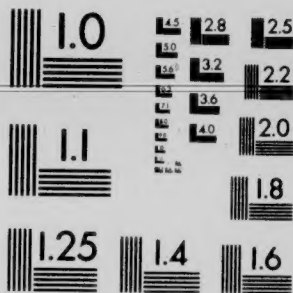
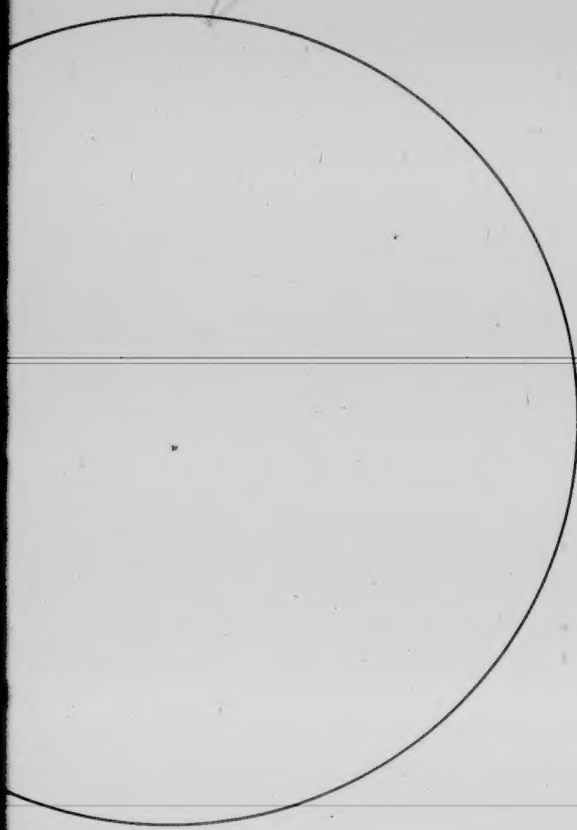


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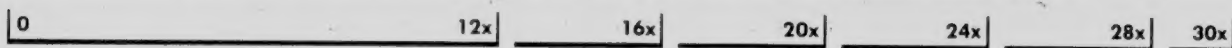
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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES
1898 - 1914

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MISSISSIPPI CHOCTAW MCR 2556 - MCR 2648

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WASHINGTON: 1983

Choctaw MCR 2556

Julie Londine

MCR 2556

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

In the Matter of the Application of Julie Londine et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2556.

10 15

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

In the Matter of the Application of Julie Londine et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2556.

- - I N D E X . - -

Original application of Julie Lundine et al., for identification as Mississippi Choctaws -----	1
Decision of the Commission identifying said applicants -----	4

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 3, 1901.

In the matter of the application of Julie Londine for the identification of herself and her husband as Mississippi Choctaws.

Julie Londine, having been first duly sworn, upon his oath states as follows: (Jeff Neal, duly sworn interpreter.)

Examination by the Commission.

- Q What is your name? A Julie Londine.
- Q What is your age? A Fifty two.
- Q What is your post office address? A Avera, Mississippi.
- Q Where have you lived all your life? A Ingrene County, Mississippi.
- Q What is your father's name? A I don't know; I was quite small when he died.
- Q Is he dead? A Yes sir.
- Q Was he a full blood Choctaw Indian? A Yes.
- Q What was your mother's name? A Polly.
- Q Is she dead? A Yes sir.
- Q Are you a full blood Choctaw? A Yes sir.
- Q Was she a full blood Indian? A Yes sir.
- Q Do you claim your Choctaw blood through both your parents? A Yes sir.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A I don't know.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A James Londine.
- Q How old is he? A I don't know, but he has told me that he thought he was sixty seven years old.
- Q Is he a full blood Choctaw Indian? A Yes.
- Q What is his father's name? A I don't know.
- Q What is his mother's name? A Sallie.
- Q Is his father a full blood Choctaw Indian? A Yes.
- Q Is his mother a full blood Choctaw Indian? A Yes sir.
- Q Father living? A No sir.
- Q His mother living? A No sir.
- Q Have your husband's parents, through whom you claim for him the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A I don't know.
- Q Where is your husband? A He is at home.
- Q Sick? A Yes sir.
- Q Couldn't come? A No sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A No sir.
- Q Is your name or the name of your husband on the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Julie Londine, et al., #2.

