward, living in Mississippi in 1830, that he intended to stay in the state of Mississippi and take land there and become citizens? A No sir.  
Q You don't know? A No sir.  
Q As a matter of fact, if they were afterwards put on the register made under the law of 1837, they must have gone to Colonel Ward and declared their intention, don't you think? A I don't know.  
Q You don't know what the laws are enough to answer that question?  
A No sir.  
Q Did he come from Mississippi to the Indian Territory in 1837?  
A No sir, he didn't come then out here; my grandfather came about five years ago.  
Q Do you know anything further about his having taken land in Mississippi under the Government? A No sir, I don't know anything about it.  
Q Are you married? A No sir.  
Q Are you making this claim for yourself alone? A Yes sir.  
Q Have you any documentary evidence that you would like to file now and make a part of this application? A No sir.  
Q Haven't you any documents at all? A Oh yes, I have.

Application of Thrace G. Bell presented by applicant, received, filed, marked Exhibit "A" and made a part of the records in this case; affidavit of William D. Bell presented by applicant, received, filed, marked Exhibit "B" and made a part of the records in this case; affidavit of H.G. Bell presented by applicant, received, filed, marked Exhibit "C" and made a part of the records in this case; affidavit of John Lewis presented by applicant, received, filed, marked Exhibit "D" and made a part of the records in this case; affidavit of Elisabeth D. Bell presented by applicant, received, filed, marked Exhibit "E" and made a part of the records in this case.



Thrace G. Bell 3

Q Would you like time in which to file other documentar evidence?  
A Yes sir.

B. S. Johnson, attorney for applicant, asks for twenty days' time in which to file documentary evidence in this case.

Twenty days' time is allowed applicant in which to file such additional documentary evidence as she may desire in support of her application.

Q Have you anything else you want to state? A No sir.

The decision of the Commission in regard to this application which you make for identification as a Mississippi Choctaw will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 27, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

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

*Charles H. Sawyer*  
Notary Public.

Muskogee, Indian Territory, April 19, 1908.

Thrace G. Bell,  
 Tecopa, Mississippi.

Dear Madam:

You are hereby advised that on the 15th day of April, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of William D. Bell et al., embracing the following applications for identification as Mississippi Choctaws:

William D. Bell et al.,	M C R	570
Thomas Miles Puckett et al.,	"	573
Marion et al. Williams et al.,	"	574
Lella Collins et al.,	"	575
Sarah Francis Carroll,	"	577
Jettie Packer Gunn,	"	581
Robert Doolittle,	"	583
Gertie Dean Bell,	"	585
Elizabeth A. Hubbard,	"	587
James D. Williams,	"	589
Castilla Marie Williams,	"	591
Gilbert Allen Williams,	"	593
Mary Caroline Atkinson et al.,	"	598
Hugh G. Bell et al.,	"	1546
Thrace G. Bell,	"	1547
Sam J. Pickens et al.,	"	1548.

Said decision, after a review of the evidence submitted, concludes as follows:

The authority vested in the Commission by the twenty-first section of the act of Congress of June 25, 1906, is as follows:

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of William D. Bell, Clyde Bell, Mattie Jane Bell, William W. Bell, Robert Bell, Thomas Ellen Donaldson, Irene D. Donaldson, Nerl Donaldson, Cora Donaldson, Margaret E. Williams, John Ellis Williams, Robert Paten Williams, Minnie Earl Williams, Jack French Williams, Mary Emma Williams, Clark Lewis Williams, Lola Forest Williams, Leila Collins, Jesse Collins, Ivy Collins, Earnest Collins, Lizzie Lee Collins, Robert Collins, Forest May Collins, Bailey Collins, Horten Collins, Dan Collins, Sarah Francis Carroll, Jettie Pearle Glenn, Robert Donaldson, Gertie Emma Bell, Elizabeth D. Hubbard, James D. Williams, Castilla Belle Williams, Gilbert Allen Williams, Mary Caroline Atkinson, Don Ellis Atkinson, Cammie Elizabeth Atkinson, Robert Pratt Atkinson, Sallie Bell Atkinson, Leonard Atkinson, Lottie Atkinson, Hugh G. Bell, Clelan E. Bell, Clyde A. Bell, Thrace G. Bell, Emma J. Pickens, Mary D. Pickens, Eulah E. Pickens and Fannie M. Pickens as Cheetaw Indians entitled to rights in the Cheetaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

Acting Chairman.

N O R 1507

COPY.

Muskogee, Indian Territory, June 13, 1902.

Thrace G. Bell,  
Tocopola, Mississippi.

Dear Madam:-

You are hereby advised that on the 4th day of June, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Cheesetaws of the several persons included in the consolidated case of William D. Bell, et al., of which decision you were advised by registered mail on the 19th day of April, 1902.

Yours truly,

SIGNED:

*T. B. Needles.*

Commissioner in Charge.

M.C.R.2547.

Muskogee, Indian Territory, March 14, 1907.

Thrace G. Bell,  
Tocopela, Mississippi.

Dear Madam:

You are hereby notified that the Secretary of the Interior on March 4, 1907, denied a motion filed February 28, 1907, by R. T. Wilkinson, of Ravia, Indian Territory, for a rehearing in the Mississippi Choctaw case of William D. Bell et al.

Respectfully,

Commissioner.

FOR INFORMATION OF THE BUREAU OF LANDS.

Date Mich 27. 1901  
Name Thraee S. Bell.  
Age 22 - Blood 1/16  
Post Office. Tocopala. Mis.  
Father: Hugh S. Bell. S  
Mother: Ollie M " S  
Claims through father

Notes:

For exp alone -

Stenographer?  
Anna Bell.

Choctaw MCR 1548

Emma J. Pickens

See MCR 879

MCR 1548

*Emma J. Pickens*

REFUSED.

DECISION RENDERED. APR 15 1902

NOTICE OF DECISION MAILED AT APPLICANT'S  
APR 19 1902

NOTICE OF DECISION FORWARDED  
ATTORNEYS FOR APPLICANTS  
APR 19 1902

NOTICE OF DECISION MAILED AT TORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.  
APR 19 1902

RECORD FORWARDED DEPARTMENT.  
APR 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.  
JUN 4 1902

NOTICE OF DEPARTMENTAL  
ACTION MAILED APPLICANT. JUN 13 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.  
JUN 13 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED AT TORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS. JUN 13 1902

REFER TO M. C. R. 879



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 27, 1901.

In the matter of the application for identification as Mississippi Choctaws of Emma J. Pickens and her minor children. Emma J. Pickens, having been first duly sworn, testifies as follows:

Examination by the commission.

- Q What is your full name? A Emma J. Pickens.  
 Q What is your age? A Fifty three.  
 Q What is your post office address? A Tocopola.  
 Q How long have you lived in this place? A About fifty three years I reckon.  
 Q Born there at Tocopola? A Not at Tocopola but in that county; nine years at Tocopola.  
 Q How long have you lived in Mississippi? All your life? A Yes sir.  
 Q Born there? A Yes sir.  
 Q At what place? A I think they call it Coonwah, or something of that kind.  
 Q What is your father's name? A Robert Bell.  
 Q Is he living? A He is dead.  
 Q What is your mother's name? A Elizabeth D. Bell.  
 Q Is she living? A She is.  
 Q Through which one of the parents do you claim Choctaw blood? A Father.  
 Q How much do you claim? A Well about an eighth, about like my brother; we are brother and sister.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A I never did.  
 Q Did you ever make application for enrollment to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission acting under the act of Congress of June 10, 1896? A No, I never did.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the tribal authorities? A No sir I didn't.  
 Q Is this the first application you have ever made of any kind? A It is.  
 Q You now seek to be identified as a Mississippi Choctaw? A What is that?  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties do you make this application? A Thirty six and thirty seven, I disremember which.  
 Q You mean the treaty of 1830? A Yes sir, 1830.  
 Q When you say the treaty of 1838 or 1837 do you mean the act of Congress that appointed a Commission to pass upon these claims in 1837? A Well, I don't know; I just read that was the treaty; I don't know much about it.  
 Q What is the name of your ancestor whom you claim lived in Mississippi in 1830? A My father.  
 Q His name was Robert Bell? A Robert Bell.  
 Q Was he on any of the rolls or registers made in Mississippi? A I don't know anything about it only just found it on the roll.  
 Q Found it on what roll? A I don't know what roll, the one a lawyer has.

- Q His name was on some roll was it? A 1837 or 1836
- Q It was on 1837 list? A I didn't examine to see, I just saw his name.
- Q Was he a claimant under article fourteen of the treaty of 1830?
- A I don't know sir, I never did know much about my father but---
- Q Did he ever take advantage of the provisions of article fourteen of the treaty of 1830? A If he did I didn't know it.
- Q You don't know anything about his history? A Not a great deal; I don't know much.
- Q Do you know anything about the treaty of 1830 or the laws that were made subsequently? A I know his ancestors was McKinneys.
- Q Well, I am not as much interested about the McKinneys as I am about Robert Bell whom you claim to be your father, and who undoubtedly was your father, and I want to know if you can prove to the Commission conclusively that your father Robert Bell is the same Robert Bell who was put upon the register of Murray and Vroom, which register was made under and pursuant to an act of Congress of March 3, 1837? Is that the same person? A I suppose it was.
- Q I don't like to have you say you suppose so; if you can give me a more definite statement. This is a very material thing to you, madam, and you ought not to be supposing; and another thing, I am surprised that you have a father who, it seems it must be, who had his claim adjudicated and you know so little about it?
- A Well, we never did inquire into his business; I don't want to make anything.
- Q No, I don't want you to, but I want to bring out all you know? Is that a matter of family history and tradition that your father, Robert Bell, was put upon Murray and Vroom's register made under the act of Congress of March 3, 1837? A It is very probable it was.
- Q Do you think it was? A I suppose it was; I don't know.
- Q Have you been taught so in the family? Have you heard? A I think so.
- Q Have you heard your brother say? A I disremember, I guess I have.
- Q Did you have any other relatives on that registry list? A I had an uncle and a cousin.
- Q What was your uncle's name? A James.
- Q James what? A James Bell.
- Q What was your cousin's name? A Levi Bell.
- Q They were both on Murray and Vroom's register were they?
- A I guess so.
- Q Have you told all now that you can tell in reference to this matter, or can you think of anything more? A Well, I maybe could if I could think of it; well you don't want to know much about what I have heard him say.
- Q Heard who say? A My father.
- Q What have you heard him say? Tell me that. A I have heard him say- he could talk Choctaw, I have heard him talk that a great many times.
- Q You have heard him say that he was part Choctaw Indian have you?
- A Well, he always pretended to be that.
- Q Well, he claimed it didn't he? A He said so. I suppose he did.
- Q Well, don't you know? A He said so, pretended to be, I guess he did.
- Q Why don't you say so then? Did you ever hear him say that he was put upon any roll or register list? A I never did.
- Q Well, how did you ever get an idea that he was? A Why, we found his name upon the register.
- Q Well, how do you know that he was your father? A Well it was deen proved it was by his brother and his cousin.
- Q You knew his brother's name? A Yes sir.
- Q And you found that there? A Yes sir.
- Q And you knew his cousin's name? A Yes sir.

- Q And you found that there? A Yes sir.  
Q How did you know that they were his brother and cousin?  
A Well, he told me that.  
Q Well why didn't you tell me that? A Why didn't you ask me.  
Q I asked you whether your father ever told you that his name was on the registry list and you said he had not, and you you say he had.  
A I didn't say that; I said we found his brother's and cousin's name there and he had told me about his brother and cousin.  
Q Did he never tell you about his name being on? A He never did tell me much about that part.  
Q Are you married? A Yes sir.  
Q What is your husband's name? A Ellis M. Pickens.  
Q Do you make any claim for him? A No sir.  
Q Have you children under twenty one years of age and unmarried?  
A Three.  
Q What is the name of the oldest? A Her name is Mary D.  
Q How old? A Twenty.  
Q Next Beulah E. Pickens.  
Q How old is she? A Sixteen.  
Q Next? A Fannie M.  
Q How old? A Thirteen.  
Q Is that all? A That is all that is under age.  
Q All under age? A Yes sir.  
Q Children over age or married will have to make application for themselves. A You won't take their names.  
Q No, I won't take your children over age because they will have to make application for themselves. Have you any documentary evidence you want to file? A Yes sir.

Application of Emma J. Pickens received, filed, marked Exhibit "A" and made a part of the records in this case; affidavit of W. D. Bell presented by applicant, received, filed, marked Exhibit "B", and made a part of the records in this case; affidavit of H. G. Bell presented by applicant, received, filed, marked Exhibit "C" and made a part of the records in this case; affidavit of John Lewis presented by applicant, received, marked Exhibit "D", filed and made a part of the records in this case; marriage license and certificate between Ellis Pickens and Emma Bell received, marked Exhibit "E", filed and made a part of the records in this case; affidavit of Elisabeth D. Bell presented by applicant, received, marked Exhibit "F", filed and made a part of the records in this case.

B. S. Johnson, attorney for applicant asks for twenty days in which to file documentary evidence.

Twenty days time from the date hereof is allowed applicant in which to file additional documentary evidence.

- Q Is there anything further you want to say? A Not that I know of.

The decision of the Commission in regard to this application which you make for yourself and children for identification as Mississippi Chestaws will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 27, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said

Emma J. Pickens 4

cease on said date.

*Anna Bill*

Subscribed and sworn to before me this 27 day of March, 1901.

*Charles H. Sawyer*

Notary public.

Muskogee, Indian Territory, April 19, 1901.

Wm J. Pickens,  
Tocopola, Mississippi.

Dear Madam:

You are hereby advised that on the 15th day of April, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of William D. Bell et al., embracing the following applications for identification as Mississippi Choctaws:

William D. Bell et al.,	M C R	879
Thomas Helen Thompson et al.,	"	878
Margaret A. Williams et al.,	"	874
Lella Coville et al.,	"	876
Sarah Francis Carroll,	"	877
Jettie Fannie Glend,	"	871
Robert Davidson,	"	883
Carrie Davidson,	"	880
Elizabeth D. Richard,	"	887
James D. Williams,	"	888
Castilla Belle Williams,	"	891
Gilbert Allen Williams,	"	893
Mary Caroline Atkinson et al.,	"	872
Hugh G. Bell et al.,	"	1546
Thrace G. Bell,	"	1547
Wm J. Pickens et al.,	"	1548.

Said decision, after a review of the evidence submitted, concludes as follows:

The authority vested in the Commission by the twenty-first section of the act of Congress of June 20, 1900, is as follows:

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

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of William D. Bell, Clyde Bell, Mattie Jane Bell, William W. Bell, Robert Bell, Thomas Ellen Donaldson, Irene D. Donaldson, Norl Donaldson, Cera Donaldson, Margaret E. Williams, John Ellis Williams, Robert Paton Williams, Minnie Earl Williams, Jack French Williams, Mary Emma Williams, Clark Lewis Williams, Lela Forest Williams, Leila Collins, Jesse Collins, Ivy Collins, Earnest Collins, Lizzie Lee Collins, Robert Collins, Forest May Collins, Bailey Collins, Horton Collins, Dan Collins, Sarah Francis Carroll, Jettie Pearle Glenn, Robert Donaldson, Gertie Emma Bell, Elizabeth D. Hubbard, James D. Williams, Castilia Belle Williams, Gilbert Allen Williams, Mary Caroline Atkinson, Don Ellis Atkinson, Cumie Elizabeth Atkinson, Robert Pratt Atkinson, Ballie Bell Atkinson, Leonard Atkinson, Lettie Atkinson, Hugh G. Bell, Clelan B. Bell, Clyde A. Bell, Thrace G. Bell, Emma J. Pickens, Mary D. Pickens, Beulah B. Pickens and Fannie M. Pickens as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Registered.

Acting Chairman.

CC M C R 1848

Washogee, Indian Territory, June 13, 1902.

Emma J. Pickens,  
Tocopola, Mississippi.

Dear Madame:

You are hereby advised that on the 4th day of June, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Cheatews of the several persons included in the consolidated case of William D. Bell, et al., of which decision you were advised by registered mail on the 19th day of April, 1902.

Yours truly,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

H.C.R.1848.

Muskogee, Indian Territory, March 14, 1907.

Emma J. Pickens,  
Tocopola, Mississippi.

Dear Madam:

You are hereby notified that the Secretary of the Interior on March 4, 1907, denied a motion filed February 28, 1907, by R. T. Wilkinson, of Ravia, Indian Territory, for a rehearing in the Mississippi Choctaw case of William D. Bell et al.

Respectfully,

Commissioner.



No 1548

For Identification as a Mississippi Choctaw.

Date *Mich 27, 1901*  
Name *Emma E. Pieters*  
Age *5-3* Blood *1/8*  
Post Office *Tapecola, Miss.*  
Father: *Robert Bell, d*  
Mother: *Elizabeth W. l*  
Claims through *father*  
*husband*  
*E. M. Pieters*

Children:  
*Mary W. " 20*  
*Beulah E. " 16*  
*Fannie M. " 13*

*Claims for self*  
*and children*

Choctaw MCR 1549

Mary I. Whiteaker

MCR 1549

*yes, member, is*

# REFUSED

DECISION RECORDED. JUL 21 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 21 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

JUL 24 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 21 1902

RECORD FORWARDED DEPARTMENT.

JUL 24 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 28 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP -5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

SEP -5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

SEP -5 1902

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

---0---

In the matter of the application of Mary I. Whiteaker, et al., for identification as Mississippi Choctaws, M.C.R. 1849.

List of papers forwarded to the Secretary of the Interior, comprising the record in the case of Mary I. Whiteaker, et al.

	(Page)
Original application of Mary I. Whiteaker, et al., before the Dawes Commission for identification as Mississippi Choctaws .....	1
Petition of Mary I. Whiteaker .....	4
Affidavit of James Smith .....	6
Affidavit of Bill Spikes .....	7
Affidavit of A. J. Spikes .....	8
Decision of the Commission denying the application of Mary I. Whiteaker, et al., for identification as Mississippi Choctaws .....	9

-----0-----

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 28, 1901.

In the matter of the application for identification as Mississippi Choctaws of Mary I. Whiteaker and her minor children. Mary I. Whiteaker, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Mary I. Whiteaker.  
 Q What is your age? A Forty four.  
 Q What is your post office address? A Sherman, Texas.  
 Q How long have you lived in Sherman? A Twenty two years.  
 Q Where did you live before that? A Jacksonville, Illinois.  
 Q Where were you born? A Winfield, Louisiana, in a parish of Louisiana.  
 Q You removed from that state to where? A To Illinois.  
 Q And from Illinois where? A To Texas.  
 Q And you live there now? A Yes sir.  
 Q What is your father's name? A Malachi Smith.  
 Q Is he living? A He is not; died during the war.  
 Q What is your mother's name? A Her name is Margaret-- you mean what was her name?  
 A Well, it is Margaret Smith isn't it? A Margaret A.  
 Q Is she living? A No sir, she died also during the war.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A I don't know how much.  
 Q Can you give an idea? A I don't think I can; I wouldn't say, not knowing.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A Not that I know anything of.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A Did not.  
 Q Did you ever make application for enrollment as a citizen to the Choctaw tribal authorities? A I did not.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes?  
 A No.  
 Q What was that? A No sir.  
 Q Is this the first application of any kind you have ever made either to the Dawes Commission or the Choctaw tribal authorities?  
 A The first.  
 Q You now make application for identification as a Mississippi Choctaw? A Yes.  
 Q Under what law or treaty do you make this application? A 1830.  
 Q Under the whole treaty of 1830? A Yes.  
 Q Under the whole treaty of 1830 or under only a part of it?  
 A The treaty; the whole treaty.  
 Q You don't claim under article fourteen particularly the, do you?  
 A No.  
 Q You claim just as much under article fifteen or article nineteen?  
 A I don't know anything about the articles; no particular article.  
 Q Just claim under all? A Yes sir.

- Q What is the name of your ancestor who lived in Mississippi in 1830?  
A Daniel Smith.
- Q Was he a full blood Choctaw Indian? A No, not that I know of, he was not.
- Q How much blood did he have? A Well, I don't know that he had any. I claim through his wife, my father's mother.
- Q Well, then, you don't claim through Daniel Smith? A Yes.
- Q Well, I asked you who your ancestor was who lived in Mississippi who claimed to be a Choctaw Indian? A Daniel Smith, no, Mary Smith.
- Q Is that the wife of Daniel? A Yes sir.
- Q How much blood did she have? A I don't know that either.
- Q Have you any idea? A No sir.
- Q Did she within six months after the ratification of the treaty of 1830, tell the United States Indian Agent who lived in Mississippi at that time that she desired to remain in Mississippi and take land and become a citizen of the state of Mississippi?  
A I don't know anything about that.
- Q Did she come from Mississippi to the Indian Territory, between the years 1833 and 1837 do you know? A No sir, not that I know of.
- Q Was she a beneficiary under article fourteen of the treaty of 1830?  
A I can't tell you anything about that.
- Q Did she comply in any manner with any of the provisions of article fourteen of the treaty of the treaty of 1830? A Not that I know of.
- Q Did she claim or receive any land in Mississippi under the provisions of article fourteen of that treaty? A No, I don't know.
- Q Have either you or any of your ancestors ever received any benefits in the Indian country as Choctaw Indians? A Not to my knowledge.
- Q Are you married? A I am.
- Q What is your husband's name? A R. P. Whiteaker.
- Q R.T.? A R.P.
- Q Do you make any claim for him? A None.
- Q Have you children under twenty one years of age and unmarried?  
A Four.
- Q Do you want to make application for them? A Yes sir.
- Q What is the name of the oldest? A Stella O.
- Q Stella what? A Stella O.
- Q How old? A Twenty years old.
- Q The next? A Robert O., eighteen.
- Q Next? A James W.
- Q How old? A Fourteen.
- Q Next? A Elbert.
- Q Albert? A Elbert, nine.
- Q Is that all? A That is all.
- Q R. P. Whiteaker is the father of these children? A He is.
- Q And you are the mother? A Yes sir.
- Q Are you and he living together as husband and wife? A Yes.
- Q And the children living with you? A They are.
- Q Have you any documentary evidence that you would like to introduce now? A Yes.

Written application of Mary I. Whiteaker presented by applicant, received, file, marked Exhibit "A" and made a part of the records in this case.

- Q Would you like time in which to file other documentary evidence?

J. O. Pool, attorney for applicant, asks for twenty days time, within which to file documentary evidence.

Twenty days time from the date hereof is allowed applicant in which to file other documentary evidence in support of this application.

Mary I. Whiteaker 3

Q Is there anything further you want to say? A No, not that I can say.

The decision of the Commission in regard to this application for identification as Mississippi Choctaws which you make for yourself and children will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles W. Sawyer*

Notary Public.