Q Have you ever made application, either for yourself or your husband to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No sir.

Q Did you, or any one for you, or your husband, or anyone for him, in 1896, under the Act of Congress of June 10, 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.

Q Have you ever made application before, or any one for you, or has your husband, or anyone for him, made application before this time to either the Choctaw tribal authorities or to the authorities of the United States out in the Territory, to be admitted or enrolled as members of the Choctaw tribe? A No.

Q Did anyone make application for you two years ago? A I don't know.

Q Did you ever have any other name? A No.

Q Did your husband make application to this Commission two years ago? A No.

The records of the Commission examined, and the names of Julie Londine and James Londine, do not appear thereon as persons for whom application has been made.

Q Is it now your propose to make application for the identification as Mississippi Choctaws of yourself and your husband? A Yes.

Q Do you claim this right for yourself and husband as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your husband ever received any benefits as Choctaw Indians? A No.

Q Did any of your ancestors or your husband's ancestors ever claim or receive any benefits as Choctaw Indians? A No.

Q Can you give the name of any of your ancestors or your husband's ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was ratified between the Choctaw tribe of Indians and the United States? A I don't know any of the names.

Q Did any of your ancestors or your husband's ancestors remove from the old Choctaw Nation in Mississippi or Alabama and go to the Territory with the other Indians between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors or any of your husband's ancestors within six months after the ratification of the Treaty of 1830, sign to the United States Indian Agent of the Choctaws in Mississippi, their intention to stay in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors or your husband's ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No.

Q Do you speak the English language? A No.

Q Do you speak the Choctaw language all the time? A Yes.

Q Are there any additional statements you desire to make in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors or your husband's ancestors were in the year 1830, when the Treaty of Dancing Rabbit

Julie Londine, et al., #3.

Creek was made, recognized members of the Choctaw tribe of Indians or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of that treaty or ever received any benefits thereunder? A No.

(This applicant appears to be a full blood Choctaw Indian; she has all the characteristics of a member of that tribe. She has no knowledge of the English language, her examination having been conducted throughout by means of a sworn Choctaw interpreter. She has no knowledge of a compliance on the part of her ancestors with any of the provisions of the Fourteenth Article of the Treaty of 1830)

The decision of the Commission as to the application you make at this time for the identification of yourself and husband as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 3rd day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

[Signature]
Notary Public.

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

Cerw.
In the Matter of the Application of Julie Londine et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2556.

- - 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 on June 3, 1901, by Julie Londine, for herself, and her husband James Londine, under the following provision of the Act of Congress approved June 28, 1898 (30 Stats., 495):

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

From the evidence submitted in support of said application it appears that the applicants are full-blood Mississippi Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi

Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Julie Londine and James Londine should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

FEB 14 1903

COPY.

M.C.R. 2556

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cernish,

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

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Julie Londine and husband, James Londine, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Julie Londine and husband as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,
(SIGNED)

James Dixie

Meeting Chairman.

Registered. 2556
~~Enc. 2556~~

M.C.R. 2556.

COPY:

Muskogee, Indian Territory, March 11, 1903.

Julie Londino,

Avera, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying yourself and your husband, James Londino, as Mississippi Choctaw Indians under the provisions of section 41 of the Act of Congress approved July 1, 1902 (32 Stat., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tamc Bixby.

Chairman.

SIGNED

Registered.

Enc. M.C.R. 2556.

007

No. _____

For Identification as a Mississippi Choctaw.

Date JULY 1901

Name Julie Londine.

Age 52 - Blood full-

Post Office, Avera, Miss.

Father: don't know. f. b. d

Mother: Polly f. b. d

- Claims through both parents.

~~Husband~~
James Londine f. b. 67

~~father - don't know, f. b. d~~

mother - Sallie f. b. - d

~~Children~~
Claims for self &
husband -

Stenographer R. A. Street

Julie Londine

R. 2-51

OFFICE OF THE
SECRETARY OF THE
STATE

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

2-51

Choctaw MCR 2557

Polly Alex

MCR 2557²

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

In the Matter of the Application of Polly Alex for
Identification as a Mississippi Choctaw.

M. C. R. 2557.

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

In the Matter of the Application of Polly Alex for
Identification as a Mississippi Choctaw.

M. C. R. 2557.

- - I N D E X . - -

Original application of Polly Alex for identification as a Mississippi Choctaw -----	1
Decision of the Commission identifying said applicant -----	4.

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 3, 1901.

In the matter of the application of Polly Alex for herself
as a Mississippi Choctaw.

Polly Alex, having been first duly sworn, upon her oath
testified as follows: (Jeff Neal, ~~is~~ Duly sworn Interpreter.)

Examination by the Commission.

- Q What is your name? A Polly Alex.
- Q What is your age? A About sixty five.
- Q What is your post office address? A Avera, Mississippi.
- Q Where have you lived all your life? A Jasper County, Mississippi,
and Greene County.
- Q What is your father's name? A I don't know his English name.
- Q What is his Indian name? A Pa-she-ok-cha-yah.
- Q Is he living? A Yes.
- Q Full blood? A Yes sir.
- Q What is your mother's name? A A-pi-la-ho-na.
- Q Is she dead? A Yes sir.
- Q Are you a full blood Choctaw Indian? A Yes sir.
- Q Do you claim your Choctaw blood through both your father and
mother? A Yes sir.
- Q Have your parents through whom you claim your right to be iden-
tified as a Mississippi Choctaw, ever been recognized in any manner
or enrolled as members of the Choctaw tribe of Indians by the Choctaw
tribal authorities or by the United States authorities? A I don't
know.
- Q Are you married? A Have been.
- Q Your husband dead? A Yes sir.
- Q Have you any children under twenty one years of age and unmarried
that you want to make application for? A None.
- Q Do you make this claim for yourself alone? A Yes sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in
Indian Territory? A No sir.
- Q Have you ever made any application to the Choctaw tribal authori-
ties in Indian Indian Territory to be enrolled as a member of that
tribe? A No sir.
- Q Did you, or any one for you, in 1896, make application to the
Dawes Commission for citizenship in the Choctaw Nation under the
Act of Congress of June 10, 1896? A I don't know.
- Q Have you ever made application before this time to either the
Choctaw tribal authorities or to the authorities of the United
States, or has anyone else ever made such an application for you,
to be enrolled or admitted as a citizen of the Choctaw Nation?
A Yes sir, two years ago.

The records of the Commission show that on February 6,
1899, Alex Davis, the son of this applicant, appeared
before the Commission at Decatur, Mississippi, as made
application for himself, his wife, Sealy and this appli-
cant as Mississippi Choctaws, their names appearing upon

Polly Alex, #2.

Mississippi Choctaw Card, Field Number 345; also, upon page 61 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identify of Choctaw Indians, residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 1224, thereon.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

Q Do you claim this right as a beneficiary under Article Fourteen of the Treaty of 1830? A Yes.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A I don't know.

Q What is the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the Choctaw tribe of Indians and the United States authorities? A I don't know.

Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent residing in Mississippi at that time that they intended to stay in Mississippi and become citizens of the United States? A I don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A I don't know.

Q Do you speak the English language? A I don't know how.

Q Do you talk the Choctaw language all the time? A Yes.

Q Are there any additional statements you want to make in support of your application? A No.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were in 1830 when the Treaty of Dancing Rabbit Creek was made recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No.

(This applicant appears to be a full blood Choctaw Indian; she has no knowledge of the English language and her examination having been conducted throughout through the medium of a sworn Choctaw interpreter. She has no knowledge of a compliance on the part of her ancestors with any of the provisions of the Fourteenth Article of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

Polly Alex, #3.

R.S. Streit, 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 3rd day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi,
this 19th day of July, 1901.

[Signature]
Notary Public.

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

Cow

In the Matter of the Application of Polly Alex for Identification as a
Mississippi Choctaw.
M.C.R.2557.

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

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on June 3, 1901, by Polly Alex, for herself, under the following provisions of the Act of Congress approved June 28, 1898, (30 Stats. 495):

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

From the evidence submitted in support of said application it appears that the applicant is a full-blood Mississippi Choctaw Indian.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats. 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi

Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Polly Alex should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.

C. R. Beckwith
Commissioner.

Muskogee, Indian Territory.

FEB 14 1903

COPY

Muskogee, Indian Territory, February 21, 1903.

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

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Polly Alex as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Polly Alex as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tame Dixby

Acting Chairman.

Registered.

Enc. MT. 54

COPY.

M. C. R. 2557

Muskogee, Indian Territory, March 11, 1903.