J. F. W.  
C. v. W.

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

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In the matter of the application of Mary I. Whiteaker, et al., for identification as Mississippi Choctaws, M.C.R. 1849.

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

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Mary I. Whiteaker for herself and her four minor children, Stella O., Robert O., James W., and Elbert Whiteaker, under the following provision of the act of Congress approved June 28, 1899 (30 Stat., 498):

"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 test and may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Mary Smith, who is alleged to have been a Choctaw Indian, degree of blood not stated.



It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Chectaw tribal authorities as a member of the Chectaw Tribe, or admitted to Chectaw citizenship by a duly constituted court or committee of the Chectaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 331).

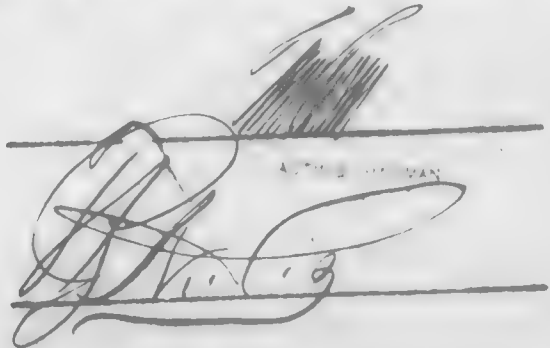
It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Mary Smith signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Chectaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1857 (5 Stats., 180) and August 25, 1842 (5 Stats., 513).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary I. Whiteaker, Stella G. Whiteaker, Robert G. Whiteaker, James V. Whiteaker and Elbert Whiteaker, as Chectaw Indians, entitled to rights in the Chectaw lands under the provisions of said article fourteen

(3)

of the treaty of 1850, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



A handwritten signature, likely "Arthur H. Hays", is written over two horizontal lines. The signature is in cursive and includes a large flourish at the end.

C. R. McDevitt

Commissioners.

Muskogee, Indian Territory,

JUL 24 1902

COPY.

H.C.N. 1540.

Mustang, Indian Territory, July 24, 1902.

Mary I. Whiteaker,  
Sherman, Texas.

Dear Madam:

You are hereby advised that on the 24th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary I. Whiteaker, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 20, 1898 (30 Stat., 498) which is as follows:

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

Said decision concludes as follows:

U.S.V. 2

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary I. [redacted], [redacted], Robert O. Whiteaker, James W. [redacted], as Choctaw Indians, entitled to [redacted] under the provisions of said article fourteen of the Treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered.

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNATURE)

*T. I. Neelico.*

Commissioner in Charge.

Registered.

COPY

U.S. 1. 1540.

Muskogee, Indian Territory, July 24, 1902.

J.O. Pool,

Attorney at Law,

Boonville, Texas.

Dear Sir:

You are hereby advised that on the 24th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary I. Whitaker, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 23, 1890 (26 Stat. 405) which is as follows:

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

Said decision concludes as follows:

3072

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary I. Whiteaker, Stella O. Whiteaker, Robert O. Whiteaker, James W. Whiteaker and Elbert Whiteaker, as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. D. Needles*

Commissioner in Charge.

Registered.

COPY.

W.C.P. 1549.

Muskogee, Indian Territory, July 21, 1902.

Wansfield, McMurray & Cornish,

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

Gentlemen:

You are hereby advised that on the 24th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary I. Whiteaker, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 26, 1898 (30 Stat. 495) which is as follows:

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

Said decision concludes as follows:

H. McN. & C. 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary I. Whiteaker, Stella O. Whiteaker, Robert O. Whiteaker, James W. Whiteaker and Elbert Whiteaker, as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

*T. E. Needles.*  
Commissioner in Charge.



COB

M.C.R. 1849.

Muskogee, Indian Territory, July 24, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Mary I. Whiteaker, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 24, 1902.

The Commission has the honor to report that the principal applicant herein, her attorney of record, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED).

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

Through the Commissioner of  
Indian Affairs.

1 enclosure.

D. C. 14077-1902.

51475

RAF.

DEPARTMENT OF THE INTERIOR.

Washington.

ITD. 5180-1902.

August 28, 1902.

L. R. S.

Commission to the Five Civilized Tribes,  
Muskegee, I. T.

Gentlemen:

With your letter of July 24, 1902, you transmitted the record and your decision of that date, in matter of the application for identification of Mary I. Whiteaker and her minor children, Stella O., Robert O., James W. and Elbert Whiteaker, as Mississippi Cheetaws.

Applicants endeavor to trace their descent from one Mary Smith, alleged to have been a Cheetaw Indian.

The record fails to show that any one of the applicants was ever admitted or enrolled as a citizen of the Cheetaw Nation, or that Mary Smith complied or attempted to comply with article XIV of the treaty of September 27, 1830, or with either of the act of March 3, 1837 ( 5 Stat., 180), and August 23, 1842 ( 5 Stat., 513). You therefore refused the application.

The Acting Commissioner of Indian Affairs forwarded the papers August 20, 1902, and recommended that your decision be

approved. A copy of his letter is inclosed.

Having carefully considered the whole case, the Department affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

R.M.D.

COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Land 45111-1902.

Washington, August 20, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made July 25, 1902, by the Commissioner in charge of the work of the Commission to the Five Civilized Tribes, forwarding for the Department's consideration the record in the matter of the application of Mary I. Whiteaker for the identification of herself and her four minor children, Stella O., Robert O., James W., and Elbert Whiteaker, as Mississippi Choctaws claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of 1830.

July 24, 1902, the Commission held that the applicants were not entitled to identification as Mississippi Choctaws and refused the application.

Descent is claimed from Daniel and Mary Smith, parents of Malachy Smith, who was the father of principal applicant Mary I. Whiteaker.

An examination of the records of this office fails to show that the alleged ancestors complied or attempted to comply with the provisions of the fourteenth article of the treaty of September

27, 1830, or that they applied to the commissions appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of their rights as Chectaw Indians.

It is therefore respectfully recommended that the decision of the commission refusing to identify the applicants as Mississippi Chectaws, be affirmed.

Very respectfully ,

Your obedient servant,

GAW  
D

A. C. Tenner,

Acting Commissioner.

3 inclosures.

N C R 1649

COPY.

Mustagee, Indian Territory, September 5, 1902.

Mary I. Whitaker,  
Sherman, Texas.

Dear Madam:

You are hereby advised that on the 20th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippian Cherokees of the several persons included in the application of Mary I. Whitaker, et al., of which decision you were duly advised by registered mail on the 24th day of July, 1902.

Yours truly,

James G. Sledge,  
Acting Chairman.

H C R 1549

Embargo, Indian Territory, September 5, 1902.

J. O. Pool,  
Attorney at Law,  
Hosona, Texas.

Dear Sir:

You are hereby advised that on the 20th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Mary I. Whitaker, et al., of which decision you were duly advised by registered mail on the 24th day of July, 1902.

Yours truly,

Acting Chairman.

M C R 1549

Muskogee, Indian Territory, September 5, 1902.

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

Gentlemen:

You are hereby advised that on the 26th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Mary I. Whitaker, et al., of which decision you were duly advised by letter on the 24th day of July, 1902.

Yours truly,

  
Acting Chairman.



W. H. CROSTAW

ary I Whitakunokaf  
MCR 1549

No 1549

For Identification as a Mississippi Choctaw.

Date Mich 28-1901

Name Mary J. Whiteaker

Age 44 - Blood don't know,

Post Office, Sherman, Texas,

Father: Malachi Smith, d

Mother: Margaret A. .. d

Claims through father -

Wife

R. P. Whiteaker -

Children:

Stella O. - 20.

Robert O. - 18

James W. - 14

Albert - 9

for self and  
children

Stenographer:

Anna Bell

Choctaw MCR 1550

Susan J. Offill

MCR 1550

**REFUSED**

DECISION RENDERED. JUL 23 1902

NOTICE OF DECISION MAILED APPLICANT.

JUL 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

JUL 23 1902

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS

JUL 23 1902

RECORD FORWARDED DEPARTMENT.

JUL 23 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

AUG 23 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED APPLICANT.

SEP -5 1902

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS

SEP -5 1902

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

SEP -5 1902

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

---0---

In the matter of the application of Susan J. Offill, et al.,  
for identification as Mississippi Choctaws, M.C.R. 1880.

List of papers forwarded to the Secretary of the Interior  
comprising the record in the case of  
Susan J. Offill, et al.

	(Page)
Original application of Susan J. Offill, et al., before the Dawes Commission for identification as Mississippi Choctaws .....	1
Petition of Susan J. Offill .....	4
Notice to dismiss application .....	6
Decision of the Commission denying the application of Susan J. Offill, et al., for identification as Mississippi Choctaws .....	7

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DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 28, 1901.

In the matter of the application for identification as Mississippi Choctaws of Susan J. Offill and her minor child. Susan J. Offill, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Susan J. Offill.  
 Q What is your age? A Sixty.  
 Q What is your post office address? A Sherman.  
 Q What state? A Texas.  
 Q How long have you lived in Sherman? A Two years.  
 Q Where did you live before you lived there? A Blanco County Texas.  
 Q Where were you born? A Illinois.  
 Q Where in Illinois? A Jefferson County.  
 Q Where did you remove to from Illinois? A Texas.  
 Q And have lived there since? A Lived at Blanco County  
 Q How long is that? A Until two years ago I come to Sherman.  
 Q Well, when did you leave Illinois? How many years? A Twenty nine years I think.  
 Q What is your father's name? A Robert Moore.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Sarah Moore.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My mother.  
 Q How much do you claim? A A quarter or a half; no, my mother was a quarter or a half, that would make me a quarter eighth.  
 Q Well you can't be a quarter and an eighth. How much are you now?  
 A I don't know.  
 Q Has your mother ever been recognized by the Choctaw tribal authorities as a Choctaw Indian? A Not that I know of.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q What is that? A No sir.  
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application that you have ever made of any kind?  
 A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A 1830.  
 Q Under the whole treaty? A Yes sir.  
 Q You don't make this claim under any particular article? A No sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830?  
 A Don't know.

- Q Don't you know the person through whom you claim your Choctaw blood? A No.
- Q What is that? A No.
- Q How do you know that you are descended from a Mississippi Choctaw ancestor then? A I was always taught that by my parents.
- Q But weren't you taught who you were descended from? A No sir.
- Q Whether your grandfather or grandmother or great grandfather or great grandmother? A Why, my grandfather Cameron, my mother's father.
- Q He is the Mississippi Choctaw ancestor through whom you claim, is he? (No answer)
- Q Well, you don't know what I mean by ancestor do you? He is your kin who lived in Mississippi, is he? A Yes, my grandfather Cameron, my mother's father.
- Q Was he a full blood Choctaw? A Don't know.
- Q How much Choctaw blood did he have? A I don't know; my mother was a quarter or half, I don't know which, I think a half.
- Q Well, you have always heard that this grandfather of yours was a Mississippi Choctaw? A Yes sir.
- Q That is family history, is it? A Yes sir.
- Q Have you any documentary proof of that? A No sir.
- Q Did he within six months after the ratification of the treaty of 1830, tell the United States Indian Agent living in Mississippi at that time that he intended to stay in Mississippi and take land and become a citizen of the states? A I don't know.
- Q Was he a beneficiary under article fourteen of the treaty of 1830? A Don't know.
- Q Did he comply in any manner with any of the provisions of article fourteen of the treaty of 1830? A Don't know.
- Q Do you know what the provisions of that article are? A No sir.
- Q Did you ever hear of that article? A No sir.
- Q Did he ever receive or claim any land in Mississippi under the provisions of that treaty? A I don't know.
- Q Are you married? A Yes, my husband is dead.
- Q What is his name? A William T. Offill.
- Q Have you any children you want to make application for? A Yes, one.
- Q Is that child under twenty one? A Yes, he is twenty.
- Q And not married? A No sir.
- Q What is his name? A Thompson R. Offill.
- Q How old is he? A Twenty.
- Q You have other children? A I have four older than he is.
- Q Over twenty one? A Yes sir.
- Q They will have to make application for themselves. Have you any documentary evidence that you want to introduce now? A Yes sir.

Application of Susan J. Offill presented by applicant, received, marked Exhibit "A", file, and made a part of the records in this case.

- Q Have you any other documentary evidence? A No sir.
- Q Would you like time to present it?

Here J. O. Pool, attorney for applicants, asks for twenty days time in which to file documentary evidence.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

- Q Is there anything further you would like to say in support of this claim? A No sir.

Susan J. Offill 3

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and child will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles H. Searcy*

Notary Public.



Y. F. M.  
J. R. K.  
C. v. W.

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

— • —

In the matter of the application of Susan J. Offill, et al., for identification as Mississippi Choctaws, M.C.R. 1550.

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

—

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Susan J. Offill for herself and her minor child, Thompson H. Offill, under the following provision of the act of Congress approved June 26, 1898 (30 Stat., 403):

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

It also appears that all of said applicants claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Cameron, who is alleged to have been a Choctaw Indian,

degree of blood not known.

It further appears from the evidence submitted in support of said application, and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Chectaw tribal authorities as a member of the Chectaw Tribe, or admitted to Chectaw citizenship by a duly constituted court or committee of the Chectaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 18, 1906 (34 Stat., 381).


It does not appear from the testimony and evidence offered in support of said application, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said persons, or ancestors less remote, signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Chectaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1897 (30 Stat., 150) and August 22, 1903 (33 Stat., 813).

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of James J. O'Fall and Thompson E. O'Fall, as Chectaw Indians, entitled to rights in the Chectaw lands under the provisions of said article

fourteen of the treaty of 1866, and that the application for their identification as such should be refused, and it is so ordered.

THE COMMISSIONER TO THE FIVE CIVILIZED TRIBES,

  
\_\_\_\_\_  
J. M. McKim

  
\_\_\_\_\_  
J. H. [unclear]

  
\_\_\_\_\_  
C. R. Buckmaster

Mcabe, Indian Territory,

JUL 23 1902

General.  
R. 1030

M.C.R. 1080.

Lawton, Indian Territory, July 23, 1902.

Susan J. Offill,  
Sherman, Texas.

Dear Madam:

You are hereby advised that on the 25th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Susan J. Offill, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 20, 1902 (30 Stats. 496) which is as follows:

"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 Indians, concluded September twenty-second, eighteen hundred and thirty, and to that end may examine and receive evidence and perform all other acts necessary thereto, and make reports to the Secretary of the Interior."

Said decision concluded as follows:

876 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Susan J. Offel and Thompson K. Offel, as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article 1, section 2 of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. B. Needles.*

Commissioner in Charge.

Registered.

X.C.R. 1550.

Muskogee, Indian Territory, July 23, 1902.

J.O. Peel,  
Attorney at Law,  
Nacena, Texas.

Dear Sir:

You are hereby advised that on the 22d day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Susan J. Orfill, et al., applicants for identification as Mississippi Choctaws:

This application was made under the provision of the act of Congress of June 28, 1898 (30 Stats. 495) which is as follows:

"Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteenth of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and three, and to that end may administer oaths, examine witnesses and perform all other acts necessary thereunto, and make reports to the Secretary of the Interior."

Said decision concludes as follows:

J O P 2

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Susan J. Offill, and Thompson H. Offill, as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED)

*T. D. Woodlee.*

Commissioner in Charge.

Registered.



H.C.R. 1880.

Muskogee, Indian Territory, July 23, 1902.

Mansfield, McMurray & Gornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 23d day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Susan J. Offill, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 26, 1896 (30 Stats. 499) which is as follows:

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

Said decision concludes as follows:

"It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Susan J. Offill and Thompson R. Offill, as Choctaw Indians, entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the application for their identification as such should be refused, and it is so ordered."

MEMO 2

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review, and you will be informed in due time of such action as may be taken by him.

Yours truly,

(SIGNED).

*T. D. McClellan.*

Commissioner in Charge.

H.C.R. 1880.

Muskogee, Indian Territory, July 23, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Susan J. O'Fall, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of July 23, 1902.

The Commission has the honor to report that the principal applicant herein, her attorney of record, and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

(SIGNED).

*T. B. Woodriss.*

Commissioner in Charge.

Through the Commissioner of  
Indian Affairs.

1 enclosure.

D. C. 14056-1902.

80707.

RAF.

DEPARTMENT OF THE INTERIOR.

Washington, August, 23, 1902.

ITD. 4818-1902.

L.R.S.

Commission to the Five Civilized Tribes,  
Muskagee, I. T.

Gentlemen:

The Department has considered the record in the matter of the application of Susan J. Offill and her child, Thompson R. Offill, for identification as Mississippi Choctaws, the record, including your decision of July 23, 1902, denying the application, having been transmitted with your letter of that date.

The applicants attempt to trace their descent from one Cameron, said to have been a Choctaw Indian.

The record fails to show that either of the applicants was ever admitted or enrolled as a citizen of the Choctaw Nation, or that said Cameron or a less remote ancestor of applicants ever complied or attempted to comply with the provisions of article XIV of the treaty of September 27, 1830, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

The Acting Commissioner of Indian Affairs forwarded the papers August 6, 1902, and recommended that your decision be approved. A copy of his letter is inclosed.

After a careful examination to the whole case the Department affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

E.M.D

I inclosure.

COPY.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs.

Washington, Aug. 6, 1902.

Land 44139--1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report dated July 23, 1902, from T. B. Needles, Esq., Commissioner in charge of the work of the Commission to the Five Civilized Tribes, forwarding for the Department's consideration the record relative to the application of Susan J. Offill, et al., for identification as Mississippi Choctaws claiming rights in the Choctaw lands under article 14 of the treaty of 1830. The principal applicant applies for the identification of herself and her minor child Thompson R. Offill.

The parties in this case only attempt to trace descent from Sarah Moore, nee Cameron, mother of the principal applicant. Robert Moore was the husband of Sarah Moore and the father of the principal applicant in this case. The applicants claim to have derived their Choctaw blood from Sarah Moore.

The records of this office have been examined and no record has been found which shows that Sarah Moore, nee Cameron, complied or attempted to comply with the provisions of article 14 of the treaty of 1830, or that she applied to the Commission for identification.

March 8, 1887 and August 23, 1842, for an adjudication of her rights as a Cherokee Indian. Neither has any record been found relative to Robert Moore having complied with said Treaty or Acts.

It is therefore respectfully recommended that the decision of the Commission rejecting the applicants be approved.

Very respectfully,

Your obedient servant,

A. C. Tenner,

Acting Commissioner.

C. A. W. (S)

N. S. N. 1900

Mustang, Indian Territory, September 3, 1902.

Susan J. O'Fall,

Sherman, Texas.

Dear Madam:

You are hereby advised that on the 22d day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Susan J. O'Fall, et al., of which decision you were duly advised by registered mail on the 22d day of July, 1902.

Yours truly,

1902

James G. ...  
Acting Chairman.



H. C. R. 1902

McKeague, Indian Territory, September 8, 1902.

J. O. Pool,  
Attorney at Law,  
Hockna, Texas.

Dear Sir:

You are hereby advised that on the 28th day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Susan J. Offill, et al., of which decision you were duly advised by registered mail on the 28th day of July, 1902.

Yours truly,

RECORDED

Acting Chairman.

N. C. R. 1500

McAlester, Indian Territory, September 9, 1902.

Hammfield, McBarrey & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 28d day of August, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Choctaws of the several persons included in the application of Susan J. Offill, et al., of which decision you were duly advised by mail on the 28d day of July, 1902.

Yours truly,

IE

Acting Chairman.

No. 1.222

For Identification as a Mississippi Choctaw.

Date *Mich 28, 1901*

Name *Susan J. Coffill,*

Age *60*

Blood desc. *Known*

Residence *Sherman, Texas.*

Father: *Robert Moore d*

Mother: *Sarah " d*

Claims through *Mother*

*Husband*  
*Wm J. Coffill d*

Children:

*Thompson R. Coffill. 20*

*For set and*  
*checked*

*Stenographer:*  
*Anna Bell.*

Choctaw MCR 1551

Charles A. Redman

MCR 1551

REFUSED.

DEPARTMENT OF THE INTERIOR

JUL 17 1902

FORN AND CHICKASAW NATIONS

~~JUL 17 1902~~

JUL 17 1902

FORN AND CHICKASAW NATIONS

DEPARTMENT OF THE INTERIOR

JUL 17 1902

DEMANDED BY THE SECRETARY OF THE INTERIOR ON FURTHER HEARINGS.

JUL 17 1902

DEPARTMENT OF THE INTERIOR

MAR 5 1903

ACTION APPROVED BY SECRETARY OF INTERIOR

AUG 9 1904

NOTICE OF DEPARTMENTAL ACTION

ACTION MAILED APPLICANTS

AUG 27 1904

NOTICE OF DEPARTMENTAL ACTION FORWARDED AT FORNEYS FOR CHOCTAW AND CHICKASAW NATIONS

AUG 27 1904

NOTICE OF DEPARTMENTAL ACTION

FORWARDED AT FORNEY FOR APPLICANTS

AUG 27 1904

DEPARTMENT OF THE INTERIOR,  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 26, 1901.

In the matter of the application for identification as Mississippi Choctaws of Charles A. Redman, his wife, and his minor child. Charles A. Redman, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Charles A. Redman.  
 Q What is your age? A Fifty four.  
 Q What is your post office address? A Sherman, Texas.  
 Q How long have you lived at Sherman? A About three years.  
 Q Where did you live before you lived there? A Well, Dallas, and different places in the state.  
 Q Where were you born? A Kentucky.  
 Q Where in Kentucky? A Mead County.  
 Q How old were you when you moved from Kentucky? A Well, I remained there until I was grown.  
 Q Twenty one? A Yes sir.  
 Q And then where did you go? A I come to Texas.  
 Q And have lived in Texas since? A Yes sir.  
 Q You never lived in Mississippi? A No sir.  
 Q What is your father's name? A Thomas.  
 Q Thomas Redman? A Yes sir.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Lucinda.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Through my father.  
 Q How much do you claim? A My father was one half.  
 Q How much are you? A That would be a quarter I suppose.  
 Q Was your father ever a resident of the Indian Territory? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A My name is not, my fore parents are.  
 Q I am talking about you. Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.  
 Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application to the Choctaw tribal authorities for enrollment as a citizen? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for either citizenship or enrollment to the Dawes Commission under the act of Congress of June 10, 1896?  
 A No sir.  
 Q Is this the first application of any kind you have ever made?  
 A The first application, yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A The treaty of 1830.  
 Q Under the whole treaty or part of it? A Under the whole treaty.