Felly Alex,

Remailed. Ravin. J. J. Dec 8. 1903.

Avera, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw nation, or Fishamingo, Chickasaw nation.

Respectfully,

Jame Bixby.

Chairman.

Registered.

Enc. 2557

#894

No

For Identification as a Mississippi Choctaw.

Date JUN, 3 - 1901

Name Polly Alex, ~~and~~

Age 65. Blood full-

Post Office, Avoca, Miss.

Father: Pa-she-ok-cha-yah (f. l.) d

Mother: Apilahona (f. l.) d

Claims through both parents -

~~Children:~~

Claims for self
alone

See M. C. Card. filed
No. 345.

Stenographer R. J. Street.

Polly Alex.

IDENTIFIED

R. 2557

DECISION RENDERED

FEB 11 1903

OFFICE OF DECISION
ATTORNEYS
GENERAL

FEB 11 1903

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

10/10/03. J. A. Ravia. J. J.

Choctaw MCR 2558

Nancy Neal

MCR 2558

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

In the Matter of the Application of Nancy Neal for
Identification as a Mississippi Choctaw.

M. C. R. 2558.

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

In the Matter of the Application of Nancy Neal for
Identification as a Mississippi Choctaw.

M. C. R. 2558.

- - I N D E X . - -

Original application of Nancy Neal for identification as a Mississippi Choctaw -----	1
Decision of the Commission identifying said applicant -----	4.

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 3, 1901.

In the matter of the application of Nancy Neal for identification as a Mississippi Choctaw.

Nancy Neal, having been first duly sworn, upon her oath testified as follows: (Jeff Neal, duly sworn interpreter.)

Examination by the Commission.

- Q What is your name? A Nancy Neal.
- Q What is your age? A I don't know for certain, but I think I'm about eighty two.
- Q What is your post office address? A State Line, Mississippi.
- Q How long have you lived there? A Twelve years.
- Q Where were you born? A In Jasper County.
- Q Where have you lived all your life? A In Jasper County.
- Q What is your father's name? A I don't know.
- Q Don't you know the Indian name? A No, I was quite small when my father died.
- Q Was he a full blood Choctaw Indian? A Yes sir.
- Q Is he dead? A Yes sir; he is dead.
- Q What was your mother's name? A Sukey.
- Q Was she a full blood Choctaw Indian? A Yes sir.
- Q Is she dead? A Yes sir.
- Q Are you a full blood Choctaw Indian? A Yes sir.
- Q Do you claim your blood through both your father and mother? A Yes sir.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States? A I don't remember.
- Q Are you married? A Yes sir.
- Q Is your husband dead? A Yes sir.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A No sir.
- Q Do you claim for yourself alone? A Yes sir.
- Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the Choctaw tribe? A No sir.
- Q Did you, or any one for you, in the year 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by any authority whatever? A No sir.
- Q Have you ever made application before this time for citizenship in the Choctaw Nation, either to the Choctaw tribal authorities or to the United States authorities? A No.
- Q Is this the first application you ever made? A Yes.
- Q Do you now seek to be identified as a Mississippi Choctaw? A Yes sir.

Nancy Neal, #2.

Q Do you claim this right as a beneficiary under the provisions of Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A I don't know anything about it.

Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was ratified between the United States Government and the Choctaw tribe of Indians? A I don't know anything about it.

Q Do you remember when the other Indian were removed by the Government to the Territory? A I recollect that.

Q Did your father or mother go to the Territory with the other Indians? A No.

Q Did your grand father or grand mother go? A No sir, they were all dead.

Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent, their intention to remain in Mississippi and become citizens of the United States? A I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A I don't know.

Q Can you speak the English language? A No.

Q Do you speak the Choctaw language all the time? A Yes sir.

Q Are there any additional statements you want to make in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were in the year 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of that Fourteenth Article or ever received any benefits thereunder? A No.

(This applicant appears to be a full blood Choctaw Indian, having all of the characteristics of a member of the Choctaw tribe. She has no knowledge of the English language, her examination having been conducted through a sworn Choctaw interpreter. She has no knowledge of a compliance on the part of her ancestors with any of the provisions of the Fourteenth Article of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

Nancy Neal, #3.

R.S. Strait, 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 antitled cause on the Third day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings had insaid cause on said date.