- Q Do you claim under article fifteen and article nineteen the same as the fourteenth? A I don't know.
- Q Well, you say you claim under the whole treaty? A I don't know that I am familiar with that.
- Q Do you claim equally under all of the articles of the treaty?
- A Yes.
- Q Then you claim under article fifteen and nineteen the same as article fourteen, don't you? A Well, I suppose so.
- Q Well, you say you claim equally? A I don't know whether I understand that or not.
- Q It is very easy to understand. Do you claim under the whole treaty of 1830? A Yes.
- Q Equally under all of the articles? A Yes sir.
- Q Then you claim equally under articles sixteen, eighteen and nineteen? A Yes sir, I suppose so.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A His name was Redman.
- Q The full name? A That is all.
- Q Well, what did you say? I can't hear. A Redman.
- Q Well, what was his first name? A My father's name was Thomas, my grandfather's name was William, the next one's name I don't know.
- Q Do you claim under your grandfather? A No sir, I am claiming under my great grandfather, Redman is all I know.
- Q Did he, within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi at that time, Colonel Ward, that he intended to remain in Mississippi and take land there and become a citizen of that state?
- A I could not say as to that.
- Q Did he come from Mississippi to the Indian Territory with the other Choctaw Indians? A Yes sir, my grandfather went off with them.
- Q What year do you know? A It was somewhere in--- it was before I was born; it was somewhere along about the thirties.
- Q He came here then, did he? I am talking about your great grandfather, the one that you claim your blood through? Well, now, did he come? A I think he died back there.
- Q Well then, you say your grandfather came in eighteen---
- (Interrupting) Yes sir, somewhere along about the eighteen thirties
- Q What was your grandfather's name? A My grandfather's name was William.
- Q Did your ancestor through whom you claim the right to be identified claim or receive any land from the United States Government under article fourteen of the treaty of 1830? A I have heard my father say that he got a benefit some way but I could not say how much or what.
- Q Have you any documentary proof of that? Any documentary proof I mean, that he received land? A No.
- Q Did any of your ancestors comply in any manner with the provisions of article fourteen of the treaty of 1830? A Well, I was told by my father that the old folks did.
- Q Told what? A That they did comply with it.
- Q Told by your father that who complied with it? A His father and grandfather.
- Q His father's name was William and his father's name you don't know? A No.
- Q And your father told you that his father William complied with the provisions of the fourteenth article of the treaty of 1830?
- A Yes sir.
- Q In what way? A I don't know.
- Q Have you any other proof of that fact beside what your father said?
- A No.
- Q No documentary proof? A No documentary proof.

Charles A. Redman 3

- Q Was he put upon Colonel Ward's register do you now? A I could not say.
- Q Or on the register of Murray and Vroom in 1837 or 1838?
- A I could not say as to that.
- Q You don't know about that? A No, I don't know about that.
- Q Do you know whether he was put upon any registry list in 1852 or 1843? A No sir, I don't know whether he was or not.
- Q Have you any other proof that hearsay that your grandfather or great grandfather received any land in Mississippi from the United States Government? A No documentary proof.
- Q No patents or copies of patents or records of any patents?
- A No, I have no papers of any kind, only what I heard my father say
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Her name is Emma.
- Q Do you make any claim for her? A Yes sir.
- Q What do you claim for her? A To the Choctaw Nation.
- Q Well, do you claim that she is a Mississippi Choctaw? A Yes sir.
- Q How is she a Mississippi Choctaw? A Well she---
- Q (Interrupting) Married you? A Yes, and then she has got blood.
- Q Oh, she has blood; is she here? A Yes sir, in Sherman.
- Q Why don't she make application in her own behalf? A Well, I didn't know but what I could make it for her and save one expense.
- Q Well, have you any children under twenty one years of age and unmarried for whom you wish to make application? A I have one.
- Q What is that child's name? A Pearl.
- Q A girl? A Yes sir.
- Q How old is Pearl? A Fourteen.
- Q Is Emma Redman the mother of Pearl? A Yes sir.
- Q And you are the father? A Yes sir.
- Q The basis of that child's claim is the same as yours? A Yes sir.
- Q Have you any documentary evidence that you would like to introduce now in support of your application? A Yes sir.
- Q What is this? A A written application.

Written application of Charles A. Redman presented by applicant, received, marked Exhibit "A", filed and made a part of the records in this case.

- Q Have you any other documentary evidence? A No sir.
- Q Would you like time in which to produce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of your claim.

- Q How old is your wife? A Forty six.
- Q What is your wife's father's name? A Jenkins.
- Q Full name? A Jack.
- Q Is he living? A No sir.
- Q What is your wife's mother's name? A Sarah.
- Q Sarah? A Yes sir.
- Q Is she living? A No sir.
- Q Through which one of these parents does she claim her Choctaw blood? A Her father.
- Q How much? A A quarter.
- Q Was Jack Jenkinsever recognized by the Choctaw tribal authorities as a Choctaw Indian? A Well, I have heard my wife speak something of it.



- Q Did he ever live in Indian Territory? A No, he never lived in Indian Territory.
- Q Well, he never was recognized by the Choctaw tribal authorities here? A Not here; he stopped in Texas.
- Q Did she or any one for her, ever make application to the Choctaw tribal authorities for citizenship or enrollment in the Choctaw Nation? A No sir.
- Q Did she or any one for her ever make application for citizenship or enrollment in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
- Q Was she ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory? A No sir.
- Q Is this the first application that was ever made for her for citizenship or enrollment either to the Dawes Commission or the Choctaw tribal authorities? A Yes sir.
- Q You are now making application for your wife for identification as a Mississippi Choctaw? A Yes sir.
- Q You claim that she has the blood? A Yes sir.
- Q And that she claims it through her father, Jack Jenkins? A Yes sir.
- Q And claims one fourth? A Yes sir.
- Q Do you know the name of her ancestor who lived in Mississippi in 1830? A No, I don't.
- Q You don't know the name of the Choctaw ancestor through whom she claims? A No, I don't know any farther back than her father.
- Q Did he live in Mississippi in 1830? A Yes.
- Q Did he, within six months after the ratification of the treaty of 1830, or any of her ancestors, tell the United States Indian Agent then living in Mississippi, Colonel Ward, that he intended to remain in Mississippi and take land there and become a citizen of that state, if you know? A I don't know whether he received any benefits or not; my wife spoke once of him receiving something, I could not say whether he did or not, I could not say.
- Q Were any of the ancestors of your wife beneficiaries under article fourteen of the treaty of 1830? A I could not say so well about my wife, whether they were or not.
- Q Did any of the ancestors of your wife ever take advantage in any way of the provisions of article fourteen of that treaty?
- A Not that I know of.
- Q Did any of the ancestors of your wife ever claim or receive any land in Mississippi under article fourteen of the treaty of 1830?
- A I could not say that they did.
- Q Have you any documentary evidence that you want to submit in support of the application which you make in behalf of your wife?
- A No, not at present.
- Q Would you like time? A Yes sir.

Twenty days time is allowed within which to produce such evidence as you may desire in behalf of this application for your wife.

- Q Is there anything further you want to say? A I believe not.

The decision of the Commission in regard to this application which you make for yourself and your wife for identification as Mississippi Choctaws, both as having the blood of Mississippi Choctaws, and also the application which you make in behalf of your child, Pearl, will be mailed to you at your present post office address.

Charles A. Redman 5

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles H. Sawyer*

Notary public.

Department of the Interior.  
Commission to the Five Civilized Tribes.  
Muskogee, Indian Territory, November 5, 1902.

In the matter of the application of Charles A. Redman,  
et al., for identification as Mississippi Choctaws.

J. O. Pool (not present) Attorney for applicant.

Charles A. Redman being first duly sworn testified in his own  
behalf as follows:

Examination by the Commission:

- Q What is your wife's full name Mr. Redman? A Emma.
- Q Your child's name is Pearl? A Yes sir.
- Q In a letter received by the Commission dated September 3, 1902  
from the Secretary of the Interior, instructions were given  
to the Commission to grant you opportunity to introduce  
further testimony in support of this claim you make for  
yourself, wife and child; you appear to-day do you not to  
give whatever testimony you yourself are able to give as  
well as to ask for a further extension of time? A Yes sir.
- Q What was your grandfather's name? A William.
- Q What was his father's name? A I do not know.
- Q Who was Thomas Redman? A Thomas Redman was my father.
- Q And the son of William? A Yes sir.
- Q Did your grandfather William Redman live in the state of  
Mississippi at any time? A Yes sir; well he died in 1803;  
I dont know where he died.
- Q You dont know whether he lived in Mississippi or not? A No  
I do not.
- Q Did your father Thomas ever live in Mississippi? A Yes sir  
up to forty four.
- Q Did he live there in 1830? A Yes sir he lived there in 1830.
- Q Was he the head of a family in Mississippi at that time?
- A No sir he wasn't the head of a family.
- Q The question means was he a married man? A No sir.
- Q Can you give the name of any ancestor of yours who had  
Choctaw blood and who lived in Mississippi in 1830 or Alabama  
in the old Choctaw Nation and who was the head of a family  
there then? A On the Redman side.
- Q I dont care whether your father's side or mother's.
- A My grandmother on my mother's side.
- Q Did you ever give her name before? A Yes sir it's in the  
application.
- Q What is her name? A Lucy.
- Q What relation was Lucy to you? A My grandmother.
- Q What was her husband's name? A Her husband's name was Wyatt ;  
W-y-a-t-t or a-t, I dont know which.
- Q What was his father's name? A I do not know.
- Q What was his nationality ; did he have any Choctaw blood?
- A I cant tell you that; I dont know.
- Q Did Lucy live in Mississippi at any time? A Yes sir.
- Q Did she live there in 1830? A Yes sir.
- Q Was she the head of a family there then? A Yes sir; she was  
the head of a family there.
- Q Can you tell how many children she had living there then? A  
No sir I cannot.

Q Can you give the names of any of them? A Buck is the only one I recollect and that was a nick name.

Q Was that a boy? A Yes sir.

Q And the son of Lucy your grandmother? A Yes sir.

Q Lucy Wyatt was your grandmother's name? A The original Lucy never assumed her husband's name.

Q Lucy, your grandmother's married name was Lucy Wyatt?

A Yes sir.

Q How did you ever know that a Lucy or an Indian by the name of Lucy was a beneficiary under article fourteen of the treaty of 1830? A Not of my own knowledge.

Q Have you ever heard it in any way shape form or manner?

A No I did not.

Q Would you know if the name Lucy appears upon any list made either by Colonel Ward the United States Indian agent or Colonel George W. Martin the United States locating agent or upon any list made by any representative of the United States government as a beneficiary either under article fourteen of the treaty of 1830 or under article nineteen of that treaty?

A Not of my own knowledge.

Q I dont exactly know what you mean by that answer; did you ever hear from anybody as a matter of family history or tradition or rumor? A When I was little my parents used to talk to me about scrip.

Q I'm not asking about scrip. A I dont know

In 1837 by an act approved March 3 of that year a Commission was appointed by Congress which went to Mississippi and heard claimants under article fourteen of the treaty of 1830; in 1842 by an act of Congress approved August 23 of that year another Commission was appointed by ~~the~~ Congress to go to Mississippi and perform the same duties; this Commission went to Mississippi and heard claimants under article fourteen of the treaty of 1830; the reason why these Commissions were appointed was because of the complaints made by a great many Choctaw Indians that they had gone to Colonel William Ward the United States Indian agent within six months after the ratification of the treaty of 1830 and had registered or had attempted to register under him or under article fourteen of the treaty of 1830 but that he had refused to put their names on what is now known as ~~the~~ Ward's register and because of his refusal to do this a great many Choctaw Indians who had land in the old Choctaw Nation upon which they had improvements lost both their land and their improvements; both were taken from them by the government and sold at its public land sales.

Q Do you know whether any of your Choctaw ancestors appeared before either the Commission of 1837 or the Commission of 1842 or whether any of the Choctaw ancestors of your wife Emma appeared before either of those Commissions and claimed any benefits as Choctaw Indians under article fourteen of that treaty? A I dont know.

Q Did you ever hear that any of your Choctaw ancestors or your wife's Choctaw ancestors received any scrip from the government of the United States as Choctaw Indians which entitled them to select land either in Mississippi Alabama Louisiana or Arkansas? A There's a question right in there that---

Q Well I dont care for the question; if you heard my question

I want you to answer it. A Well I will answer it, No.

This scrip was issued under act of Congress approved August 23 1842 and was given to those Choctaw Indians who first proved their rights under article fourteen of the treaty of 1830 and then further proved that their land had been taken from them in the old Choctaw nation and sold by the government. Now if any of your Choctaw ancestors or your wife's Choctaw ancestors appeared before either of those Commissions it means that they had formerly tried to get their rights under Colonel Ward and had been refused and that they had then applied to the Commission of 1837 or 1842 Do you know whether your ancestors or your wife's ancestors did that?

- A I will have to answer it no for I was not there at that time.
- Q Did you ever hear that they did? A Yes sir I heard it. I heard my mother talk about getting scrip - my father - I dont know about him.
- Q You dont know whether any of your father's people got any or whether he did? A No I do not.
- Q And you have heard and your mother said some of her people or possibly she herself did receive scrip? A Yes sir.
- Q Who did you hear received any scrip? A I heard her say that she received it - her and her grandmother.
- Q Your mother's name is what? A Lucy.
- Q That's your grandmother and your mother's name was what?
- A Lucy. Both of them Lucy.
- Q What was your grandmother's full name? A Lucy Wyatt.
- Q And what was your mother's full name? A Lucy Redman.
- Q Now Mr. Redman was it your grandmother Lucy Wyatt or your mother Lucy Redman or both who received scrip from the government?
- A It was my understanding when I was little that they both received scrip.
- Q Before which Commission was it they received that scrip?
- A I dont know.
- That scrip was issued under act of Congress approved August 23 1842. Did either of them get any land in pursuance to the issuance of that scrip? A I cant tell what my grandmother got.
- Q You dont know whether she got any land or not? A No sir I do not.
- Q And you never heard anything further about that? A No sir.
- Q How did your mother get any land? A Not that I know of.
- Q You dont know what became of the scrip issued to either?
- A No sir; my mother had a piece of land but whether the scrip bought it or not I cant tell you.
- Q You dont know whether she got it from the government or not?
- A No I do not.
- Q Did any of your Choctaw ancestors live in Mississippi in 1830 and from that time on for five years upon land given to them by the government and at the end of that time get a patent or deed of that land from the government?
- A I dont know judge; it's too far back.
- Q Did any of your Choctaw ancestors own or claim any land in that old Choctaw Nation under article fourteen of the treaty of 1830 or your wife's ancestors? A Judge I dont know.

- Q Do you know whether any of your ancestors or your wife's ancestors lived on land in the old Choctaw Nation in Mississippi or Alabama for five years and then got a patent to it from the government? A I dont know judge about that.
- Q Did you ever hear that any of your ancestors or your wife's ancestors owned any improvements on land in the old Choctaw Nation in 1830? A No sir
- Q Did any of them go - either your ancestors or your wife's ancestors go from the old Choctaw Nation east of the Mississippi river to the Choctaw Nation Indian Territory with the other Indians between 1833 and 1838 or forty? A I dont know judge; they went off.
- Q You dont know where they went? A I dont know where they went.
- Q You never heard that any of your Choctaw ancestors or your wife's Choctaw ancestors went from that old Choctaw Nation to the Choctaw Nation Indian Territory at any time previous to this date? A I dont know; they went off I never knew where they went.
- Q As far as you know at present then you claim your Choctaw blood from Thomas Redman your father? A Father and mother both.
- Q You claim that Lucy was living in Mississippi in 1830 and had a family living there then? A Yes sir.
- Q Do you know whether your father Thomas was living at that time. A He was living in that country too; he was the only child of his father; he was small; he was only three years old when his father died.
- Q Lucy was the wife of your father Thomas and was living in Mississippi in 1830 and had a family there then? A Well my grandmother Lucy --
- Q Do you mean to state that it was your grandmother Lucy who lived in Mississippi in 1830 and was the head of a family there then? A Yes sir.
- Q You want to say that your grandmother Lucy Wyatt lived in the State of Mississippi in 1830 and had a family there then? A Yes sir.
- Q Did your mother Lucy live in Mississippi at that time? A Yes sir.
- Q When was she born? A She was born in 1822.
- Q Did her parents live in Mississippi? A Yes sir.
- Q Was she born in Mississippi? A I dont know; that's something I dont know.
- Q Can you tell her father's name? A My mother's father's name? A Yes sir? A Wyatt.
- Q What was the full name? A I dont know; it appears to me like it was Jimmie but I want be positive.
- Q What was his wife's name? A His wife's name was Lucy.
- Q Another Lucy; I asked for the name of the father of your grandmother Lucy. A I cant tell you.
- Q Emma is your wife? A Yes sir.
- Q In a former hearing it was stated that her father was named Jack Jenkins; is that right? A Yes sir.
- Q Is Jack Jenkins the father of Emma Redman? A No sir.
- Q Then what did you say yes for? I asked you if Jack Jenkins was the father of your wife Emma and you said no. A No he's not.
- Q Was Jack Jenkins the father of your wife Emma Redman? A No sir.
- Q What relation was Jack Jenkins to your wife Emma Redman? A He was her grandfather.

- Q What was the father of your wife Emma Redman named? A George Jenkins.
- Q George Jenkins was the father of Emma Redman and his father was Jack Jenkins? A Yes sir.
- Q Now if any statement was made different to that statement in any previous application made by you for yourself and wife it was not right was it? A It was not right.
- Q The statement has been made that Jack Jenkins was the father of your wife Emma; do you want to change that in your testimony? A Yes sir.
- Q Do you want to say that George Jenkins was your wife Emma's father? A Yes sir.
- Q And that Jack Jenkins was his father? A Yes sir.
- Q And the grandfather of Emma Redman; is that right? A Yes sir.
- Q Have you any knowledge of any kind that your wife's grandfather Jack Jenkins lived in Mississippi in 1830 and was the head of a family there then? A No sir I dont know.
- Q Have you any knowledge that a person name Jack Jenkins who was the grandfather of your wife Emma complied with the provisions of the fourteenth article of the treaty of 1830? A I dont know.
- Q Do you know whether your wife's grandfather Jack Jenkins has his name upon any list either Colonel Ward's list or the list of any other agent of the United States as a beneficiary under article fourteen of the treaty of 1830? A No sir I dont know.
- Q Do you know whether your wife's grandfather Jack Jenkins complied with article fourteen of the treaty of 1830 and received land described as follows:

Section nineteen township seventeen range fifteen east

or that he was awarded the north half and the south west quarter of section twenty township seventeen range fifteen east for his minor children?

- A I do not know.
- Q Do you know of anybody living who would be able to furnish this information to the Commission in reference to Jack Jenkins your wife's grandfather and whether or not he complied with article fourteen and received land as described? A I do not know.
- Q If you get a continuance in this case do you think you could find anybody who could furnish that testimony? A Yes I think I could.
- Q You think you will try? A That's all I can do.
- Q Have you anybody in mind now who can furnish that testimony? A No I have no one in mind now.
- Q You dont know whether or not the land I have described was patented to your wife's grandfather Jack Jenkins October 10 1842? A No sir I do not know.
- Q And did you ever hear that Jack Jenkin's ~~son~~ your wife's grandfather appeared before the Commission appointed by act of Congress approved August 23 1842 and claimed any rights under article fourteen of the treaty? A No sir I dont know.
- Q How old is your wife Emma now? A She is going on forty eight; she was forty six years old as shown by the records March 28 1901.
- Q She would be forty seven now? A Yes sir.
- Q Did George Jenkins your wife Emma's father live in Mississippi and receive any benefits under article fourteen or any land in Mississippi under that article or any land in Mississippi or Alabama in the old Cheetaw Nation under the

Commission of 1837 or 1842? A I dont know.

In a letter sent by the Secretary of the Interior to the Commission is this statement: If the Jack Jenkins whom the records of this office show was her father ( that is Emma your wife) she must have been born subsequent to the date of the treaty of 1830 but ~~she~~ had she been one of the three children for whom he Jack Jenkins received land she would have been at the date of the testimony seventy years of age.

Q Now you correct that do you not Mr Redman by saying that your wife instead of being the daughter of Jack Jenkins was the daughter of George the son of Jack Jenkins?

A Yes sir.

Q Now what proof have you that your wife's father was named George and his father was named Jack Jenkins? A I have none.

Q Isn't your wife living? A My wife is living, yes.

Q Where is she? A She's down here this side of Sherman; between Sherman and Denison.

Q Is she sick? A No sir.

Q Dont you think that her interests in this case are such that it would be worth while to have her come before the Commission and testify in her own behalf? A Well if it's necessary.

Q That's for you and your attorney to determine.

A If it's necessary we will come?

Q It isn't for the Commission to say that it is necessary; all this time you have a witness in your wife who could come before the Commission just as well as not and yet she has not come; it would seem to the Commission that you and your wife both should have interest enough in the application that is made for her and yourself to produce her in order to testify as to her relationship through her father George Jenkins with Jack Jenkins because the name Jack Jenkins does appear upon some of the records in the possession of the Commission as a beneficiary under article fourteen of the treaty of 1830 and while it is true that you dont know your wife's grandfather Jack Jenkins is the same Jack Jenkins who received land in Mississippi under article fourteen it may be possible that your wife knows something about it. Do you know whether she does or not?

A I've never questioned her on it.

Q It's a very good scheme for you to ask her.

A I have never been instructed to bring her. A

Q You have an attorney? A He has never instructed me to bring her.

Q Well if your attorney dont understand thoroughly how to manage your case it's the misfortune of the attorney and your own.

A That's the reason; he never told me to bring her or that she could appear in the case.

Q You then, are not able to say whether or not Jack Jenkins whose name does ~~not~~ appear upon a list of the government as a beneficiary under article fourteen of the treaty of 1830 as having three children and as having received land from the government for himself and three children is the Jack Jenkins who is your wife's grandfather? A No I'm not able to say.

Q And you dont know of anybody that could show that proof now? A No sir.

Q Do you know of any records in existense anywhere that would



show it? A No sir I do not.

The letter of the Secretary of the Interior dated September 3 1902 and written to the Commission further states :

The record in this case (referring to your application) also shows that Charles A. Fedman's grandmother on his mother's side was a Choctaw Indian named Lucy and nothing else.