R. S. Strait

Subscribed and sworn to before me at Meridian, Mississippi
this 19th day of July, 1901.

[Signature]

Notary Public.

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

cur

In the Matter of the Application of Nancy Neal for
Identification as a Mississippi Choctaw.

W. C. R. 2558.

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

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on June 3, 1901, by Nancy Neal, for herself, under the following provisions of the Act of Congress approved June 28, 1898 (30 Stats. 495):

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

From the evidence submitted in support of said application it appears that the applicant is a full-blood Mississippi Choctaw Indian.

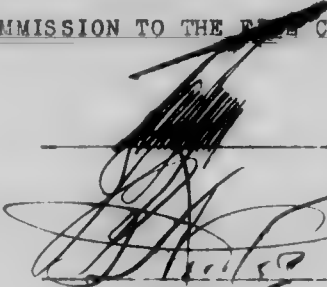
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats. 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi


Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Nancy Neal should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE ~~THE~~ CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

FEB 14 1903

M.C.R. 2558

COPY.

Muskogee, Indian Territory, February 21, 1903.

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

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Nancy Neal as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Nancy Neal as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tommy Dickson
Acting Chairman.

Registered.

Enc. MT. 52

COPY.

M.C.R. 2558

Muskogee, Indian Territory, March 11, 1903.

Emily Deal,

State Line, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Fish Springs, Chickasaw Nation.

Respectfully,

(SIGNED) *Jams Dixby.*

Chairman.

Registered.

No. 2558

Nancy Neal

IDENTIFIED

R. 2558

RENDERED FEB 11 1903

DEPT. OF AGRICULTURE
BUREAU OF BUREAU OF
INDUSTRIAL HYGIENE
WASHINGTON, D. C.
MAY 11 1903

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

#895

No. 3558

For Identification as a Mississippi Choctaw.

Date JUN 3 1901

Name Nancy Neal -

Age 82 Blood full,

Post Office, State Line, Miss.

Father: don't know. f. b. d.

Mother: Suskey - f. b. d.

Claims through both parents -

Children:

Claims for self alone.

Stenographer

R. A. Atreix -

Choctaw MCR 2559

William Lee

MCR 2559

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 5, 1901.

#2559

In the matter of the application of William Lee for the identification of himself and his five minor children as Mississippi Choctaws. William Lee having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A William Lee.
Q What is your age? A Sixty.
Q What is your post-office address? A Vanwert, ~~TEXAS~~ Iowa.
Q How long have you lived there? A Since June '65.
Q Where did you live before you lived in Iowa? A I was in the war when I lived in Newton County, Mississippi.
Q You say that you were in the army just prior to your removal to Iowa? A Yes, I went from the army to Iowa.
Q Union or Confederate? A Union army; I get a little pension.
Q You went from Mississippi into the army? A Yes.
Q Were you born in Mississippi? A Yes, in Newton County, Mississippi
Q and lived there all your life until you went into the army? Yes, I lived in Clark County one or two years.
Q I mean you lived in Mississippi all your life until you went into the army? A Yes, that's right.
Q What is your father's name? A Jacob Lee.
Q Is he living? A No, he is dead.
Q What is your mother's name? Nancy Lee.
Q Is she living? A No, she is dead.
Q Through which one of your parents do you derive your Choctaw blood? A Through my father.
Q How much Choctaw blood do you claim? A My father's mother was one half blood.
Q That would make you about how much? A I think about one eighth if I can count it right.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the authorities of the United States?
QA At any agency do you mean? - Not that I know of.
Q Are you married? A Yes.
Q What is your wife's name? A Henrietta Lee.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No, she has no Indian blood in her.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application? at this time? A Yes.
Q Give their names and ages. A I believe Robert E. Lee is the oldest of them- he is nineteen years; William Lee, seventeen; Zorah E. Lee, sixteen; Dora A. Lee, thirteen; Granville H. Lee eleven; that's five that's all.
Q You are the father of these children? A Yes.
Q What is the name of their mother? A Henrietta Lee.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer them in evidence? A I haven't my marriage license but I can get them and send them, to you.

It will be necessary that the Commission be supplied with evidence of your marriage in support of the application for your minor children.