- Q Now you say her name was Lucy Wyatt? A Yes according to our terms.
- Q That isn't right then - Lucy and nothing else? A It was according to their ways
- Q Your grandmother's name was Lucy Wyatt was it not? A Yes.
- Q Then what do you mean by saying her name was Lucy and nothing else? A If you would understand me, the original Lucy never assumed her husband's name; that's the reason why the Lucy comes on the list; she was Lucy Wyatt according to our terms but not according to theirs.
- Q How do you know that Lucy Wyatt never received any benefits under article fourteen of the treaty of 1830? A I don't know it judge, because I wasn't there.
- Q You might have heard through the family but you never have have you? A I heard them talk about scrip but what they done with it I don't know.
- Q Do you know whether your grandmother Lucy whom you knew as Lucy Wyatt had children or not? A There's only one that I remember.
- Q What is the name of that one? A His name is Buck, and that was a nick name.
- Q Do you know his real name? A No sir.
- Q Did she ever have a child by the name of Tennessee? A Not that I know of.
- Q Did she ever have a child by the name of Johnnie? A Not that I know of.
- Q Or Jimmie or Peter? A No sir I don't know.
- Q Do you know whether your grandmother Lucy had a husband whose name was Fil-o-mah-tubbee; do you know whether your grandmother Lucy ever had a husband by that name?
- A If she did I didn't hear anything of it.
- Q What was her husband's name? A The only one I know was Wyatt.
- Q You don't know his first name? A No I don't know his first name.
- Q Do you know whether your grandmother Lucy was ever ten years of age in 1830? A Yes she was over ten years of age; of course; my mother was eight years old in 1830.
- Q Do you know whether she married and left a child by the name of Rah-to-nubbee? A No sir I don't.
- Q Did you ever hear that your grandmother Lucy whom you know as Lucy Wyatt had a father whose name was R-o-ootch-ah?
- A I don't remember his name.
- Q Do you remember any such name as that? A No I do not.
- Q Did you ever hear anything in your family of a Lucy who was the wife of Win-ma-ohabbee? A Them names I don't recollect.
- Q You never heard of any such Lucy as that then? A No I don't remember her name.
- Q Did you ever hear of a Lucy whose's father's name was The-lin-tah? A No I don't remember.

- Q Did you ever hear of a Lucy who was the child of Oon-nah-hoka? A No sir.
- Q Do you know whether you are the descendant of a Choctaw Indian whose name was Lucy and who was the child of anyone of those men whose Indian names are given? A Only what my mother told me.
- Q Did your mother tell you any such thing as that? A Yes she told me that she had Indian blood in her.
- Q You see you don't answer my questions and you know better. I thought I was giving the sense of it.
- Q Do you know whether you are the descendant of a Choctaw Indian whose name was Lucy and who was the child of any one of those men whose Indian names are given? A No I don't know. I had stated before that I didn't know my grandmother's Lucy's father's name.
- Q You don't know your grandmother Lucy's father's name?
- A No sir.
- Q And you don't know what your grandmother Lucy's mother's name was do you? A No sir.
- Q Now then you never heard that your grandmother Lucy had a father who had an Indian name did you? A No.
- Q You can't testify then that your grandmother Lucy had a mother who had an Indian name on you? A No I can't testify to that. Not further back than my grandmother.
- Q Now Mr. Redman have you testified to everything that you can possibly state in regard to your wife's grandfather Jack Jenkins and his having Choctaw blood and his having complied with article fourteen of the treaty of 1830? A Yes sir.
- Q Have you stated everything that you can possibly testify to in regard to your grandmother Lucy whom you know as Lucy Wyatt and her having lived in Mississippi in 1830 and having been the head of a family there then and having complied with article fourteen of the treaty of 1830 and having been a beneficiary under article fourteen of the treaty of 1830? A Yes.
- Q Are you able to state whether or not your grandmother Lucy whom you knew as Lucy Wyatt or whether your wife's grandfather Jack Jenkins lived in the old Choctaw Nation in 1830 and received land there from the government under article fourteen of the treaty of 1830 lived upon it for five years and then received a patent to that land from the government? A I don't know.
- Q Now Mr. Pedman you desire a further continuance do you? A Yes sir I would like to have it.
- Q Now what do you propose to do if you are allowed a further continuance in this case? A I want to see if I can connect myself to Lucy Wyatt.
- Q You want to further prove if you can that Lucy Wyatt was the Lucy Wyatt who was a beneficiary under article fourteen and received land in Mississippi from the government?
- A Yes.
- Q Have you anybody in mind now that can furnish that testimony?
- A No, no one in mind now.
- Q Do you know whether your lawyer has? A No I do not; I have an idea that he has because he told me he was ready.
- Q You have nothing further that you can't testify in this case today Mr. Redman? A No sir.

As before stated, it is suggested by the Commission that you or your attorney immediately make a proper motion to the

Commission asking for an extension of time for the introduction of ~~and~~ further proper testimony in this case in which motion you are advised to give the source of the evidence or information that you intend to present and if you intend to present witnesses, to give their names and state as far as possible what they intend to testify to. The purpose of this continuance if granted by the Commission will be to allow you to show if you can that your grandmother Lucy whom you knew as Lucy Wyatt was the Lucy who was a beneficiary under article fourteen of the treaty of 1850 and that your wife's grandfather Jack Jenkins was also a beneficiary under article fourteen of the treaty of 1850.

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Clara Mitchell Wood being first duly sworn upon her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 8th day of November 1902 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

*Clara Mitchell Wood*

Subscribed and sworn to before me this 18th day of November 1902.

*Charles A. Redman*  
Notary Public.

*Wet*

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

•

In the matter of the application of Charles A. Redman,  
et al., for identification as Mississippi Choctaws, M.C.N. 1551.

List of papers forwarded to the Secretary of the Interior,  
comprising the report in the case of Charles A.  
Redman et al.

(Page)

Original application of Charles A. Redman, et al. before the Dawes Commission for identification as Missis- sippi Choctaws .....	1
Sworn Petition of Charles A. Redman, et al. ....	6
Decision of the Commission denying the application of Charles A. Redman, et al. for identification as Missis- sippi Choctaws .....	9

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P. 2. 2*

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

—•••••

In the matter of the application of Charles A. Redman, et al., for identification as Mississippi Choctaws, M.C.R. 1551.

—• DECISION —

It appears from the record herein that personal application for identification as Mississippi Choctaws was made to this Commission by Charles A. Redman for himself, his wife, Emma Redman, and his minor child, Pearl Redman, under the following provision of the act of Congress approved June 26, 1898 (30 Stat., 498):

“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-ninth, eighteen hundred and thirty, and to that end may call before them, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior.”

It also appears that the applicant, Charles A. Redman, claims rights in the Choctaw lands as a beneficiary under the provisions of the fourteenth article of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being a descendant of one Redman, who is alleged to have been a Choctaw Indian (degree of blood not stated) and to have resided in Mississippi in eighteen hundred and thirty; that applicant Emma Redman claims said rights by reason of being a descendant of one Jack Jenkins, who is alleged to have been a Choctaw Indian (degree of blood not stated) and to have resided in Mississippi in eighteen hundred and thirty; and that applicant Pearl Redman claims said rights by reason of being a descendant of both the said Redman and Jack Jenkins.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that no one of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe of Indians, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 331).

While the name of one Redman is found on Page 40 of Volume VII, American State Papers Public Lands, in a list of names of Choctaw Indians, heads of families, who resided in Hitchachoo's District in the territory occupied by the Choctaw Indians in the States of Alabama and Mississippi at the making of the treaty of "Dancing Rabbit Creek" having lands in cultivation, in exchange for which they were to receive stipulated tracts of land in accordance with the provisions of article nineteen of said treaty, said record in no way relates to or shows a compliance or attempted compliance on the part of the persons therein named with the provisions of article fourteen of the treaty of "Dancing Rabbit Creek". There is nothing in the testimony submitted that in any way tends to show that the applicants herein are the descendants of the identical Redman whose name appears in the record above referred to. It further appears from the register of Colonel Wm. Ward, Indian Agent, of those persons who within six months of the ratification of the treaty of "Dancing Rabbit Creek" signified their intention to remain and become citizens of the states, that one Jack Jenkins was a beneficiary thereunder, but there is nothing in the testimony submitted in support of these applications that in any manner tends to show that the applicants are the descendants of the identical Jack Jenkins whose name appears upon the register of Colonel Wm. Ward, above referred to.

It does not appear from the records in the possession of the Commission, relating to persons who complied or attempted to

comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the Redman, or the Jack Jenkins, the ancestors through whom these applicants claim their rights to identification as Mississippi Choctaws, or any less remote ancestors who were living at the date of the conclusion of the Choctaw treaty of eighteen hundred and thirty, ever signified, (in person or by proxy), to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of the said article fourteen, or presented a claim to rights thereunder to either of the Commission authorized to adjudicate such claims by the acts of Congress approved March 3, 1837, (5 Stat., 180) and August 28, 1842, (5 Stat., 518).

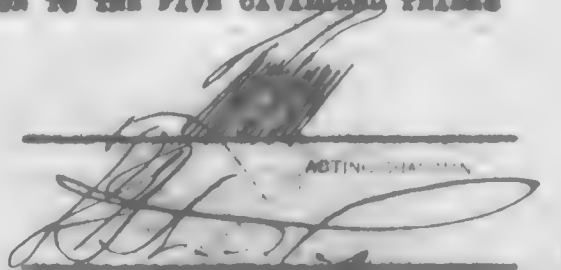

It is, therefore, the opinion of this Commission that the evidence herein is insufficient to determine the identity of Charles A. Redman, Sam Redman and Pearl Redman, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty,



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and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

  
\_\_\_\_\_  
ACTING CHAIRMAN  
  
\_\_\_\_\_  
Commissioners.

McAlester, Indian Territory,

JUL 17 1902

MAP  
1557

C O P Y

Sherman Tex 1/3 - 1903

Commission To the five Civilised Indian Tribes

Dear Sir

I regret to say on account of bad weather and my limited means I have been unable to do any thing in my case. I would like to of brought my wife before the commission for her to testify in her own behalf but I did not have the money to come so I cannot ask farther indulgence so all I will ask is do the best you can your advice to the secretary will be satisfactory to me so my best wishes and a happy New year to you

I remain yours truly

C. A. Redman

COPY

M.S.R. 1902.

Muskogee, Indian Territory, July 17, 1902.

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of  
Charles J. Moran, et al., applicants to the Commission for Identifi-  
cation of Mississippi Choctaws, including the decision of the  
Commission of July 17, 1902.

The Commission has the honor to report that the original  
application, and the attorneys for the Commission, and  
the Commission have been in the possession of the records of the  
Commission, copies of said records being furnished to the  
Commission.

Respectfully,

(SIGNED)

Samuel D. Dixey,  
Acting Chairman.

Commissioner of the Interior

Copy

Mo. R. 1902

Mustang, Indian Territory, July 27, 1902.

Charles A. Nelson,  
Sherman, Texas

Dear Sir:

You are hereby advised that on the 17th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Charles A. Nelson, et al., applicants for identification as Mississippi Choctaws.

That by said decision and under the provision of the act of Congress of the 19th day of March, 1899, the said

Said decision contains as follows:

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It is, therefore, the order of this Commission that the  
invoices which are submitted to the Commission for review  
shall be accompanied by a statement of the amount of  
the invoice and a statement of the amount of the  
amount of the invoice which is the subject of the  
invoice, and that the Commission for their  
information as soon should be received, and it is so ordered.

You are further advised that the Commission has on this  
date forwarded the copies of these invoices to the Secretary of the  
Inventor for review, and you will be informed in due time of such  
action as may be taken by him.

Yours truly,  
(Signature)

James Dixby,  
Acting Chairman.

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H.C.R. 1001.

Muskogee, Indian Territory, July 17, 1900.

Manafield, McFarrey & Cornish,

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

Gentlemen:

You are hereby advised that on the 17th day of July, 1900,  
the Commission to the Five Civilized Tribes rendered a decision in  
the case of Charles A. Adams, et al., applicants for identification  
as Mississippi Choctaws.

These applications were made under the provision of the  
act of Congress of June 23, 1900 (36 Stat. 401) which is as follows:

Said Commission shall have authority to determine the  
identity of any person claiming to be a Choctaw  
or Chickasaw, and to issue to such person a certificate  
of identity, which shall be valid for all purposes  
connected with the Choctaw and Chickasaw lands,  
and shall report to the Secretary of the  
Interior.

Said decision concluded as follows:



W.S.R. 1881.

Washoee, Indian Territory, August 25, 1908.

Charles A. Rodman,

Washoee, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th inst., in which you state that you have been absent from home and that a registered letter addressed to you by the Commission was returned by the Sherman Postmaster on account of your failure to call for same. In conclusion, you ask that the letter be remailed you.

The same is herewith enclosed.

Yours truly,

Enc. S.I. 70.

Acting Chairman.

Registered.



(Copy)

D.C. 14777.

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DEPARTMENT OF THE INTERIOR.

WASHINGTON.

ITD. 5368-1902.

September 3, 1902.

LRS.

Commission to the Five Civilized Tribes,

Muskogee, I.T.

Gentlemen:

With your letter of July 17, 1902, you transmitted the record and your decision of that date, in matter of the application for identification of Charles A. Redman et al. as Mississippi Choctaws. You refused the application.

The Acting Commissioner of Indian Affairs forwarded the papers August 22, 1902, and recommends that the case be remanded to you with direction to furnish Emma Redman with the information contained in his report relative to the compliance of one Jack Jenkins with the provisions of the treaty of September 27, 1850, and that you give her further opportunity to identify herself as a descendant of said Jenkins. He further recommends that you be directed to give Charles A. Redman an opportunity to show that he is a descendant of any one of the persons named Lucy, referred to in his report.

The Department has considered the case and concurs in the views expressed by the Acting Commissioner. The record and a copy of his letter are enclosed, and you will proceed in accordance with the recommendations therein contained.

Respectfully,

(Signed) THOS. RYAN,

Acting Secretary.

2 inclosures.

(Copy)

Land  
42727-1902

DEPARTMENT OF THE INTERIOR.  
Office of Land Affairs.

WASHINGTON, August 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed, herewith, a report, dated July 17, 1902, from the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding the record relative to the application of Charles A. Redman, et al., for identification as Mississippi Choctaws claiming rights in the Choctaw lands in accordance with the provisions of Article 14 of the treaty of 1830.

Charles A. Redman applies for the identification of himself, his wife, Emma Redman, and his minor child, Pearl Redman.

July 17, 1902, the commission held that the parties above named were not entitled to identification as Mississippi Choctaws.

The principal applicant, Charles A. Redman, attempts to trace descent from his great grandfather, Redman, first name not given.

The principal applicant's grandfather's name was William Redman and his father's name was Thomas Redman.

The records of this office do not show that any one by the name of Redman complied or attempted to comply with the provisions of Article 14 of the treaty of 1830 or that he applied to the commissions appointed under the acts of March 3, 1837 and August 23, 1848, for an adjudication of his rights, if any he had.

The principal applicant, Charles A. Redman, is not, there-

fore, entitled to identification, neither is his child, Pearl Redman, entitled to identification by reason of descent from Redman, the great grandfather of the principal applicant, Charles A. Redman.

Eura Redman, the wife of Charles A. Redman, attempts to trace descent from her father, Jack Jenkins.

The records of this office show that Jack Jenkins complied with the provisions of the 14th article of the treaty of 1830 and that he had in 1830 three children under the age of ten years for whom he received land. Their names are not shown by the records of the office.

Book 94, one of the records of this office, relative to Mississippi Choctaws who complied with the provisions of the 14th article of the treaty of 1830, shows that Jack Jenkins was given section 19, township 17, range 15 east, for himself and that he was awarded the north half and the southwest quarter of section 20, township 17, range 15 east, for his minor children.

Its record also shows that continued residence as required by the treaty, was proved.

Book 95, another of the records of this office relating to parties who complied with the provisions of said treaty, shows that the land above described was awarded to Jack Jenkins and his minor children under article 14 of the treaty of 1830.

By informal conference with the General Land Office it has been found that the land above described was patented to Jack Jenkins October 10, 1849.

The record in this case shows that Eura Redman was 45 years of age at the date of the taking of testimony in the case-- March 28, 1901.

If the Jack Jenkins, who the records of this office show,

was her father she must have been born subsequent to the date of the treaty of 1830 for had she been one of the three children for whom he received land she would have been at the date of the testimony over 70 years of age.

The evidence is not sufficient to identify Emma Redman as a descendant of Jack Jenkins who complied with the provisions of the treaty, but it is recommended that the case be remanded to the commission with direction to furnish Emma Redman with the information contained in this report relative to Jack Jenkins complying with the provisions of the treaty and with direction to give her further opportunity to identify herself as a descendant of Jack Jenkins.

The record in this case also shows that Charles A. Redman's grandmother on his mother's side was a Choctaw Indian "named Lucy and nothing else."

The records of this office show that Lucy was the head of a family who was rejected and that she had children named Tennessee, Jimmie and Peter. It also shows that a person by the name of Lucy was awarded scrip; that Lucy, the wife of Pil-e-mah-tubbee, was awarded scrip, and that Lucy, the daughter of Fal-ah-mo-tubbee, was the child of a family who received scrip in lieu of land. The record shows that Lucy was over ten years of age in 1830, and that she married and left a child by the name of Lah-to-nubbee.

The record also shows another person by the name of Lucy, the child of E-e-outah-ah, received scrip; that Lucy, child of Yis-ma-ehubbee, was rejected; that Lucy, child of Phe-lin-ah, received scrip, and that Lucy, child of Gen-nah-hoka, received scrip.

In view of the foregoing it would seem that the commission, if the case is remanded, should also be directed to give the principal applicant, Charles A. Redman, an opportunity to show that he is a descendant of any one of the persons by the name of Lucey, above named.

Very respectfully,

Your obedient servant,

A.C. Tomber,

Acting Commissioner.

(G.A.W.)

P.

( Copy )

M C R 1551

Muskogee, Indian Territory, September 13, 1902.

Charles A. Redman,  
Sherman, Texas.

Dear Sir:

The Secretary of the Interior, with his letter of September 3, 1902, returned to this Commission the record theretofore forwarded the Department in the matter of the application made by you for the identification of yourself, your wife Emma, and your minor child Pearl, as Mississippi Choctaws, with instructions that in accordance with recommendations of the Acting Commissioner of Indian Affairs, you be granted an opportunity to introduce further evidence in support of the claims of yourself, wife and child.

The Acting Commissioner of Indian Affairs, in his letter of August 23, 1902, in reporting on this case states:

"The principal applicant's grandfather's name was William Redman, and his father's name was Thomas Redman.

The records of this office do not show that any one by the name of Redman complied or attempted to comply with the provisions of Article 14 of the treaty of 1830 or that he applied to the commissions appointed under the acts of March 3, 1837 and August 23, 1842, for an adjudication of his rights, if any he had.

The principal applicant, Charles A. Redman, is not, therefore, entitled to identification, neither is his child, Pearl Redman, entitled to identification by reason of descent from Redman, the great grandfather of the principal applicant, Charles A. Redman.

Emma Redman, the wife of Charles A. Redman, attempts to trace descent from her father, Jack Jenkins.

The records of this office show that Jack Jenkins complied with the provisions of the 14th article of the treaty of 1830 and that he had in 1830 three children under the age of ten years for whom he received land. Their names are not shown by the records of the office.

Book 94, one of the records of this office, relative to Mississippi Choctaws who complied with the provisions of the 14th article of the treaty of 1830, shows that Jack Jenkins was given section 19, township 17, range 15 east, for himself and that he was awarded the north half and the southwest quarter of section 20, township 17, range 15 east, for his minor children.

Its record also shows that continued residence as required by the treaty, was proved.

Book 95, another of the records of this office relating to parties who complied with the provisions of said treaty, shows that the land above described was awarded to Jack Jenkins and his minor children under Article 14 of the treaty of 1830.

By informal conference with the General Land Office it has been found that the land above described was patented to Jack Jenkins October 10, 1842.

The record in this case shows that Emma Redman was forty-six years of age at the date of the taking of testimony in the case -- March 28, 1901.

If the Jack Jenkins, who the records of this office show, was her father she must have been born subsequent to the date of the treaty of 1830 for had she been one of the three children for whom he received land she would have been at the date of the testimony over 70 years of age.

The evidence is not sufficient to identify Emma Redman as a descendant of Jack Jenkins who complied with the provisions of the treaty, but it is recommended that the case be remanded to the commission with direction to furnish Emma Redman with the information contained in this report relative to Jack Jenkins complying with the provisions of the treaty and with direction to give her further opportunity to identify herself as a descendant of Jack Jenkins.

The record in this case also shows that Charles A. Redman's grandmother on his mother's side was a Choctaw Indian named "Lucy and nothing else."

The records of this office show that Lucy was the head of a family who was rejected and that she had children named Tennessee, Jimmie and Peter. It also shows that a person by the name of Lucy was awarded scrip; that Lucy, the wife of Fil-e-mah-tubbee, was awarded scrip, and that Lucy, the daughter of Fal-ah-mo-tubbee, was the child of a family who received scrip in lieu of land. The record shows that Lucy was over ten years of age in 1830, and that she married and left a child by the name of Eah-to-mubbee.

The record also shows another person by the name of Lucy, the child of E-o-cutch-ah, received scrip; that Lucy, child of Yim-ma-chubbee was rejected; that Lucy, child of Phe-lin-tah, received scrip, and that Lucy, child of Oon-nah-hoka, received scrip.

In view of the foregoing it would seem that the Commission, if the case is remanded, should also be directed to give the principal applicant, Charles A. Redman, an opportunity to show that he is a descendant of any one of the persons by the name of Lucy, above named."

You are hereby notified that in accordance with the recommendations of the Acting Commissioner of Indian Affairs, the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, up to and inclusive of Monday, October 13, 1902, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to support any claims which yourself, wife and child may have as the descendants of one Lucy and one Jack Jenkins who are shown by the records of the Department to have been beneficiaries under the provisions of article fourteen of the treaty of 1830.

Yours truly,

Acting Chairman.

Registered.



Muskogee, Indian Territory. September 13, 1902.

Mansfield, McMurray & Cornish,

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

Gentlemen:

The Secretary of the Interior, with his letter of September 3, 1902, returned to this Commission the record theretofore forwarded the Department in the matter of the application made by Charles A. Redman for the identification of himself, his wife Emma, and minor child Pearl as Mississippi Choctaws, with instructions that in accordance with recommendations of the Acting Commissioner of Indian Affairs, he be granted an opportunity to introduce further evidence in support of the claims of himself, wife and child.

The Acting Commissioner of Indian Affairs, in his letter of August 23, <sup>1902</sup> ~~1892~~, in reporting on this case states:

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The records of this office do not show that any one by the name of Redman complied or attempted to comply with the provisions of Article 14 of the treaty of 1830 or that he applied to the commissions appointed under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of his rights, if any he had.

The principal applicant, Charles A. Redman, is not, therefore, entitled to identification, neither is his child, Pearl Redman, entitled to identification by reason of descent from Redman, the great grandfather of the principal applicant, Charles A. Redman.

Emma Redman, the wife of Charles A. Redman, attempts to trace descent from her father, Jack Jenkins.

The records of this office show that Jack Jenkins complied with the provisions of the 14th article of the treaty of 1830 and that he had in 1830 three children under the age of ten years for whom he received land. Their names are not shown by the records of the office.

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Its record also shows that continued residence as required by the treaty, was proved.

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The record in this case shows that Emma Redman was forty-six years of age at the date of the taking of testimony in the case— March 28, 1901.

If the Jack Jenkins, who the records of this office show, was her father she must have been born subsequent to the date of the treaty of 1830 for had she been one of the three children for whom she received land she would have been at the date of the testimony over 70 years of age.

The evidence is not sufficient to identify Emma Redman as a descendant of Jack Jenkins who complied with the provisions of the treaty, but it is recommended that the case be remanded to the commission with direction to furnish Emma Redman with the information contained in this report relative to Jack Jenkins complying with the provisions of the treaty and with direction to give her further opportunity to identify herself as a descendant of Jack Jenkins.

The record in this case also shows that Charles A. Redman's grandmother on his mother's side was a Choctaw Indian "named Lucy and nothing else."

"The records of this office show that Lucy was the head of a family who was rejected and that she had children named Tennessee, Jirrie and Peter. It also shows that a person by the name of Lucy was awarded scrip; that Lucy, the wife of Pil-a-mah-tubbee, was awarded scrip, and that Lucy, the daughter of Pal-ah-no-tubbee, was the child of a family who received scrip in lieu of land. The record shows that Lucy was over ten years of age in 1830, and that she married and left a child by the name of Eah-to-nubbee.

The record also shows another person by the name of Lucy, the child of E-o-cutch-ah, received scrip; that Lucy, child of Yim-ma-ohubbee was rejected; that Lucy, child of Phe-lin-tah received scrip, and that Lucy, child of Oon-nah-hoka, received scrip.

In view of the foregoing it would seem that the Commission, if the case is remanded, should also be directed to give the principal applicant, Charles A. Redman, an opportunity to show that he is the descendant of any one of the persons by the name of Lucy, above named."

You are hereby notified that in accordance with the recommendations of the Acting Commissioner of Indian Affairs, the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, up to and inclusive of Monday, October 13, 1902, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered tending to support any claims which Charles A. Redman, wife, and child may have as the descendants of one Lucy and one Jack Jenkins who are shown by the records of the Department to have been beneficiaries under the provisions of article fourteen of the treaty of 1830.

Yours truly,

Acting Chairman.

Registered.

Miss. Choctaw 21051

Muskogee, Indian Territory, October 16, 1902.

C. A. Redman,

Sherman, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 11, giving certain facts with reference to the ancestor through whom you claim, and stating that you will soon appear before the Commission.

You are advised that you will be permitted to offer such testimony as you desire to introduce in support of your application for identification as a Mississippi Choctaw up to and including November 3, 1902.

Respectfully,

M.C. 1551.

Muskogee, Indian Territory, December 4, 1902.

Charles A. Redman,  
Sherman, Texas.

Dear Sir:

You are hereby notified that in accordance with your request you will be allowed thirty days from the date hereof within which to submit additional evidence in support of the application made by you for the identification of yourself, your wife Emma and your daughter Pearl as Mississippi Choctaws.

You are further advised that at the expiration of the time herein granted, the record in your case, together with the report of the Commission thereon, will be forwarded the Secretary of the Interior for review.

Respectfully,

Acting Chairman.

M C R 1861

Muskogee, Indian Territory, January 8, 1903.

Charles A. Hedman,  
Sherman, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you state that you will have no further evidence to offer in support of your claim.

In reply you are informed that a copy of your letter will be made a part of the record in your case.

Respectfully,

COMMISSIONER IN CHARGE.  
Acting Chairman.

Muskogee, Indian Territory, April 9, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On July 17, 1902, the Commission transmitted to the Department the record in the Mississippi Choctaw case of Charles A. Redman, et al., together with its decision refusing the application made by Charles A. Redman for the identification of himself, his wife Emma, and minor child Pearl Redman as Mississippi Choctaws.

The Department, with its letter of September 3, 1902, (I T D 3363-1902) returned the record in this case with instructions that in accordance with the recommendations of the Commissioner of Indian Affairs the applicants in this case be granted further opportunity to introduce additional testimony and evidence in support of their claim.

In accordance with such instructions the Commission, on September 13, 1902, advised the several applicants in this case of the report of the Commissioner of Indian Affairs of August 23, 1902, and notified them that the Commission would, at its office at Muskogee, Indian Territory, up to and inclusive of Monday, October 13, 1902, hear the testimony of such witnesses as might present themselves in person and receive for consideration such docu-

mentary evidence as might be offered in support of this case. On November 5, 1902, in pursuance of said notice, Charles A. Redman made personal appearance before this Commission and gave additional testimony in this case at which time he asked that he be allowed further time within which to introduce additional testimony and evidence. In compliance with this request Charles A. Redman was on December 4, 1902, notified that he would be allowed thirty days within which to introduce further evidence in support of the claim of himself, wife and child.

On January 3, 1903, the Commission received a communication from Charles A. Redman in which he states that he is financially unable to bring his wife before the Commission and that he does not ask "further indulgence."

The additional proceedings had in the Mississippi Choctaw case of Charles A. Redman, et al., together with a copy of the letter of Charles A. Redman of January 3, 1903, and herein referred to, is transmitted.

Respectfully,

\_\_\_\_\_  
Chairman.

\_\_\_\_\_  
Commissioner.

\_\_\_\_\_  
Commissioner.

\_\_\_\_\_  
Commissioner.

Through the Commissioner  
of Indian Affairs.



Land.  
24088-1903.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON, August 4, 1904.

✓ (COPY).

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose herewith, a report from the Commission to the Five Civilized Tribes, dated April 9, 1903, transmitting the record of the application for identification as Mississippi Choctaws of Charles A. Redman for himself, his wife, Fama Redman, and his minor child Pearl Redman.

July 17, 1902, the Commission found that the applicants were not identified as Mississippi Choctaws.

September 3, 1902, the Department remanded the case to the Commission for the purpose of giving the applicants further opportunity to identify themselves.

September 13, 1902, the Commission notified the persons in interest and they were allowed from that date to January 4, 1903.

There does not appear to have been any effort made or material testimony filed by the applicants since the decision of the Commission of July 17, 1902, and it is therefore recommended that their decision be approved.

Very respectfully,

A. C. TOMNER,

Acting Commissioner.

M.K.H.  
W.  
3 encl.

(COPY).

DC.29389-1904.  
ITD.6282-1904.  
LRS.

W.C.F. FHE  
DEPARTMENT OF THE INTERIOR,  
WASHINGTON,

(COPY).

August 9, 1904.

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

Gentlemen:

July 17, 1902, you transmitted the record in the Mississippi Choctaw case of Charles A. Redman et al (M.C.R. 1551), together with your decision of the same date, rejecting the applicants.

September 3, 1902, the Department remanded the case to you with instructions that the applicants be granted further opportunity to introduce additional testimony in support of their claims. On April 9, 1903, you returned the record, which shows that on November 5, 1902, Charles A Redman made personal appearance before your Commission, and gave additional testimony, at which time he asked to be allowed further time within which to introduce additional evidence; that in accordance with this request he was notified on December 4, 1902, that he would be allowed thirty days within which to introduce further evidence. It appears from your letter of April 9, 1903, that on January 3, 1903, Mr. Redman notified your Commission that he did not ask "further indulgence."

Reporting August 4, 1904, the Acting Commissioner of Indian Affairs recommends that your decision rejecting the applicants be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

M.C.R. 1881

Muskogee, Indian Territory, August 27, 1904.

Charles A. Hedman,  
Sherman, Texas,

Dear Sir:

You are hereby notified that on the 9th day of August, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing your application for identification as a Mississippi Choctaw, of which decision you were advised by registered mail on the 17th day of July, 1902.

Respectfully,

(SIGNED)

*Tarns Dixby.*  
Chairman.

M.C.R. 1861

COPY.

Muskogee, Indian Territory, August 27, 1904.

**Hansfield, McFurray & Cornish,**

**Attorneys for Choctaw and Chickasaw Nations,**

**South McAlester, Indian Territory,**

**Gentlemen:**

You are hereby notified that on the 9th day of August, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the application for the identification of Charles A. Rodman as a Mississippi Choctaw, of which decision you were advised by mail on the 17th day of July 1902.

**Respectfully,**

(SIGNED)

*Tame Bixby.*

**Chairman.**

No. 1001

For Identification as a Mississippi Choctaw.

Date Mich 28, 1901

Name Charles A. Redman

Age 54 - Blood 1/4

Post Office, Sherman, Texas

Father: Thomas Redman, d

Mother: Lucinda, " d

Claims through father  
wife.

Emma 46 -

She claims also by blood  
from Jaek Jenkins & husband  
most likely for wife -

Children: Pearl - 14

wife's father

Jaek Jenkins - d

Sarah Jenkins - d

She claims this father - blood 1/4

For self, wife and  
child

Stenographer:  
Adna Bell.

*Add'l  
Statement*

No. R 105-51

FOR IDENTIFICATION AS A MISSISSIPPI CHOCTAW.

Date NOV 5 1902

Name Charles A. Redman

Age 56 Blood

Post Office, Sherman, Texas

Father:

Mother:

Claims through Lucy Wyatt (q.m.)

Claims for wife

Emma - she claims this her q. f. Jack Johnson

Children:

Pearl

Claims for area wife & child -

Stenographer Clara Westwood

Choctaw MCR 1552

John R. Price

MCR 1552

See MCR 1553, 1554, 1555  
1691, 4877, 5591, 3079

MISSISSIPPI CHOCTAW  
ENROLLMENT

R-1552

*John R. Price, et al*

*Decision Rendered  
Apr. 20, 1903*

*Notice of Decision Mailed Applicant  
Apr. 20, 1903*

*Notice of Decision Forwarded  
Attorney for Applicants  
Apr. 20, 1903*

*Notice of Decision Mailed Attorneys  
for Choctaw and Chickasaw Nations  
Apr. 20, 1903*

*Record forwarded Department  
May 6, 1903*

*Action approved by  
Secretary of Interior  
Nov. 17, 1904*

*Notice of Departmental  
action mailed applicants  
Nov. 30, 1904*

*Notice of Departmental action  
Forwarded Attorney for Choctaw  
and Chickasaw Nations  
Nov. 30, 1904*

*Notice of Departmental action  
Forwarded Attorney for applicants  
Nov. 30, 1904*

*P.O. Nail, I.T. 5/19/06*

*Refer to M.C.R. 1553-1559-1555-  
1691-4877-5591-3079*



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

-----

In the matter of the application of John R. Price, et al., for identification as Mississippi Choctaws, consolidating the applications of

John R. Price, et al.....	M.C.R.	1883
Mary J. Serrell, et al.....	M.C.R.	1883
Joel H. Price.....	M.C.R.	1883
Jemima A. Pierce, et al.....	M.C.R.	1881
Nancy E. Bryant, et al.....	M.C.R.	1884
Sarah Collins, et al.....	M.C.R.	4877
Altha G. Davis, et al.....	M.C.R.	5801
William G. Price, et al.....	M.C.R.	2070.

List of papers forwarded to the Secretary of the Interior  
comprising the record in the consolidated case of  
John R. Price, et al.

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Written petition of John R. Price.....	4
Affidavit of Reuben Orr.....	6
Affidavit of Joe McKeelan.....	9
Affidavit of Robert Post.....	20

(3).

Original application of Mary J. Serrell et al., to the Daves Commission for iden- tification as Mississippi Cheestaw.....	15
Written petition of Mary J. Serrell.....	16
Original application of Joel H. Price to the Daves Commission for identification as a Mississippi Cheestaw.....	18
Written petition of Joel H. Price.....	20
Original application of Junius A. Pierce, et al., to the Daves Commission for iden- tification as Mississippi Cheestaw.....	22
Written petition of Junius A. Pierce.....	24
Original application of Nancy H. Bryant et al., to the Daves Commission for iden- tification as Mississippi Cheestaw.....	26
Written petition of Nancy H. Bryant.....	27
Original application of Sarah Collins, et al., to the Daves Commission for iden- tification as Mississippi Cheestaw.....	28
Affidavit of John R. Price.....	30
Affidavit of Robert Foot.....	30
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Affidavit of James Smith.....	59
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Affidavit of Thomas H. Mobley.....	61
Affidavit of Thomas H. Mobley.....	62
Affidavit of Mary M. Price .....	63
Marriage license and certificate of William Price and M. E. Smith.....	64
Testimony of James J. Smith.....	65
Decision of the Commission refusing the applications in the consolidated case of John R. Price, et al., for identi- fication as Mississippi Choctaws.....	71

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COPY.

*Call*  
*Car.*

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

---0---

In the matter of the application of John R. Price, et al.,  
for identification as Mississippi Choctaws, consolidating the ap-  
plications of:

John R. Price, et al.,	M.C.R. 1552
Mary J. Sorrell, et al.,	M.C.R. 1553
Joel N. Price,	M.C.R. 1556
Gemina A. Pierce, et al.,	M.C.R. 1691
Nancy H. Bryant, et al.,	M.C.R. 1554
Sarah Collins, et al.,	M.C.R. 4877
Altha C. Davis, et al.,	M.C.R. 5591
William O. Price, et al.,	M.C.R. 3079

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

It appears from the record herein that applications for  
identification as Mississippi Choctaws were made to this Commission  
by John R. Price for himself and his minor child, Charlie O. Price;  
by Mary J. Sorrell for herself and her four minor children, Sallie  
L., Nancy J., Lillian E. and Samuel R. Sorrell; by Joel N. Price  
for himself; by Gemina A. Pierce for herself and her two minor  
children, Annie E. and John H. Pierce; by Nancy H. Bryant for her-  
self and her two minor children, Ora E. and Joel R. Bryant; by  
Sarah Collins for herself, her son, Alton Morrison (a soldier in the  
service of the United States in the Phillipine Islands), her minor  
child, Joe Morrison, and her four minor step-children, Hardy, Austin,

Devie and Dooley Collins; by Altha C. Davis for herself and her minor child, Annie Davis; and by William O. Price for himself, his wife, Martha Effie Price, and his four minor children, Wyatt, Maggie, Dayton and Nellie Price, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

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

It also appears that all of said applicants except Martha Effie Price and minor children applied for in M.C.R. 3079, claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Jack Jenkins, who is alleged to have been a full blood Choctaw Indian, and William Price, who is alleged to have been an one-half blood Choctaw Indian, and both to have resided in Mississippi in eighteen hundred and thirty; that Martha Effie Price applied for in M.C.R. 3079, claims said rights by reason of being a descendant of William Bounds, who is alleged to have been a full blood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty; that minor applicants applied for in M.C.R. 3079, claim said rights by reason of being descendants of Jack Jenkins, William Price and William Bounds.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or com-

mittee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provision of the act of Congress approved June 10, 1896 (29 Stats., 321).

It is found that the name of one Jack Jenkins appears upon page 18, Volume 1 of Claimant's Brief and Evidence in the case of the Choctaw Nation vs. United States before the Court of Claims No. 12742 in an excerpt from Ward's register, Division 3, pp. 67 to 71 inclusive, in a "register of Choctaws as entered by the Agent previous to the 24th \_\_\_\_\_ 1831, who wished to become citizens according to the provisions of the treaty of eighteen hundred and thirty." It does not appear from the evidence submitted by the several applicants herein that the Jack Jenkins, from whom they claim, is the identical Jack Jenkins whose name appears in the record above cited.

It does not appear from the testimony and evidence offered in support of these applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jack Jenkins, through whom applicants claim, or William Price, or William Bounds, or ancestors less remote signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John

R. Price, Charlie O. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian N. Sorrell, Samuel E. Sorrell, Joel N. Price, Gemina A. Pierce, Annie E. Pierce, John N. Pierce, Nancy H. Bryant, Ora E. Bryant, Joel R. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Dovie Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Effie Price, Wyatt Price, Maggie Price, Dayton Price and Nellie Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Tams Bixby.

Acting Chairman.

(SIGNED)

I. B. Needles.

Commissioner.

(SIGNED)

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory.

APR 20 1903

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 28, 1901.

In the matter of the application for identification as Mississippi Choctaws of John R. Price and his minor child. John R. Price having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A John R. Price.  
 Q What is your age? A Fifty four.  
 Q What is your post office address? A Sherman, Texas.  
 Q How long have you lived at Sherman? A Well, it's been eight years since I first come to Sherman, and then I was up here in the territory last fall, I have only been there a few months the last time; I lived up here in the Choctaw Nation.  
 Q Where were you born? A I was born in Georgia.  
 Q Where in Georgia? A North Georgia, Cherokee County.  
 Q And from there where did you go? A I went to South Carolina and lived for a few years and then I went to Georgia again and then to Texas.  
 Q And you now live in Texas? A Yes, I lived in the Territory a while.  
 Q How long did you live in the Territory? A Twelve months.  
 Q Is that all the time you ever lived in the Territory? A Yes sir.  
 Q What is your father's name? A Silas Price.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Mary F.  
 Q Is she living? A No sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A Why I claim an eighth from the best of my knowledge, of what I have been taught.  
 Q Did your father ever live in the Indian Territory? A No sir, not that I know of; he has been dead for years; I don't remember my father.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir, not that I know of; I don't know that it is.  
 Q Have you ever made application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Have you ever made application for enrollment?  
 Q Have you ever made application for enrollment as a Choctaw Indian?  
 A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from either the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Dawes Commission, either for citizenship or enrollment under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application that you have ever made either to the Dawes Commission or the Choctaw tribal authorities? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties are you making this application?  
 A Under 1830.  
 Q Do you claim under the whole treaty of 1830? A Claim under the fourteenth.  
 Q Fourteenth what? What is that fourteenth? A The fourteenth treaty.  
 Q You claim under the fourteenth treaty? A Yes sir.



- Q You mean the fourteenth article, don't you? A The fourteenth article, I mean.
- Q You claim under the fifteenth or the nineteenth article?
- A Under the fourteenth.
- Q What is the name of your ancestor who lived in Mississippi in 1830?
- A William Price, who was my grandfather.
- Q Was he a full blood? A No sir, I have been taught that he were only a half, my grandfather died before I was born.
- Q Was he a beneficiary under article fourteen of the treaty of 1830, do you know? A No sir, I don't know.
- Q Did he claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A I don't know.
- Q Did he comply in any way with the provisions of article fourteen of that treaty? A I don't know.
- Q Was he placed upon any of the registers that were made in Mississippi, either in 1830, 1837 or 1842? A I have understood that he was, but I don't know.
- Q On which? A I don't know, I just understood that he was enrolled.
- Q You say you understood he was enrolled? You mean you understood he was placed upon some register made by Colonel Ward or in 1837 or 1842? A I don't know, I just understood he was enrolled.
- Q When did he die? A I don't know, sir.
- Q Where did he die? A I don't know that either.
- Q Did you ever know of his having land, holding land in his own name? A No sir.
- Q You don't know that he ever received any land from the Government?
- A No sir, I don't know.
- Q Did he, within six months after the ratification of the treaty of 1830, tell the United States Indian Agent living in Mississippi that he intended to stay there and take land and become a citizen of the United States? A No sir, I don't know.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Sallie E.
- Q Do you make claim for her? A Not as a Choctaw; she has no blood.
- Q Then you don't make any claim for her, do you? A No sir.
- Q Have you children under twenty one years of age? A One.
- Q Unmarried? A Yes sir.
- Q Do you want to make application for that child? A Yes sir.
- Q What is the name? A Charlie O.
- Q How old is Charlie? A Twenty.
- Q Is that all? A Yes, sir, that is all I have under twenty one years old.
- Q All your children over twenty one years old will have to make application for themselves. Is Sallie E. the mother of Charles O.? A Yes sir.
- Q Are you and she living together as husband and wife? A Yes sir.
- Q Is this child living with you at your home, this boy? A Yes sir.
- Q And supported by you? A Yes sir.
- Q The basis of his claim is the same as yours? A Yes sir.
- Q Have you any documentary evidence you want to introduce? A Yes sir.

Application of John R. Price presented by applicant, received, filed, marked Exhibit "A" and made a part of the records in this case.

- Q Have you your marriage license and certificate? A No sir.
- Q Have you other documentary evidence you would like to introduce now?
- A No sir.
- Q Would you like time in which to introduce it? A Yes sir.

John R. Price 3

Twenty days time is allowed applicant in which to file marriage license and certificate or certified copy of the same, and other documentary evidence.

Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application which you make for identification for yourself and child will be mailed to you at your present post office address.

C  
Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said case on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles H. Sawyer*

Notary Public.

COPY

*W.H.*  
DEPARTMENT OF THE INTERIOR.  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

*C.W.*  
-----

In the matter of the application of John R. Price, et al.,  
for identification as Mississippi Choctaws, consolidating the ap-  
plications of:

John R. Price, et al.,	M.C.R. 1552
Mary J. Sorrell, et al.,	M.C.R. 1553
Joel N. Price,	M.C.R. 1575
Gemina A. Pierce, et al.,	M.C.R. 1691
Nancy H. Bryant, et al.,	M.C.R. 1554
Sarah Collins, et al.,	M.C.R. 4877
Altha C. Davis, et al.,	M.C.R. 8691
William O. Price, et al.,	M.C.R. 3079

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

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by John R. Price for himself and his minor child, Charlie O. Price; by Mary J. Sorrell for herself and her four minor children, Sallie L., Nancy J., Lillian W. and Samuel E. Sorrell; by Joel N. Price for himself; by Gemina A. Pierce for herself and her two minor children, Annie E. and John W. Pierce; by Nancy H. Bryant for herself and her two minor children, Ora E. and Joel R. Bryant; by Sarah Collins for herself, her son, Alton Morrison (a soldier in the service of the United States in the Phillipine Islands), her minor child, Joe Morrison, and her four minor step-children, Hardy, Austin,

Dovie and Deoley Collins; by Altha C. Davis for herself and her minor child, Annie Davis; and by William O. Price for himself, his wife, Martha Effie Price, and his four minor children, Wyatt, Maggie, Dayton and Nellie Price, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

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

It also appears that all of said applicants except Martha Effie Price and minor children applied for in M.C.R. 3079, claim rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation, concluded September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of Jack Jenkins, who is alleged to have been a full blood Choctaw Indian, and William Price, who is alleged to have been an one-half blood Choctaw Indian, and both to have resided in Mississippi in eighteen hundred and thirty; that Martha Effie Price applied for in M.C.R. 3079, claims said rights by reason of being a descendant of William Bounds, who is alleged to have been a full blood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty; that minor applicants applied for in M.C.R. 3079, claim said rights by reason of being descendants of Jack Jenkins, William Price and William Bounds.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or est-

mittee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provision of the act of Congress approved June 10, 1896 (29 Stats., 321).