William Lee---2

- Q Is your name or are the names of these children on any of the tribal rolls of the Choctaw nation in Indian Territory? A None at all.
- Q Have you ever made application for yourself or your children to the Choctaw tribal authorities in Indian Territory to enrolled as member of that tribe? A Not till today.
- Q This is not the Choctaw tribal authorities- this the authorities of the United States. A Never have.
- Q Did you or any one for you or these children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under Act of Congress of June 10, 1896?
- A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A Never have.
- Q Have you ever made application prior to this time for yourself or your children to the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws? A Yes.
- Q Are you familiar with the provisions of that article of that treaty?
- A I can't say that I am.
- Q Article fourteen of the treaty of 1830 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 claiming 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." Do you claim under this article of this treaty? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No, not as I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I forget.
- Q Was it your father or grand-father, your mother? A Well, my father.
- Q Your father lived in Mississippi in 1830? A Yes he did; and my grand-father lived there in 1830; I can't say that only from hearsay.
- Q Well, you have been taught that he did? A Yes.
- Q What was your grand-father's name? A I am not sure, but I think it was Samuel Lee.
- Q Was your grand-father, Samuel Lee, a Choctaw Indian? No, but then he married one.
- Q What was your grand-mother's name? A I disremember her name- I

William Lee---3

- disremember his name but I believe it was Samuel Lee; I was small- I haven't seen him.
- Q Have you any evidence showing that your grandfather or your ancestor was a recognized member of the Choctaw tribe at that time?
- Q No.
- Q Did your father, or grandfather or any ancestor of yours remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1836? A I don't thoroughly understand
- Q Did he come from the old Choctaw nation to the present Choctaw Nation in the Indian Territory with the other Indians? A I think not.
- Q If he did not remove with the other members of the tribe did he within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw nation in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Why, he did become a citizen of the United States.
- Q Did he go to the Indian Agent there and tell him that he didn't want to come West but told him that he wanted to remain there and become a citizen of the United States? A If I remember right Horn was one of the Agents there; if I remember, Horn wanted him to come out to the trading Post, that is about Little Rock, but he said he would stay there.
- Q Was that in Arkansas? A No, it was in Mississippi; Horn himself was coming out-
- Q Did your father go to Col. Ward at the time this treaty was made in 1830 and tell him that he wanted to stay in Mississippi and take land and become a citizen of the United States? A I can't tell you because I have never heard whether he did or not.
- Q Have any of your ancestors ever claimed or received any benefits, any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A (No answer).
- Q Is there anything else that you want to say now that has not been brought out? A You asked me that about my grand-mother; I told you I didn't remember her name- I was young when she died- I don't remember her name but it might be--I forget things that way, I have been hurt, you see my head has been paralyzed one side of it here-
- Q Well, did your father live among the Choctaw Indians in Mississippi? A Yes.
- Q How much Choctaw blood did he have? A If I remember it right, he was about one eighth.
- Q You said you were an eighth. A Oh, one fourth, his mother was a half.
- Q Could your father talk Choctaw? A Yes.
- Q Can you? A Yes some; I could talk it good, I have been with them forty years.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of deeds or patents, or records, or any proper papers showing that any of your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A I have not.
- Q Would you like time in which to file such evidence? A Well, I would like to see.

Thirty days time is allowed applicant in which to file any evidence he may desire in support of his application ;also marriage license and certifica

Billings 100-24

or certified copy of the same.

The decision of the Commission as to your application for identification as Mississippi Choctaws for yourself and your minor child now will be determined at the earliest possible date and report of same be made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 29, 1900, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant has slight appearance of Indian blood; high cheek bones.

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 all proceedings had in the above entitled cause on June 5, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to be fore me this 15 day of July 1901.

R. H. Lumbaught
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T., July 1st, 1902.

Additional
Testimony.

-----c0e-----

M U R 2559.

In the matter of the consolidated Mississippi Choctaw
case of Temple McAllister et al., M U R 2557, applicants for iden-
tification as Mississippi Choctaws.

ADDITIONAL TESTIMONY of William Lee, who being duly sworn, testi-
fied as follows:

Examination by the Commission:

- Q What is your name? A William Lee.
Q How old are you Mr. Lee? A Sixty-one.
Q What is your post office address? A Kiowa, now.
Q Kiowa, Indian Territory, now? A Yes sir.
Q Are you the William Lee who appeared before the Commission at
Atoka, Indian Territory, on June 8, 1901, and made application
for the identification of yourself and five minor children as
Mississippi Choctaws? A Yes sir, I suppose I am.
Q You did appear there about that time did you? A Yes sir, I
think it was on the 8th of June, 1901.
Q For what purpose do you appear before the Commission at this
time? A Why at that time I didn't know that my mother's moth-
er was a Mississippi Choctaw; I had never been told that, but
since that time I saw some people was raised there by me and one
of my aunts and they told me she was and told me that she drew
her land there in Mississippi.
Q Your mother's mother? A My mother's mother.
Q What was your mother's name? A Her name was Nancy Blakely;
married Jacob Lee.
Q How old would your mother be if living now? A I think she
was born in 1807, I think.
Q Your mother was? A Yes sir.
Q How you say that her mother drew land in Mississippi?
A That's what I have been told by people that knew me when I was
a child; I didn't know them but they said they knew my parents.
Q Who told you that? A Mr. Grice and Mr. Laird and one of the
Bounds.
Q Where do these people live? A In Navarro County, in Texas;
and one of the Williamsons.
Q What is his name? A Old lady Williamson.
Q What is her name? A Betsey.
Q How old are these people? A I think Betsey Williamson told me
she was eighty-four.

#2.

- Q Where does she live? A She lives in Limestone County; she's related to me; Betsy Williamson is related to me.
- Q Are these other people to whom you refer all relatives of yours?
- A No sir, no relation of mine at all; been some Choctaws told me that they were Choctaws.
- Q What was your mother's mother's name? A My mother's mother's name was Betsy Smith.
- Q How much Choctaw blood did she have? A Why these people told me she was half blood.
- Q Did she have a Choctaw name? A If she did, I never heard it; only Betsy Smith.
- Q Do you know the names of her parents? A I have heard them but I don't remember; I believe some of them named John Smith; I saw one of them that lived there in Wayne County but I didn't know at the time that she was any relation of ours.
- Q Her maiden name was Betsy Smith? A Yes sir; she married John Blakely.
- Q Do you know whether any of your Choctaw ancestors ever complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A Not only what I have been told..
- Q Well what else have you been told about the matter; anything further than you have already told us about it? A I have been told that my grandmother Blakely and my uncle drew their land there in Mississippi.
- Q What was that uncle's name? A John Blakely.
- Q But you don't know whether they got it under the fourteenth article or not? A No sir, only what I have been told; these people there in Texas told me that they drew the land.
- Q Have you any evidence that they did get that land down there?
- A No sir, not only what they told me.
- Q Did you ever hear of any of your Choctaw ancestors ever having gotten any scrip from the government? A Only what they said-- that some of them owned their land. My uncle and grandmother they said that they put their scrip on some land there.
- Q Do you know how they got that scrip? A No sir, I couldn't tell you how they got it.
- Q You don't know whether they bought it or got it from the government? A No sir.
- Q Do you know whether your mother or her mother within six months from the time this treaty of Dancing Rabbit Creek was ratified, let the Agent of the government in Mississippi for the Choctaws know that they wanted to stay in Mississippi and become citizens of the states and take land? A No sir, I don't know of my own knowledge.
- Q All you know with reference to their having gotten land under this fourteenth article you have already told us have you?
- A Yes sir, just what people have told me, that's been since I appeared last year.
- Q Since you appeared last year? A Yes sir, and I didn't know before that that my grandmother, that's my mother's mother, I didn't know that she claimed any blood, for my grandfather said to me that my folks was English. I supposed from the way he talked that he was born in England for he came to the United States. I remember what he said, although when I come to think

of it my grandfather resembled a Cheetaw a good deal more than any of her children; I never----