It is found that the name of one Jack Jenkins appears upon page 18, Volume 1 of Claimant's Brief and Evidence in the case of the Choctaw Nation vs. United States before the Court of Claims No. 12742 in an excerpt from Ward's register, Division 3, pp. 67 to 71 inclusive, in a "register of Choctaws as entered by the Agent previous to the 24th \_\_\_\_\_ 1831, who wished to become citizens according to the provisions of the treaty of eighteen hundred and thirty." It does not appear from the evidence submitted by the several applicants herein that the Jack Jenkins, from whom they claim, is the identical Jack Jenkins whose name appears in the record above cited.

It does not appear from the testimony and evidence offered in support of these applications, or from the records in the possession of the Commission relating to persons who complied or attempted to comply with the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Jack Jenkins, through whom applicants claim, or William Price, or William Bounds, or ancestors less remote signified (in person or by proxy) to Colonel Wm. Ward, Indian Agent, Choctaw Agency, an intention to comply with the provisions of said article fourteen, or presented a claim to rights thereunder to either of the Commissions authorized to adjudicate such claims by the acts of Congress approved March 3, 1837 (5 Stats., 180) and August 23, 1842 (5 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John

B. Price, Charlie O. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian E. Sorrell, Samuel E. Sorrell, Joel N. Price, Geniza A. Pierce, Annie E. Pierce, John N. Pierce, Nancy H. Bryant, Ora E. Bryant, Joel R. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Davis Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Effie Price, Wyatt Price, Maggie Price, Dayton Price and Nellie Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED

Tams Bixby.

Acting Chairman.

SIGNED

T. B. Needles.

Commissioner.

SIGNED

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory.

APR 20 1903

Miss. Choc. 1852  
and 4877

Muskogee, Indian Territory, March 18, 1902.

J. O. Pool,

Hocona, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the  
fourteenth instant, inclosing the following papers in support of  
applications for identification as Mississippi Choctaws:

Affidavit of Reuben Orr in the form of interrogatories and  
answers, offered in support of the application of Sarah Collins, et al.

Affidavit of Joe McGlenan, and affidavits of Reuben Orr  
and Robert Foot in the form of questions and answers, offered in  
support of the application of John E. Price, et al.

The same have been filed with and made a part of the  
records in the above named cases and will receive consideration in  
the disposition of the applications.

Replying to that part of your letter in which you ask what  
decision has been rendered in the Scarborough and Renchali C. Rayron  
cases, you are advised that no decisions have yet been reached in  
these two cases. As soon as a decision is rendered you will be notified.

J.O.P. 2

tified of the action taken by the Commission.

Yours truly,

Commissioner in Charge.



Muskogee, Indian Territory, April 20, 1903.

John R. Price,  
Sherman, Texas.

Dear Sir:

You are hereby advised that on the 20th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John R. Price, et al., embracing the following applications for identification as Mississippi Choctaws:

John R. Price, et al.,	M.C.R. 1552
Mary J. Sorrell, et al.,	M.C.R. 1553
Joel H. Price,	M.C.R. 1555
Gemima A. Pierce, et al.,	M.C.R. 1691
Nancy H. Bryant, et al.,	M.C.R. 1554
Sarah Collins, et al.,	M.C.R. 4877
Altha C. Davis, et al.,	M.C.R. 3891
William O. Price, et al.,	M.C.R. 3079

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 498) which is as follows:


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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John R. Price, Charlie O. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian H. Sorrell, Samuel E. Sorrell, Joel H. Price, Gemina A. Pierce, Annie B. Pierce, John H. Pierce, Nancy H. Bryant, Ora H. Bryant, Joel H. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Dovie Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Effie Price, Wyatt Price, Maggie Price, Dayton Price and Bellie Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,



Chairman.

Registered.

COPY.

M.C.R. 1552

Muskogee, Indian Territory, April 20, 1903.

J. O. Peel,  
Attorney at Law,  
Hocoma, Texas.

Dear Sir:

You are hereby advised that on the 20th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John R. Price, et al., embracing the following applications for identification as Mississippi Choctaws:

John R. Price, et al.,	M.C.R. 1552
Mary J. Serrell, et al.,	M.C.R. 1553
Joel H. Price,	M.C.R. 1558
Gemina A. Pierce, et al.,	M.C.R. 1591
Hancy H. Bryant, et al.,	M.C.R. 1554
Sarah Collins, et al.,	M.C.R. 4877
Altha C. Lewis, et al.,	M.C.R. 5891
William O. Price, et al.,	M.C.R. 2070

These applications were made under the provision of the act of Congress of June 23, 1876 (30 Stats., 495) which is as follows:

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John R. Price, Charlie O. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian W. Sorrell, Samuel E. Sorrell, Joel W. Price, Gemma A. Pierce, Annie E. Pierce, John W. Pierce, Nancy H. Bryant, Ora E. Bryant, Joel E. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Devie Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Effie Price, Wyatt Price, Maggie Price, Dayton Price and Nellie Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

*Jams Bixby*

Chairman.

Registered.

COPY.

Muskegee, Indian Territory, April 20, 1903.

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

Gentlemen:

You are hereby advised that on the 20th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John R. Price, et al., embracing the following applications for identification as Mississippi

Choctaws:

John R. Price, et al.,	M.C.R. 1552
Mary J. Sorrell, et al.,	M.C.R. 1553
Joel H. Price,	M.C.R. 1558
Genima A. Pierce, et al.,	M.C.R. 1691
Nancy H. Bryant, et al.,	M.C.R. 1554
Sarah Collins, et al.,	M.C.R. 4877
Altha C. Davis, et al.,	M.C.R. 8591
William O. Price, et al.,	M.C.R. 8070

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 498).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John R. Price, Charlie G. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian W. Sorrell, Samuel H. Sorrell, Joel H. Price, Genima A. Pierce, Annie E. Pierce, John H. Pierce, Nancy H. Bryant, Ora E. Bryant, Joel R. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Devie Collins, Dudley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Effie Price, Wyatt Price, Maggie Price, Dayton Price and

Hellie Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that the applicants in this case have been allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

*Jams Bixby*  
Chairman.

CC .

Muskogee, Indian Territory, May 6, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of John R. Price, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of April 20, 1903.

The above consolidated case embraces the following original applications heard by the Commission:

John R. Price, et al., M.C.R. 1552;  
Mary J. Sorrell, et al., M.C.R. 1553;  
Joel M. Price, M.C.R. 1554;  
Gemma A. Price, et al., M.C.R. 1555;  
Honey H. Bryant, et al., M.C.R. 1556;  
Sarah Collins, et al., M.C.R. 1557;  
Anna C. Davis, et al., M.C.R. 1558;  
William O. Price, et al., M.C.R. 1559.

The Commission has the honor to report that the principal applicants in the several separate applications, their attorney of record and the attorneys for the Choctaw and Chickasaw Nations have been duly advised by letter of the action of the Commission, copies of said letters being attached to the record.

There are also transmitted herewith argument by J. O. Pool.

Secretary R.

attorney for the applicants, affidavit of Nancy H. Bryant as to the correct name of her husband, John William Lee Bryant, and the affidavit of Lannie H. Bryant and the attending physician, H. C. Worley, as to the birth of Mary J. Bryant, in relation to this case, filed with the Commission subsequent to the preparation of the decision herein.

Respectfully,

Through the Commissioner  
of Indian Affairs.

3 Enc.: M.C.R. 1552;

(SIGNED)

*James Birby.*  
Chairman.



H C R 1508

Muskogee, Indian Territory, May 8, 1903.

J. O. Peel,

Attorney at Law,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st instant, enclosing brief offered in support of the Mississippi tax case of John R. Price, et al. The same will be transmitted with the record in this case to the Secretary of the Interior.

Respectfully,

Chairman.

M C R 1552

McKegee, Indian Territory, August 31, 1904.

John R. Price,

Hail, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter dated August 15, 1904, by reference from the Secretary of the Interior. You ask if any further evidence would be accepted in support of your application for identification as a Mississippi Choctaw.

In reply you are informed that on May 2, 1903, the record in the consolidated Mississippi Choctaw case of John R. Price, et al., together with the Commission's decision refusing the application of the several persons included in said case, was forwarded to the Secretary of the Interior and up to the present time this office has not been advised of any departmental action thereon.

Pending the decision of the Secretary of the Interior, this Commission has no authority to receive or consider any further evidence in support of the above mentioned claim.

Respectfully,

Chairman.

MCR 1552

Land.  
18904-1903.

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS,

(COPY)

Washington, November 10, 1904.

In re applications of

John R. Price et al M.C.R. 1562	} Consolidated.
Mary J. Serrell et al M.C.R. 1863	
Joel W. Price, M.C.R. 1866	
Gemma A. Pierce et al, M.C.R. 1691	
Nancy H. Bryant et al, M.C.R. 1884	
Sarah Collins et al M.C.R. 4877	
Altha C. Davis et al M.C.R. 5891	
William O. Price et al M.C.R. 3079	
James K. Smith et al M.C.R. 3078	

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, for Departmental action, the record in the above consolidated cases, together with the recommendation of this office therein. The Commission on April 20, 1903, decided adversely to applicants therein.

The principal applicant, John R. Price of Sherman Texas; for himself and his minor child Charlie W. Price, applicants, Mary J. Serrell for herself and her four minor children, Sallie L., Nancy J., Lillian H. and Samuel H. Serrell; Joel W. Price for himself; Gemma A. Pierce for herself and her two minor children, Annie H. and John H. Pierce; Nancy H. Bryant for herself

and her two minor children, Ora E. and Joel R. Bryant, Sarah Collins for herself, her son Alton Morrison (now a soldier in the United States service in the Philippine Islands) her minor child, J. Joe Morrison, and her four minor step-children Hardy, Austin, Dovie and Dooley Collins; Altha C. Davis for herself and her minor child Annie Davis, and William O. Price for himself and his four minor children, Wyatt, Maggie, Dayton and Nellie Price claim rights in the Choctaw lands under Article 14 of the Treaty of 1830 between the United States and the Choctaw Nation by reason of being descendants of one Jack Jenkins, an alleged full blood Choctaw Indian, a resident of the State of Mississippi in 1830, who was the father of Silas Price, who was the father of principal applicant John R. Price. Applicants Effie Price, (wife of applicant William O. Price) for herself and her four minor children and also the children of the said applicant William O. Price, namely, Wyatt, Maggie, Dayton and Nellie Price, and also applicant James K. Smith for himself, and his five minor children, Carrie, Emma, Joseph Daniel, Bella and Mittie Smith, claim the same rights in said Choctaw lands by reason of being descended from one William Bounds, an alleged full blood Choctaw Indian, a resident of the State of Mississippi in 1830, who was the father of one Effie Smith, an alleged one half blood Choctaw Indian woman, a resident of the State of Mississippi in 1830, who became the mother of applicant, James K. Smith in Perry County, Mississippi, in 1839 and later in 1849 emigrated to Louisiana, where she died about 1857.

Now as to the names William Bounds and Silas Price, the names

-3-

of two of the ancestors through whom applicants claim descent, the records of this office fail to show that any person named William Bounds or Silas Price was a beneficiary under the provisions of Article 14 of the Treaty of 1830 or under subsequent legislation relative thereto.

As to the name Jack Jenkins, the name of the other ancestor through whom applicants claim, the records of this office, copy of which is herewith submitted, and the records of the General Land Office do show that one Jack Jenkins, a Choctaw Indian claimant under the 14th Article of the Treaty of 1830, received for himself and children the following lands, being a section and three quarters of land situate in Oktibbeha County, Miss.; set apart and located in his favor as his reserve, to-wit: All of Sec. 19, containing 642.80 acres of land for himself, and the E/2 Sec. 20, & SW/4 of Sec. 20, together containing 483.90 acres of land (for his children names not shown). His patent therefor dated October 10, 1842, recites that his location of said lands was approved October 13, 1838. (See Choctaw Treaty of 1830 Vol.1 Record of Patents, page 57). The records of this office show that prior to 1838 the said Jack Jenkins had sold the above described lands and asked that patents be issued to the purchasers thereof. (See Book 95, page 274, for which a copy is herewith transmitted.)

None of the applicants know whether any of their aforesaid ancestors complied or attempted to comply with the provisions of

Article 14 of the Treaty of 1830 or presented a claim thereunder to either of the Commissions of March 3, 1837 or August 23, 1842 but they "have been taught they did". The evidence submitted herein tends to show that the Jack Jenkins, the ancestor under whom applicant's claim was a resident of Mississippi (no definite county named) that he had five children, ~~which~~ Jack Jenkins the beneficiary of record appears to have had only three children under ten years of age at the date of the Treaty of 1830, living with him on his reservation in Oktibbeha County Miss., which County is nowhere mentioned as the county of residence of any of the ancestors of applicants. The Commission states that applicants herein have the appearance of white persons and do not speak or understand the Choctaw language.

I am of opinion that the evidence is insufficient to identify the Jack Jenkins, the beneficiary of record, to be the same person as the Jack Jenkins, the alleged ancestor of applicants, and I therefore recommend that the decision of the Commission of April 20, 1903, refusing to identify any of the aforementioned applicants as Mississippi Choctaw Indians, entitled to lands under the provisions of Article 14 of the Treaty of 1830 be sustained.

Very respectfully,

A. C. Tomner,

Acting Commissioner.

G. R.

L.

(COPY)

No. 203 Jack Jenkins Sec 19 T 17 R 15 E.  
For Children N/2&S/4 " 20 " 17 " 15 "

The N/2 & SW/4 of Sec 20 "17 15 E. claimed by John G. Skinner & the  
N/2 of Sec 19 above is claimed by the Heirs of Grabel Lincoln  
and the south half of 19 is claimed by Wm. Shaw- The reservee  
present admits the sale of the different portions as above, and  
desires that patents may issue to the respective purchasers for  
the portions purchased by each respectively and that they have all  
actually paid him a full consideration-  
Proof of residence filed-14 June 1837.

apprd. 13 March 1838

A.V.B.

Book NO. 95 page 274.

Winkoosa, Indian Territory, November 30, 1904.

John R. Price,

Mail, Indian Territory.

Dear Sir:

You are hereby notified that on the 17th day of November 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John R. Price et al., of which decision you were advised by registered mail on the 20th day of April, 1903.

Respectfully,

SIGNED

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



1904

Wichita, Indian Territory, November 30, 1904.

J. G. Pool,  
Attorney at Law,  
Nocona, Texas.

Dear Sir:

You are hereby notified that on the 17th day of November 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John R. Price et al., of which decision you were advised by registered mail on the 20th day of April, 1903.

Respectfully,

SIGNED

*T. B. J. J. J.*

Commissioner in Charge.

V. C. R. 1803

Copy

Wagoner, Indian Territory, November 30, 1904.

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

Gentlemen:

You are hereby notified that on the 17th day of November 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John R. Price et al., of which decision you were advised by mail on the 20th day of April, 1903.

Respectfully,

Yours truly,

*T. B. Neaves.*

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

J.P.

LLB

X.T.D. 11824-1904.  
4788-1906.

May 4, 1906.

L. R. S.

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

Sir:

There was received May 2, 1906, from John R. Price, Mail, Ind. T., a petition asking for reconsideration of the Mississippi Choctaw case of John R. Price et al., in which the Department on November 17, 1904, affirmed the decision of the Commission to the Five Civilized Tribes, adverse to the applicants.

It is not shown or claimed in this notice that any of the applicants have been enrolled as citizens of the Choctaw Nation or that they have been duly recognized, at any time, by the act of the authorities of the nation. It is merely claimed under the ruling of the Department in the James S. Long case (see approved opinion of the Assistant Attorney-General of February 15, 1906), the applicants are entitled to enrollment by virtue of alleged Choctaw blood, and because of the fact of their residence in the Choctaw Nation for many years.

They also claim that under the provisions of the act of April

24, 1906 (Public No. 129), they are entitled to enrollment, but nothing appears in that act to support such contention.

As to the allegation that they are descendants of Jack Jenkins, a beneficiary of the 14th article of the treaty of 1830, and are for that reason entitled to enrollment as Mississippi Choctaws, they have had due opportunity to establish this point, and have failed to do so. While it is claimed that at the time of the hearing they did not know that there was any record before the Commissioner of Indian Affairs showing that an Indian by the name of Jack Jenkins who had received the benefits of the 14th article of the treaty of 1830, there is nothing to show that they are now in any better position to prove their claim as Mississippi Choctaws than at the original hearing.

However, no application for a rehearing is made, and it does not appear that even if a rehearing should be granted the claimants would be enabled to show that Jack Jenkins, mentioned in the Indian Office letter of November 10, 1904, as a beneficiary under said article 14, was their alleged ancestor.

As nothing is found in the petition or the papers attached thereto to warrant granting the request made, it is denied.

Advise the party filing such petition.

Respectfully,

(Signed) Theo Ryan.  
First Assistant Secretary

J.P.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

112

I.T.D. 11834-1904.  
4788-1906.

May 4, 1906.

L.H.S.

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

Sir:

There was received May 2, 1906, from John R. Price, Hail, Ind. T., a petition asking for reconsideration of the Mississippi Choctaw case of John R. Price et al., in which the Department on November 17, 1904, affirmed the decision of the Commissioner to the Five Civilized Tribes, adverse to the applicants.

It is not shown or claimed in this motion that any of the applicants have been enrolled as citizens of the Choctaw Nation, or that they have been duly recognized, at any time, by formal act of the authorities of the nation. It is merely claimed that under the ruling of the Department in the James S. Long case (see approved opinion of the Assistant Attorney-General of February 19, 1906), the applicants are entitled to enrollment by virtue of alleged Choctaw blood, and because of the fact of their residence in the Choctaw Nation for many years.

They also claim that under the provisions of the act of April

26, 1904 (Public No. 129), they are entitled to enrollment, but nothing appears in that act to support such contention.

As to the allegation that they are descendants of Jack Jenkins, a beneficiary of the 14th article of the treaty of 1830, and are for that reason entitled to enrollment as Mississippi Choctaws, they have had due opportunity to establish this point, and have failed to do so. While it is claimed that at the time of the hearing they did not know that there was any record before the Commissioner of Indian Affairs showing that an Indian by the name of Jack Jenkins who had received the benefits of the 14th article of the treaty of 1830, there is nothing to show that they are now in any better position to prove their claim as Mississippi Choctaws than at the original hearing.

However, no application for a rehearing is made, and it does not appear that even if a rehearing should be granted the claimants would be enabled to show that Jack Jenkins, mentioned in the Indian Office letter of November 10, 1904, as a beneficiary under said article 14, was their alleged ancestor.

As nothing is found in the petition or the papers attached thereto to warrant granting the request made, it is denied.

Advise the party filing such petition.

Respectfully,

(Signed) Thos Ryan,  
First Assistant Secretary

X C R 1562

Muskogee, Indian Territory, May 19, 1906.

John R. Price,

Nail, Indian Territory.

Dear Sir:

There is herewith enclosed copy of Departmental letter of May 4, 1906 (I T D. 11534-1904, 4785-1906), refusing to reconsider your application for identification as a Mississippi Choctaw.

Respectfully,

Acting Commissioner.

McM 19/1

Muskogee, Indian Territory, December 16, 1901.

John R. Price,  
210 S. Travis Street,  
Sherman, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 13, in which you state that you appeared before the Commission at Atoka, Indian Territory, some time ago, and applied for identification as a Mississippi Choctaw; that the time granted you for the filing of additional evidence has expired, and as you now have more evidence which you wish to submit, you ask if you will be permitted to do so.

In reply to your letter, you are advised that if you wish to offer additional evidence in support of your application for the identification of yourself and your minor child as Mississippi Choctaws, the Commission will hear the testimony of such witnesses as may present themselves in person at its office at Muskogee, Indian Territory; if your witnesses live in Mississippi, they may be heard at the office of the Commission at Meridian, Mississippi, from January 15 to February 15, 1902. If you are unable to secure personal attendance of your witnesses by reason of their non-residence



J.R.P. 2

in Mississippi or the Indian Territory, or on any other ground which, under the rules of the Commission would constitute inability, their depositions will be considered, if taken in accordance with the Rules and regulations of the Commission of November 4, 1901, governing the taking of depositions in support of applications for identification as Mississippi Choctaws. A copy of said rules and regulations is inclosed herewith for your information.

Yours truly,

Commissioner in Charge.

MC 1542

Rules for taking  
depositions.

M O R 1906

Muskogee, Indian Territory, May 19, 1906.

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

Gentlemen:

There is herewith enclosed copy of Departmental letter  
of May 4, 1906, refusing to reconsider the application of John R.  
Price, et al., for identification as Mississippi Choctaws.

Respectfully,

Acting Commissioner.

McM 19/2

Case No.

NAME

RESIDENCE  
DISTRICT

POST OFFICE

AS

REFER TO M. C. R. 1572

John R. Prier  
et al

Consolidated Case

Jack Jenkins  
father of

Silas Price  
wife  
Mary F. Price

Rebecca Jenkins  
on "Rebel"  
or "Rebel"  
husband

William Price's

James Price  
wife  
Nancy George

Mary Ann Price  
mar  
Washington Price  
dead

Mar 15 52

John R. Price 5 1/2  
wife  
Sara C. Price

Genima A. Price  
mar 26 1/2  
Miram K. Price

Nancy H. Price 23  
mar 11 1/2  
William J. Bryant

Charles C. Price 20

Narah Price 20?  
mar  
1st James Henry Morrison  
2nd D.C. Collins w.  
x divorced

William O. Price 36 1/2  
wife  
\* Effie Price, ch. w.  
Married for wife  
father - James Smith  
mother - Julia "

Island & Price days

Mary J. Price 2 1/2  
mar.  
Samuel D. Sarrell

Lacie K. Sarrell 11  
Nancy J. Sarrell 8  
William N. Sarrell 5  
Samuel F. Sarrell 2

John H. Price 28 1/2

Anna C. Price 5  
John W. Price 1

Paul C. Bryant 4  
Jesse T. Bryant 2

Altha C. Morrison  
mar 2 1/2

Annie Davis 19 mos.

John J. Davis 11  
x divorced  
Alton Morrison 23  
Joe Morrison 18

Hardy Collins 18  
Austin Collins 16  
Dora Collins 15  
Daisy Collins 15

Mother of these four  
children: Nellie Collins,  
Mrs. Matten, who it is  
claimed is a second  
cousin of the Price. app.  
in M.P. 4877

Wyatt Price 10  
Maggie Price 7

Dayton Price 5  
Ellie Price 2

1961

REGISTERED  
JUN 6 1903  
SHERMAN, TEXAS.

Department  
Commission to  
MUSKOGEE, IND. T.  
OFFICIAL BUSINESS.  
Penalty for private use, \$30



John R. Price,  
Sherman, Texas.



DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**  
JUL 1 1903

*[Handwritten signature]*

Chairman

For Identification as a Mississippi Choctaw.

Date *May 28, 1901*

Name *John R. Price.*

Age *54* - Blood *1/8*

Post Office, *Sherman, Texas.*

Father: *Silas Price - d.*

Mother: *Mary F. " d.*

Claims through *father -*

*wife*

*Sallie E. -*

Children:

*Charlie O. - 20*

*For use and  
chief*

*[Signature]*

5/21, 1906

Rec'd one copy of each testimony in the  
following Miss. Choc. cases #5591, 4877, 3079,  
1691, 1555, 1553, 1553, 1552

Spencer



Choctaw MCR 1553

Mary J. Sorrell

MCR 1553

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 26, 1901.

In the matter of the application for identification as Mississippi Choctaws of Mary J. Sorrell and her minor children. Mary J. Sorrell, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Mary J. Sorrell.  
 Q What is your age? A Thirty one.  
 Q What is your post office address? A Sherman, Texas.  
 Q How long have you lived at Sherman? A Six years.  
 Q Where did you live before that? A In Georgia.  
 Q Where were you born? A Georgia.  
 Q And lived there till six years ago? A No sir, I lived in South Carolina part of my life.  
 Q You never lived in Mississippi? A No sir.  
 Q And you never lived in Indian Territory? A No sir.  
 Q What is your father's name? A John R. Price.  
 Q Is he living? A Yes sir.  
 Q What is your mother's name? A Sallie E.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Through my father.  
 Q How much? A One sixteenth, I guess.  
 Q Did your father ever live in the Indian Territory? A Yes sir.  
 Q How long, do you know? A Twelve months I think.  
 Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment or citizenship in the Choctaw Nation to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Is this the first application that you have ever made of any description, either to the Choctaw tribal authorities or to the Dawes Commission? A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty? A 1830.  
 Q Under the whole treaty or under a part of it? A I don't know.  
 Q Did you ever hear of article fourteen of the treaty of 1830?  
 A (No answer)  
 Q Have you ever heard that discussed or talked about? A Yes sir, I have heard it talked about, but I don't know anything about it.  
 Q Do you know whether you claim under that article alone or under the whole treaty? A No sir, I don't know.  
 Q Did you ever hear of the treaty of Dancing Rabbit Creek? A Yes sir.  
 Q Do you know whether that is the same treaty under which you claim?

Mary J. Sorrell 2

- Q Is that the same treaty as the treaty of 1830? A I think so.
- Q But you never heard that you claimed particularly under article fourteen? A No, I don't know.
- Q What is the name of your ancestor who lived in Mississippi in 1830, your kin, the one you claim through? A William Price.
- Q What relation was he to you? A He was my great grandfather.
- Q Was he a full blood Choctaw Indian? A I don't know.
- Q Did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent then living in Mississippi, his intention of remaining in Mississippi and taking land there, and becoming a citizen of the United States? A I don't know.
- Q Do you know whether he became a citizen of the state of Mississippi? A I don't know.
- Q Was he a beneficiary under article fourteen of the treaty of 1830? A I don't know.
- Q Did he comply in any manner with the provisions of article fourteen of that treaty? A I don't know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A Samuel D. Sorrell.
- Q Do you make any claim for him? A No sir.
- Q Have you children that you want to make application for? A Yes sir.
- Q How many? A Four.
- Q All under age? A Yes sir.
- Q What is the name of the oldest? A Sallie L.
- Q Is she married? A No sir.
- Q How old? A She is ten years old.
- Q What is the name of the next? A Nancy J.
- Q How old is Nancy J.? A Eight.
- Q Next? A Lillian N.
- Q How old? A Five.
- Q Next? A Samuel E.
- Q How old? A Three.
- Q Is that all you have? A Yes sir.
- Q Is Samuel D. Sorrell the father of these children? A Yes sir.
- Q You are the mother? A Yes sir.
- Q Are you and he living together as husband and wife? A Yes sir.
- Q Are the children all living with you at your home? A Yes sir.
- Q Have you any documentary evidence that you would like to introduce? A Yes.

Application of Mary J. Sorrell presented by applicant, received, filed, marked Exhibit "A", and made a part of the records in this case.

- Q Have you any other documentary evidence? A No sir.
- Q Would you like time in which to produce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to produce documentary evidence in support of her application.

- Q Is there anything further you want to state? A No sir.

The decision of the Commission in regard to this application for identification as Mississippi Choctaws which you make for yourself and children will be mailed to you at your present post office address.

Mary J. Sorrell 3

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles T. Sawyer*

Notary public.

COPY.

Muskegee, Indian Territory, April 20, 1903.

Mary J. Sorrell,  
Sherman, Texas.

Dear Madam:

You are hereby advised that on the 20th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John R. Price, et al., embracing the following applications for identification as Mississippi Choctaws:

John R. Price, et al.,	M.C.R. 1552
Mary J. Sorrell, et al.,	M.C.R. 1553
Joel H. Price,	M.C.R. 1555
Gemina A. Pierce, et al.,	M.C.R. 1691
Nancy H. Bryant, et al.,	M.C.R. 1554
Sarah Collins, et al.,	M.C.R. 4877
Altha C. Davis, et al.,	M.C.R. 5591
William O. Price, et al.,	M.C.R. 5079

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 498) which is as follows:

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

Said decision concluded as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John W. Price, Charlie O. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian N. Sorrell, Samuel E. Sorrell, Joel N. Price, Gemina A. Pierce, Annie E. Pierce, John N. Pierce, Nancy H. Bryant, Ora E. Bryant, Joel R. Bryant, Sarah Collins, Aiton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Dovie Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Effie Price, Wyatt Price, Maggie Price, Dayton Price and Nellie Price as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of eighteen hundred and thirty, and that the applications for their identification as such should be refused, and it is so ordered.

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

delivered

*Tams Bixby.*  
Chairman.

Registered.

COMMISSIONERS:  
YANG BIXBY,  
THOMAS B. NEEDLES,  
C. B. BRACKENRIDGE,  
WM. O. BEALL,  
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:  
M.C.R. 1553

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 30, 1904.

Mary J. Sorrell,  
Sherman, Texas.

Dear Madam:

You are hereby notified that on the 17th day of November 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John R. Price et al., of which decision you were advised by registered mail on the 20th day of April, 1903.

Respectfully,



Commissioner in Charge.

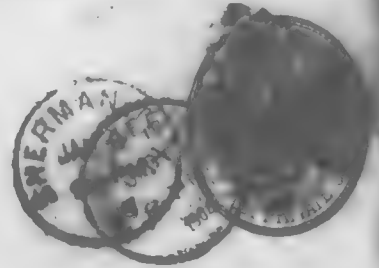
Department of the Interior.  
Commission to the Five Civilized Tribes,  
MUSKOGEE, IND. TER.

*General Office*

*No. 6 R 1553*

Return to Writer. Unclaimed.  
DEC 8 - 1904  
Return to Writer. Unclaimed.

Mary J. Sorrell

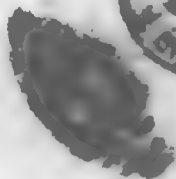




DEPARTMENT OF THE INTERIOR,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.  
**FILED**



CHAIRMAN.



No. \_\_\_\_\_

For Identification as a Mississippi Choctaw.

Date *Mich 28, 1901*

Name *Mary J. Sorrell,*

Age *37* Blood *1/16*

Post Office, *Sherman, Texas,*

Father: *John R. Price, l*

Mother: *Sallie E. Price. l*

Claims through *father*

*Husband*

*Samuel W. Sorrell -*

Children:

*Sallie L. 10*

*Stacey J. 8*

*Lillian K. 5*

*Samuel E. 3*

*For self and  
children*

*Stenographers  
12/11*

**REFUSED**

DECISION RENDERED.

APR 20 1903

NOTICE OF DECISION MAILED APPLICANT.

APR 20 1903

NOTICE OF DECISION FORWARDED  
ATTORNEY FOR APPLICANTS.

APR 20 1903

NOTICE OF DECISION MAILED ATTORNEYS  
FOR CHOCTAW AND CHICKASAW NATIONS.

APR 20 1903

RECORD FORWARDED DEPARTMENT.

APR 20 1903

**ACTION APPROVED BY  
SECRETARY OF INTERIOR.**

NOV 17 1904  
NOTICE OF DEPARTMENTAL  
ACTION MAILED APPLICANT.

NOV 30 1904

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEYS FOR CHOCTAW  
AND CHICKASAW NATIONS.

NOV 30 1904

NOTICE OF DEPARTMENTAL ACTION  
FORWARDED ATTORNEY FOR APPLICANT.

NOV 30 1904

T.C.M.C.R. 1552

Choctaw MCR 1554

Nancy H. Bryant

See MCR 1552

MCR 1554

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 28, 1901.

In the matter of the application for identification as Mississippi Choctaws of Nancy H. Bryant and her minor children, Nancy H. Bryant, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Nancy H. Bryant.  
 Q What is your age? Q Twenty three.  
 Q Are you married? A Yes sir.  
 Q What is your post office address? A Sherman, Texas.  
 Q How long have you lived at Sherman? A Why I lived there six years.  
 Q Where did you live before you lived there? A Georgia.  
 Q Where were you born? A South Carolina.  
 Q Removed from there to Georgia? A Yes sir.  
 Q You never lived in Mississippi? A No sir.  
 Q Never lived in the Indian Territory? A Yes sir, I stayed up there a while last summer.  
 Q Lived in the Indian Territory last summer? A Yes sir.  
 Q How long? A About six months.  
 Q That is all? A Yes sir.  
 Q What is your father's name? A John R. Price.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Sallie E. Price.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A One sixteenth.  
 Q Did your father ever live in the Territory? A Yes sir.  
 Q Was he recognized by the Choctaw tribal authorities as a Choctaw Indian? A I don't know.  
 Q He only stayed here a year, did he? A Yes sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A I don't know.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application to them for enrollment? A No sir.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal from the decision either of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for enrollment or citizenship to the Dawes Commission under the act of Congress of June 10, 1896?  
 A No sir.  
 Q Is this the first application that you have ever made to any authority, either to the Dawes Commission or the Choctaw tribal authorities, either for citizenship or enrollment as a Choctaw Indian?  
 A Yes sir.  
 Q You now seek to be identified as a Mississippi Choctaw? A Sir?  
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.  
 Q What makes you think that you are a Mississippi Choctaw?  
 A Always been taught.  
 Q Under what treaty or treaties do you make this application?

- A Eighteen and thirty.
- Q Do you claim under the whole treaty of 1830, or only under a certain article of it? A I don't know.
- Q Do you claim under the treaty of Dancing Rabbit Creek? A Yes sir.
- Q Is that the same as the treaty of 1830? A Yes sir.
- Q You don't know whether you claim under any particular article or not? A No sir.
- Q Did you ever hear of article fourteen of that treaty? A No.
- Q What is the name of your ancestor who lived in Mississippi in 1830? A William Price.
- Q Was he a full blood Choctaw Indian? A I don't know.
- Q Do you know how much blood he had? A No sir.
- Q Do you know whether he complied in any way with any of the provisions of article fourteen? A No sir.
- Q You don't know? A No sir.
- Q Do you know whether he was a beneficiary under article fourteen of that treaty? A No sir.
- Q Do you know whether he, within six months after the ratification of the treaty of 1830, told the United States Indian Agent then living in Mississippi, Colonel Ward, that he intended to remain in Mississippi and take land there and become a citizen of the United States? A No sir.
- Q Did he ever claim or receive any land in Mississippi as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Did he, in fact, ever become a citizen of the United States? A I don't know.
- Q Did he remove to the Indian Territory from Mississippi with the other Indians in the years 1835 to 1837? A I don't know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A William J. Bryant.
- Q Do you make any claim for him? A No sir.
- Q Have you any children that you want to make application for? A Yes sir, two.
- Q Under twenty one years of age and unmarried? A Yes sir.
- Q What is the name of the eldest? A Ora E.
- Q How old is Ora E. A She is four years old.
- Q What is the name of the next? A Joel R.
- Q A boy? A Yes sir.
- Q How old is Joel R.? A Two years old.
- Q Have you any others? A No sir.
- Q Is William J. Bryant the father of these two? A Yes sir.
- Q Are you the mother? A Yes sir.
- Q Are you and he living together as husband and wife? A Yes sir.
- Q Are these children living with you at your home? A Yes sir.
- Q Is the basis of their claim the same as yours? A Yes sir.
- Q Have you any documentary evidence you want to introduce? A Yes sir.

Application of Nancy H. Bryant presented by applicant, received, marked Exhibit "A", filed and made a part of the records in this case.

- Q Have you any other documentary evidence in this case? A No sir.
- Q Do you want time in which to introduce it? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of her claim.

Nancy H. Bryant 3

Q Is there anything further you want to say? A No sir.  
The decision of the Commission in regard to this application which you made for identification as Mississippi Choctaws for yourself and these children will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles H. Sawyer*  
Notary public.

Miss. Choutaw 1854

Muskogee, Indian Territory, October 16, 1902.

John R. Price,  
Sherman, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of October 13, inclosing affidavits of the birth of Mary J. Bryant, infant daughter of Nancy H. and J. L. Bryant, and stating that Nancy H. Bryant is the daughter of John R. Price.

The affidavits of Nancy H. Bryant and H. C. Worley R.D. are herewith returned to you for the reason that it appears from the testimony of Nancy H. Bryant at the time she made application to this Commission for the identification of herself and her minor children as Mississippi Chockaw that her husband's name was William J. Bryant, while in the affidavits above referred to it appears that she is the wife of J. L. Bryant. Before the affidavits of the birth of Mary J. Bryant can be received it will be necessary to have some explanation of this discrepancy in names.

Respectfully,

Acting Chairman.



N C R 1554

McAlester, Indian Territory, January 12, 1903.

John H. Price,

Mail, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, enclosing the affidavit of the mother and the attending physician to the birth of Mary J. Bryant, infant child of Nancy H. and J. L. Bryant, born December 3, 1901, together with the affidavit of Nancy H. Bryant showing the correct name of her husband. The affidavits have been accepted as evidence of the birth of the child and made a part of the record in the application made by Nancy H. Bryant for the identification of herself and minor children as Mississippi Choctaws.

Respectfully,

Acting Chairman.

H.C.R. 1534

COPY.

Muskogee, Indian Territory, April 20, 1903.

Nancy H. Bryant,  
Sherman, Texas.

Dear Madam:

You are hereby advised that on the 20th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John R. Price, et al., embracing the following applications for identification as Mississippi Chestaws:

John R. Price et al.,	H.C.R. 1533
Mary J. Scovell, et al.,	H.C.R. 1534
Josel N. Price,	H.C.R. 1535
Genima A. Price, et al.,	H.C.R. 1536
Nancy H. Bryant, et al.,	H.C.R. 1537
Sarah Collins, et al.,	H.C.R. 1538
Altha C. Davis, et al.,	H.C.R. 1539
William O. Price, et al.,	H.C.R. 3078

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats., 495) which is as follows:

"Said Commission shall have authority to determine the identity of Chestaw persons claiming rights in the Chestaw lands under articles four and five of the treaty between the United States and the Chestaw Nation, concluded September twenty-seventh eighteen hundred and thirty, and to take and may administer oaths, examine witnesses and perform all other acts necessary thereto and make report to the Secretary of the Interior."

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John R. Price, Charlie O. Price, Mary J. Sorrell, Sellie L. Sorrell, Nancy J. Sorrell, Lillian H. Sorrell, Samuel E. Sorrell, Joel E. Price, Gemina A. Pierce, Annie E. Pierce, John W. Pierce, Nancy H. Bryant, Ora E. Bryant, Joel R. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Hardy Collins, Austin Collins, Davie Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Harman Price, Wyatt Price, Maggie Price, Dayton Price and William Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteenth of the Constitution of the United States, and that the applications for their identification as such should be refused, and it is so ordered."

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

*John D. Dixie*

Chairman.

Registered.

COMMUNICATIONS  
SECTION  
DEPARTMENT OF THE INTERIOR  
WASHINGTON, D. C.  
W. C. HALL,  
Chief Clerk

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

NOV 20 1904
K.C.R. 1884

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 20, 1904.

Nancy H. Bryant,  
Sherman, Texas.

Dear Madam:

You are hereby notified that on the 17th day of November 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John R. Price et al., of which decision you were advised by registered mail on the 20th day of April, 1903.

Respectfully,



Commissioner in Charge.

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

*General Office*  
*M. L. R. 1554*

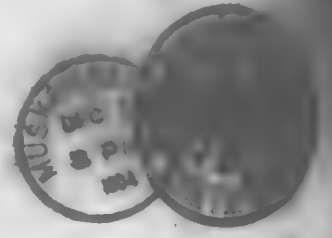
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DEC 2 - 1904

*Return to Writer. Unclaimed.*

Nancy H. Bryant,

~~\_\_\_\_\_~~



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

*[Handwritten signature]*

CHAMBERLAIN

*[Circular stamps and handwritten notes, including "DEC 2 1887"]*

For Identification as a Mississippi Citizen.

Date *March 28, 1901*

Name *Nancy H. Bryant*

Age *23* - Sex *Female* - Color *White*

Post Office *Sherman, Texas*

Father: *John R. Rice* - I

Mother: *Sallie E. " "* - I

Claims through father

*Husband*

*William J. Bryant*

Children:

*Ora E. ——— 4*

*Joel R. ——— 2*

*For self and children*

Stenographer:

*Anna Bell*

Choctaw MCR 1555

Joel N. Price

MCR 1555



DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 ATOKA, INDIAN TERRITORY, MARCH 26, 1901.

In the matter of the application of Joel N. Price for identification as a Mississippi Choctaw. Joel N. Price, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Joel N. Price.  
 Q What is your age? A Twenty eight.  
 Q What is your post office address? A Sherman, Texas.  
 Q How long have you lived at Sherman? A I have lived there about six years. Or I moved there about six years ago, but I have been away about two years.  
 Q Where were you born? A In South Carolina.  
 Q When? A 1873  
 Q Where? A Oconee County.  
 Q When did you leave the state of South Carolina? A When I was about two years old.  
 Q Where did you go? A Georgia.  
 Q How long did you live in Georgia? A Until about six years ago.  
 Q From Georgia you went where? A Texas.  
 Q And you have lived there since? A No sir, I have been in the Territory.  
 Q How long? A I was in the Territory about a year and a half I believe.  
 Q When was that? A It was--- I left the Territory last September.  
 Q And you lived here about a year and a half? A Yes sir. I lived and boarded here together, camped.  
 Q What is your father's name? A John R. Price.  
 Q Living? A Yes sir.  
 Q What is your mother's name? A Sallie E. Price.  
 Q Living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A My father.  
 Q How much do you claim? A About one sixteenth I have always been taught.  
 Q Did your father ever live in the Territory? A Yes sir.  
 Q Was he ever recognized by the Choctaw tribal authorities as a Choctaw Indian? A No sir.  
 Q Is your name on any of the tribal rolls of the Choctaw Nation?  
 A No sir.  
 Q Did you ever make application either for citizenship or enrollment as a Choctaw Indian to the Choctaw tribal authorities? A No.  
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory on appeal either from the decision of the Dawes Commission or the Choctaw tribal authorities? A No sir.  
 Q Did you ever make application for citizenship or enrollment as a Choctaw Indian to the Dawes Commission acting under the act of Congress of June 10, 1896? A No sir.  
 Q Is this the first application that you have ever made either for citizenship or enrollment either to the Dawes Commission or the Choctaw tribal authorities? A Yes sir.  
 Q You are now seeking to be identified as a Mississippi Choctaw, are you? A Yes sir.

- Q Under what treaty or treaties are you making this application?  
A The treaty of 1830.  
Q Do you claim anything under the treaty of Dancing Rabbit Creek?  
A Yes sir.  
Q Is that the same as the treaty of 1830? A Yes sir.  
Q Do you claim under the whole treaty? A Under article fourteen I believe.  
Q Do you claim anything under articles fifteen and nineteen? A Not as I understand, I am not---  
Q Do you claim anything under the supplement to the treaty of 1830?  
A I don't understand the treaty well enough to know.  
Q Do you understand all the provisions of article fourteen? A I don't know that I do.  
Q What is the name of your ancestor who lived in Mississippi in 1830?  
A William Price.  
Q What kin was he to you? A He was my great grandfather.  
Q Was he a full blood Choctaw? A I don't know; I have understood that he was half.  
Q Did he comply with any of the provisions of article fourteen of the treaty of 1830? A I don't know.  
Q Do you know whether he was a beneficiary under article fourteen of that treaty? A I don't know; I have been taught that he was enrolled.  
Q That he was on the roll? A Yes sir.  
Q Was he on Colonel Ward's register, do you know? A I don't know.  
Q Do you know whether he was on the register made by Murray and Vroom in the year 1837 or 1838? A I don't know.  
Q Was he on the registry list made out in 1842 by the Commission appointed in 1842? A I don't know.  
Q Did he ever claim or receive any land in Mississippi as a beneficiary under article fourteen of the treaty of 1830? A I don't know.  
Q Have either you or any of your ancestors ever received any benefits in Indian Territory as Choctaw Indians? A No sir, not that I know of.  
Q If they had, you would know it, wouldn't you? A I think so.  
Q Are you married? A No sir.  
Q Have you any documentary evidence that you want to introduce now and make a part of your application? A I have an application.

Application of Joel N. Price presented by applicant, received, marked Exhibit "A", filed and made a part of the records in this case.

- Q Have you any other documentary evidence? A No sir.  
Q Do you want time to present it? A Yes sir.

Twenty days time from the date hereof is granted the applicant in which to file documentary evidence in support of his application.

- Q Is there anything further you want to say? A No sir.

The decision of the Commission in regard to this application for identification as a Mississippi Choctaw which you make in your own behalf will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

Subscribed and sworn to before me this 28 day of March, 1901.

*Charles H. Sawyer*  
Notary Public.

H.C.R. 1552

COPY.

Muskogee, Indian Territory, April 20, 1905.

John H. Price,  
Sherman, Texas.

You are hereby advised that on the 20th day of April, 1905, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John H. Price, et al., embracing the following applications for identification as Mississippi Choctaws:

John H. Price, et al.,	H.C.R. 1552
Mary J. Sarrell, et al.,	H.C.R. 1553
John H. Price,	H.C.R. 1555
William C. Price, et al.,	H.C.R. 1552
William C. Price, et al.,	H.C.R. 1554
William C. Price, et al.,	H.C.R. 1555
William C. Price, et al.,	H.C.R. 1556
William C. Price, et al.,	H.C.R. 1557

act of Congress of June 20, 1898 (30 Stat., 457) which is an

1905

no

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John R. Price, Charlie C. Price, Mary J. Sorrell, Sallie L. Sorrell, Nancy J. Sorrell, Lillian N. Sorrell, Samuel E. Sorrell, Joel E. Price, Gemma A. Pierce, Annie E. Pierce, John H. Pierce, Nancy E. Bryant, Ora E. Bryant, Joel R. Bryant, Sarah Collins, Alton Morrison, Joe Morrison, Nargy Collins, Austin Collins, Dovie Collins, Dooley Collins, Altha C. Davis, Annie Davis, William O. Price, Martha Marie Price, Wyatt Price, Maggie Price, Durian Price, and Nellie Price, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty of 1830, and that the evidence herein is insufficient to identify as such should be returned to the land office.

You are further advised that you will be allowed fifteen days from the date hereof within which to file arguments in this office, and that at the expiration of said time the papers in the case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

WITNESSED

*James Bixby.*  
Chairman.

DEPARTMENT OF THE INTERIOR,

17

WASHINGTON.

771

D.O. 44000-2004.  
I.D. 11000-1000.

November 17, 1904.

SIR,

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

Gentlemen:

May 6, 1903, you transmitted the record in the Mississippi Choctaw case of John R. Price, et al (M.C.R. 1552), including your decision of April 20, 1903, which was adverse to the applicants.

Reporting in the matter November 10, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is affirmed.

The rights of James K. Smith and his children have not been passed upon by you, as supposed by the Acting Commissioner. The rights of the children of James K. Smith, as well as those of the children of William O. Price, et al.

Respectfully,

Very truly,  
James K. Smith

Assistant Commissioner

A.C.R. 1900

Muskogee, Indian Territory, November 30, 1904.

John R. Price,  
Sherman, Texas.

Dear Sir:

I am hereby notified that on the 17th day of November 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of John R. Price et al., of which decision you were advised by registered mail on the 20th day of April, 1903.

Respectfully,

SIGNED

*T. B. Nease*

Commissioner in Charge.

No. 1155

For Identification as a Mississippi Cheater.

Date *Mich 25, 1901*

Name *Jose N. Price*

Age *28* Blood *1116*

Post Office *Shannon, Texas*

Father: *John R. Price* l

Mother: *Sallie E. "* l

Claims through *father*

Children:

*for resp.*

*Signature:*

*Jose N. Price*

APR 21 1903

RE DECISION ON APPL.

APR 21 1903

FOR INFORMATION FORWARDED  
ATTORNEY FOR APPLICANT

APR 20 1903

FOR INFORMATION FORWARDED  
ATTORNEY FOR APPLICANT

APR 20 1903

FOR INFORMATION FORWARDED  
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FOR INFORMATION FORWARDED  
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APR 20 1903

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APR 20 1903

FOR INFORMATION FORWARDED  
ATTORNEY FOR APPLICANT



Choctaw MCR 1556

Henry D. Burton

MCR 1556

Henry D. Burton, et al.

REC  
NO  
NO  
FOR  
ACTIONS  
NO  
NO  
FORWARD  
MAR 21 1902  
MAR 21 1902  
FOR CHOCTAW  
AND CR... NATIONALS  
MAR 19 1902

*Departmental approval of March 14, 1902,  
rescinded; and Commission directed to  
identify applicants Nov. 24, 1903.*

*Supplemental decision identifying  
HENRY D. BURTON, et al. Dec. 11, 1903.*

**IDENTIFIED**

COPY OF DECISION... APPLICANT

DEC 11 1903

COPY OF  
ATTORNEY  
CHOCTAW

DEC 11 1903

NOTICE... FORWARDED  
ATTORNEY FOR APPLICANTS

DEC 11 1903

REF TO M. C. R. 3547.

DEPARTMENT OF THE INTERIOR.  
 COMMISSION TO THE FIVE CIVILIZED TRIBES.  
 WOKA, INDIAN TERRITORY, MARCH 28, 1901.

In the matter of the application for identification as Mississippi Choctaw of Henry D. Burton and his minor children. Henry D. Burton, having been first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Henry D. Burton.  
 Q What is your age? A Thirty nine years.  
 Q What is your post office address? A Durant, Indian Territory.  
 Q How long have you lived at Durant? A Since the first of February.  
 Q Where did you live before that? A In Dallas County, Texas.  
 Q How long did you live in Texas? A I have been living in Texas ever since '82.  
 Q Where were you born? A I was born in Copiah County, Mississippi.  
 Q How long did you live in Mississippi? A I lived in Mississippi till I was twenty one years old.  
 Q Where did you remove to from Mississippi? A To Dallas County, Texas.  
 Q And have lived there until you removed to Durant? A Yes, well I have been backwards and forwards around through the country to other places but that has been my home.  
 Q What is your father's name? A Henry D. Burton.  
 Q Is he living? A No sir.  
 Q What is your mother's name? A Susan S. Burton.  
 Q Is she living? A Yes sir.  
 Q Through which one of these parents do you claim Choctaw blood?  
 A Mother.  
 Q How much? A One eighth.  
 Q Did you ever make application for citizenship in the Choctaw Nation to the Choctaw tribal authorities? A My mother did about nine years ago she made application here but my name was on the application she made, mine and my eldest brothers, but they never could get this petition before the council, they never would hear, and we never got a hearing before the council.  
 Q So that you never were enrolled? A No sir.  
 Q Neither you nor your mother? A No sir, my mother was here two terms at council and appeared there twice for that purpose but never was.  
 Q But was rejected? A Could never get before them.  
 Q No action was ever taken on the application for you or her?  
 A No sir, neither one.  
 Q Did you ever make application for citizenship in the Choctaw Nation before the Dawes Commission? A No sir.  
 Q You never were before the Commission before? A No sir.  
 Q You now make application for identification as a Mississippi Choctaw? A Yes sir.  
 Q Under what treaty or treaties? A Well, as much as I know of it, I guess it would be the fourteenth article.  
 Q You claim generally under any law or treaty that gives you a right to make this application? A Yes sir.  
 Q What is the name of your ancestor who lived in Mississippi in 1830? A Well it is my grandmother Grump.  
 Q What is that name? A Grump.  
 Q Full name? A Mary Grump.  
 Q O-r-u-m-p? A Yes sir.  
 Q Was she a Choctaw? A Why yes-- the way I understand it I think half

- or a quarter, I don't know just what blood she was.
- Q Was she a beneficiary under article fourteen of the treaty of 1830?
- A I don't think she was.
- Q Did she comply with the provisions of that article? A I don't know, sir, whether she did or not.
- Q Did she ever claim or receive any land in Mississippi under article fourteen of the treaty of 1830? A I don't know, sir.
- Q Did she, within six months after the ratification of that treaty, tell Colonel Ward who was the United States Indian Agent that she intended to stay in Mississippi and take land and become a citizen of the United States? A I don't know.
- Q Have you received any benefits in Indian Territory as a Choctaw Indian? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Lucy J. Burton.
- Q Lucy J. A Yes sir.
- Q Do you make any claim for her? A Yes sir.
- Q As what? A As an intermarried Choctaw.
- Q Intermarried Mississippi Choctaw? A Yes sir.
- Q We don't know of any law that gives you a right to make such an application. The Commission will receive applications as intermarried Mississippi Choctaws but the only authority that gives them a right to receive this application at all is that part of section twenty one of the Curtis Bill that you are familiar with and it is those who claim to be the descendants, and of course one intermarried is not a descendant and has no Choctaw blood; it is not the same as making an application by intermarriage in straight citizenship cases; however, if you as his attorney (Mr. Telle) desire his application for his wife we will receive it.

Mr. Telle: The law with reference to intermarried men is different from the law as to women. You see under the law here, if a man is a citizen here, his wife is a citizen, no matter under what law they are married; what would cut her out was that she was married to him before he was a citizen. Just let her go and let him apply for the children.

- Applicant: We want to get it in the safest form.
- Q The Commission does not want to dictate to you what you shall do.
- A We will just leave her out.
- Q What is the name of your oldest child, unmarried and under twenty one? A They are all unmarried and under twenty one.
- Q Give me the name of the oldest? A Austin G.
- Q How old? A Eleven years old.
- Q Next? A Susan G.
- Q How old? A She is nine years old.
- Q Next? A Florence A.
- Q How old is Florence? A She is seven years old.
- Q Next? A Jewel A.
- Q J-e-w-e-l? A Yes sir.
- Q How old? A Five.
- Q The next? A That is all.
- Q Is Lucy J. the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Are you and she living together as husband and wife? A Yes sir.
- Q Are the children all living with you at your home? A Yes sir.
- Q Have you your marriage license and certificate that you want to file? A No sir, I have not.
- Q Have you any documentary evidence that you want to file now?
- A No sir.

Q Would you like some time? Yes sir.

Mr. Telle: When we get through with him, I will make a statement about this case.

Commissioner: A  
Twenty days time is allowed within which to file documentary evidence and marriage license and certificate or certified copy of same.

Statement by A. Telle, attorney for applicant.

The line of testimony that I propose to introduce in this case, is a little bit different from the ordinary line of testimony that you find in these cases, and that is this: You will find on the old records here in that American State Papers, and in the book the Choctaw Nation vs the United States, a record that Susanna Graham was a half breed Choctaw woman; now his mother, the mother of applicant, was a daughter of Susanna Graham, but the record does not show the mother of this applicant, but it does show the applicant's mother's sister, another daughter of Susanna Graham, that is Anne V. Llewellyn; and then she had a brother by the name of John B. Stewart who died a good many years ago. Now we could get up documentary evidence with reference to this case and this particular party, very it not for the reason that at the time of the treaty of 1830 when the squabble came up about the treaty, that family became dissatisfied and removed off down into Louisiana or the southern portion of the then Mississippi country and made no application whatever as far as we can find out as Mississippi Choctaws, and after the matter was settled why they came back to Mississippi and consequently his mother's name does not appear on the record that shows directly the status of those parties, the descendants of Susanna Graham. The witness I propose to use here today is a grand son of Susanna Graham, to connect this family with the Susanna Graham family, and after that I will get testimony from some party in Mississippi.

Joseph R. Plummer, having been called and sworn as a witness, testifies as follows in behalf of the applicant:

Examination by Mr. Telle.

- Q What is your name? A Joseph R. Plummer.  
Q What is your age? A Sixty seven years of age, born in 1833.  
Q Your residence please? A I reside at this county, Atoka County, Lehigh is my post office, Choctaw Nation, Indian Territory.  
Q I will ask you, Mr. Plummer, if you are a Choctaw Indian by blood?  
A I am, sir.  
Q You are a recognized Choctaw here? A Yes sir, 1883 and registered by the Dawes Commission.  
Q You were admitted by an act of council I believe? A By an act of the council, by blood, in 1883.  
Q Now I will ask you if you know Henry D. Burton? A Yes sir, I have met him since he has been here.

- Q I will ask you if you knew Susanna Graham in her life time?  
A Yes sir, she was my mother's mother; my grandmother; she raised me from an infant.  
Q She raised you from an infant? A Yes sir.  
Q About when did Susanna Graham die? A In 1850, the fifth day of May, 1850.  
Q Well, now, will you please state what children Susanna Graham had? First, though, what was Susanna Graham's maiden name? A Susanna Trushears.  
Q Who did she marry first? A She married a man by the name of Stewart first.  
Q What were her children by that marriage? A She had four, three girls and one boy.  
Q What were the names of those girls please? A Mary Stewart; she was the oldest of the three girls; Susan Stewart and Anne V. Stewart I am told by my grandmother that she was my mother; and one son, John V. Stewart; four children.  
Q Now Mary Stewart was a daughter of Susanna Graham? A Yes sir.  
Q Who did Mary Stewart marry? A She married a man by the name of Hardy S. Crump.  
Q And she was the grandmother of Henry D. Burton? A She is the mother of Susan S. Crump, and Susan S. Crump is the mother of Henry D. Burton.  
Q What was the degree of blood of Susanna Graham as far as you know?  
A Well, I see from the best authorities, Choctaw authorities I have seen them in your office, she was put down as a half breed, but from my knowledge grandmother was three quarters Choctaw.  
Q Very near a full blood? A Yes sir, I was raised right there.

Mr. Telle: She is put down as a half breed in the book, and this Anne V. Llewellyn is put down as a half breed, and I rather think that there is a discrepancy there in those books and that Susanna Graham was more than a half a breed and was very nearly a full blood but that was about as close as they cared to get to it, and had her child and herself the same degree.

- Q I don't know whether you know it as a matter of personal knowledge or not, but I will ask you this: Susanna Graham had four children, and the record shows those children with the exception of Mary Stewart Crump, do you know of any reason why her name does not appear? A I don't know only from hearsay, that they left there--  
Q (Interrupting) Well, as a member of the family you rely on it as positive? A Yes sir, that they got mad at something when they were divided-- that is years before I was born-- I heard the old folks talking about it, and they went to Louisiana from the old Choctaw country where this land was divided up and never received any land at all; that is what the old Choctaws told me, relatives.  
Q Afterwards they came back and took up their residence in the old Mississippi country? A Yes sir, came right back.  
Q And this Mary Stewart Crump, the grandmother of the applicant, lived and died there? A Yes sir, in Copiah County, Simpson and Copiah Counties.  
Q And her daughter, Susan Burton is still living there at this time?  
A Yes sir, she is an own cousin of mine, his mother, we were raised there by our grandmother Susanna Graham, partly raised there I had no brothers and sisters, I was the only child, I was raised right with her.

Henry D. Burton b.

- Q What degree of blood do you claim for yourself according to the record? A Well, according to the record, my mother was a half breed I should think I was a quarter; I have an old cousin of mine, she lives there seventy five years of age, she was laughing and talking and said I was a quarter; she was an own cousin and just merely brought the question up, didn't know it would ever be brought up again, she lives over here, I had been admitted here and just called to see her, understood she was a relative; she told me this fact just simply when I was visiting her.
- Q The mother of the applicant then, is the same degree that you are? A Yes sir, his mother; and his grandmother was an own sister to my mother
- Q Consequently his mother would be one quarter? A Yes sir.
- Q And the applicant would be one eighth? A Yes sir, that is just the way I would put it.
- Q You don't know his children, do you? A Yes, I know the oldest two, I know the two oldest; I can give their names; I know his wife, I have been at his house and I know the two oldest.

Witness excused.

The decision of the Commission in regard to this application for identification as Mississippi Choctaws made by Henry D. Burton in his own behalf and for his children, will be mailed to him at his present post office address.

Anna Bell, having been first duly sworn, on her oath states that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

*Anna Bell*

Subscribed and sworn to before me this 30 day of March, 1901.

*Charles H. Saward*

Notary Public.

Muskogee, Indian Territory, November 18, 1901.

Henry D. Burton,  
Durant, Indian Territory.

Dear Sir:

In the matter of the application for identification as Mississippi Choctaws of Bettie Robinson, et al you are informed that under date of June 19, 1901, the Secretary of the Interior remanded to this Commission the record theretofore forwarded the Department for approval with instructions that an opportunity be granted for the introduction of additional testimony of applicants or witnesses in person in support of such application.

It appears from our records that at Atoka, Indian Territory on March 28, 1901, you made personal application to this Commission for the identification of yourself and four minor children as Mississippi Choctaws claiming descent from the same common ancestor.

In accordance with the instructions above referred to you are hereby notified that at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on Thursday December 18, 1901, at eleven o'clock A. M. there will be heard the



H. D. E. S.

testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

N. C. 2556.

Acting Chairman.

VIA AIR MAIL

COMMISSIONERS  
HENRY L. BURTON  
THOMAS S. NEEDLES  
C. S. BOGGS

ALLAN L. ATLEWOOD  
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 1556

ADDRESS ONLY THE  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 22, 1902

~~Henry S. Burton,~~

Durant, Indian Territory.

Dear Sir:-

You are hereby advised that on the 14th day of March, 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws, of the several persons included in the consolidated case of Susan S. Burton, et al., of which decision you were duly advised by registered mail on February 3, 1902.

Yours truly,



Commissioner in Charge

Miss. Cheetaw #1500

Muskogee, Indian Territory, November 7, 1902.

H. D. Burton,

Durant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 5, asking what action the Secretary of the Interior took with reference to your application for identification as a Mississippi Cheetaw.

In reply to your letter you are advised that on March 14, 1902, the Secretary of the Interior affirmed the decision of the Commission rendered February 8, 1902, denying your application for the identification of yourself and your minor children as Mississippi Cheetaws, and you were advised of Departmental action in your case on March 22, 1902.

Respectfully,

Acting Chairman.

K O R 1556

Muskogee, Indian Territory, August 11, 1903.

Henry D. Burton,  
Durant, Indian Territory.

Dear Sir:

On June 26, 1903, the Secretary of the Interior directed this Commission to advise the principal applicants in the consolidated Mississippi Choctaw case of Susan S. Burton, et al., and the attorneys for the Choctaw and Chickasaw Nations that they would be given an opportunity to file arguments.

In accordance with the instructions above referred to, you are hereby notified that you will be allowed thirty days from this date within which to file any argument you may desire in support of your application for recognition as a Virginia Indian. If such argument is to be served upon the attorneys for the Choctaw and Chickasaw Nations,

K C R 1886

Mustoge, Indian Territory, December 11, 1903.

Henry D. Burton,

Durant, Indian Territory.

Dear Sir:

You are hereby notified that on November 24, 1903, the Secretary of the Interior, with his letter of that date, rescinded departmental decision of March 14, 1902, affirming the decision of the Commission of January 15, 1902, refusing the applications of Susan S. Burton, Henry D. Burton, Austin G. Burton, Susan O. Burton, Florence A. Burton, Jewel A. Burton, Susan Cornelia Marshall, John H. Marshall and Valentine Marshall, and directed the Commission to identify the above named persons as Mississippi Choctaws.

In accordance with such instructions the Commission has this day rendered a decision identifying Susan S. Burton, Henry D. Burton, Austin G. Burton, Susan O. Burton, Florence A. Burton, Jewel A. Burton, Susan Cornelia Marshall, John H. Marshall and Valentine Marshall as Mississippi Choctaws.

You are advised that you and your children, Austin G., Susan O., Florence A., and Jewel A. Burton, will be allowed six months from the date of the rendition of this decision, or until June 11, 1904, within which to remove to and make settlement in the Choctaw-Chickasaw country, and that proof of such settlement

1 2 3 4

must be made to the Commission at either of its land offices at  
Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, prior to  
December 31, 1904.

Respectfully,

Commissioner in Charge.

Registered

Nov 20

X C R 1886

McKehee, Indian Territory, January 8, 1904.

Henry D. Burten,

Burant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 5th instant, in which you ask if you can now file on land in the Choctaw-Chickasaw country.

In reply you are informed that it appears from our records that on December 11, 1903, the Commission rendered a decision identifying you and your children, Austin G., Susan O., Florence A. and Jewel A. Burten, as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations. The names of yourself and children have been placed upon a schedule of duly identified Mississippi Choctaws which has been forwarded to the Secretary for approval. When said schedule has been approved, and you have made satisfactory proof of the removal to and settlement within the Choctaw-Chickasaw country of yourself and children, above named, you will be permitted to select allotment.

It is probable that this schedule will be approved within the next thirty days.

Respectfully,

Commissioner in Charge

M C R 1656

Maskogee, Indian Territory, January 23, 1904.

H. D. Burton,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 18th instant, in which you ask if you will have to bring witnesses before the Commission in order to make proof of your removal to and settlement within the Choctaw-Chickasaw country, Indian Territory.

In reply you are informed that your name has been placed upon a schedule of duly identified Mississippi Choctaws forwarded to the Secretary of the Interior for approval. When the same has been approved you may appear before the Commission at its office at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation, and make proof of settlement. Your personal testimony will be sufficient.

Respectfully,

Commissioner in Charge.



M O R 1556

Muskogee, Indian Territory, April 9, 1904.

H. D. Burten,

Parent, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, in which you ask that the Commission furnish you with a certificate showing that yourself and children have been identified as Mississippi Choctaws. A certificate of such description is herewith enclosed you.

Respectfully,

Commissioner in Charge.

M O R 1036

McKeage, Indian Territory, December 22, 1904.

Mrs. Lucy J. Burton,  
Durant, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 14th instant, by reference from the Secretary of the Interior. You ask if you are not entitled to rights in the Choctaw Nation as an intermarried Mississippi Choctaw.

In reply to your letter you are informed that there is no provision of law guaranteeing rights to persons by reason of their marriage to Mississippi Choctaws.

Respectfully,

Chairman,

M S B 1886

Muskogee, Indian Territory, April 8, 1906.

C. C. McCarty,

Durant, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 31, 1905, in which you state that Mrs. Lucy Jane Burton should be enrolled as an intermarried citizen and that you desire this matter looked after at once.

In reply you are informed that it appears from our records that Lucy Jane Burton is the wife of Henry D. Burton, a duly enrolled Mississippi Choctaw, and in this connection you are advised that there is no provision of law guaranteeing rights to persons by reason of their marriage to a Mississippi Choctaw.

Respectfully,

Chairman.

Muskogee, Indian Territory, May 17, 1906.

G. C. McGarty,

Post Office Box 2422,

Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 8, 1906, stating that you think Lucy J. Burton, wife of Henry D. Burton, an identified Mississippi Choctaw, should be enrolled.

In reply you are informed that there is no provision of law whatever guaranteeing rights to persons by reason of their marriage to a Mississippi Choctaw. You are further advised that the name of Lucy J. Burton does not appear upon our records as an applicant for identification as a Mixed-blood Choctaw.

Respectfully,

Chairman.

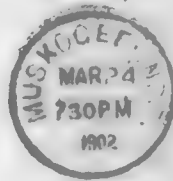
Department of the Interior.

Commissioner to the Five Civilized Tribes.

MUSKOGEE, IND.

OFFICIAL BUSINESS

Penalty for private use, \$300.



UNCLAIMED

*Henry D. Burton*  
*Durand*

*Wm. L.*

N.C. 1536

DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES

APR 30 1856  
KOCHEMUNG  
MISSISSIPPI

3

For Identification as a Mississippi Choctaw.

Date *Mich 28, 1901*

Name *Henry O. Burton*

Age *39* Blood *1/8*

Post Office *Warant, D.T.*

Father: *Henry O. Burton d.*

Mother: *Susan J. " d*

Claims through *Mother*

*Luey J. "*

Children:

*Austini H. - 11*

*Susan O. - 9*

*Florence A. - 7*

*Jewel A. - 5*

*Claims for  
myself and children.*

*Photograph:*

END  
OF  
ROLL