- Q Do you know in what year your grandmother was born--your mother's mother? A No sir, I don't know what year she was born in; must have been in about fifty-six when she died; I remember seeing her.
- Q About how old was she when she died? A She must have been about sixty to sixty-three or seven or eight; I don't know; I can't tell, but from her appearance she must have been about sixty or seventy.
- Q How old was your mother when she married? A I don't know as I remember just how old she was; I have heard it said too; I don't think she was twenty yet when she was married; They talked like she was quite young; my father told me I think that he was born in 1801; I think she was born in 1807 if I remember right; that's the best that I can remember.
- Q Are you the oldest one of your mother's children? A No sir.
- Q How much elder than you was your oldest brother or sister?
- A My oldest sister she must be some eight or ten years older than I am; maybe eight, I don't know; maybe not so much; she's living yet, but my oldest brothers are dead.
- Q This sister was the oldest one of the family? A Yes sir, oldest one of the family; she must be--well, I couldn't say how old---seventy some odd I think.
- Q Did these people who told you about your people having gotten land in Mississippi from the government, tell you how they got their information on this point? A They told me that--my aunt there told me that she knew all about it but never had said anything about it outside of the connection. I hadn't saw her since I was a little child.
- Q She was your mother's sister? A Yes sir.
- Q What is her name? A Betsy Williamson.
- Q Has she been before the Commission? A I don't know whether she has or not; it seems to me like she said she was; it seems to me like she said she give some testimony.
- Q Now you don't know then the source from which these people get the information that your people got land from the government?
- A None only what they told me.
- Q Well what did they tell you? A Mr. Laird told me that grandfather Blakely had lost a corner stone of his land and when they went out he told him if he could draw land through his wife like he did by marrying his, that would be drawing it by marrying a Mississippi Cheetaw Indian.
- Q Where was this that this occurred? A In Mississippi. I knew where the land were but I didn't know how he got it at the time, until they told me.
- Q How old a man is Mr. Laird? A Why he is about my age, or maybe a little elder, I couldn't say; somewheres along there.
- Q Now he didn't know that your grandfather got this land under the fourteenth article of the treaty of Dancing Rabbit Creek?
- A No sir, only just what they talked and told about and heard their conversation between them.
- Q Is there any further statement you want to make?
- A Mr. Laird did say too that they were talking about him drawing this scrip and laying it on the land.

4.

- Q Did Mr. Laird tell you whether this scrip was issued to your grandmother by the government under this treaty or whether it was bought by your grandfather? A He said that she drew it and put it on the land.
- Q Is there any further statement you want to make now? A Before I didn't know this and I went in on my father's side; I was always taught that; I left there when I was a boy.
- Q How do you know the source from which Bounds and these other people get their information in regard to your grandmother getting land? A They lived near there and would tell me about- they said "well your grandmother drew her land there in Mississippi." Well, one of the Lairds he----
- Q Do you think you could get any of these people to come up here in person and testify in your case? A A Why Mr. Laird did testify in my case here, and my brother.
- Q When? A In January.
- Q Any of the rest of them been up here and testified in your case? A Why only what I have been told; there was some Choctaws some of them said testified in my case.
- Q What relation are you to Tempie McAllister? A Cousin of mine.
- Q Is she the daughter of one of your mother's sisters? A Yes sir.
- Q What was the name of Tempie's mother? A We always called her aunt Polly, but I have heard her name was Mary; I think if I aint mistaken her name was Mary.
- Q She was a full sister of your mother? A Yes sir.
- Q Where does Tempie McAllister live? A At Waco, Texas, or did. live there in the winter.
- Q Now Tempie's mother's name was Betsy Blakely? A Yes sir.
- Q Now what was Betsy's full name? A Elizabeth was her proper name.
- Q How much Choctaw blood did Betsy have? A Why they claimed she was a half blood.
- Q How did Betsy ever have a daughter by the name of Tempie? A Yes sir.
- Q What did she marry--your mother's sister Tempie? A I believe it was Tyler.
- Q What was his full name? A Thomas Tyler.
- Q Do you know the names of Tempie and Tom Tyler's children? A No sir, never knew them; had any children I never knowed anything about it.
- Q You have been away from Mississippi ever since the war? A Before the war.
- Q Now how many other children did Elizabeth Blakely have besides your mother and Tempie McAllister's mother and Tempie Blakely? A Well there was Fannie Overstreet and Sarah Ann Simms she married a man by the name of Simms and she died; raised two children and died.
- Q Is there another one? A Yes sir, Albany I think her name was; she married a man by the name of Barrett.
- Q Did your mother ever have a sister who married a man by the name of Perry? A Not that I know of.
- Q Did your mother ever have a sister by the name of Elizabeth? A Elizabeth or Betsy.
- Q Did your mother ever have a sister by that name? A Yes sir.

- Q Who did she marry? A David Williamson.
- Q Was she ever married more than once? A Not that I know of. If she was I never knowed it.
- Q Did Elizabeth Blakely ever have any sons? A Yes sir, there was John and Russell and James and William.
- Q Are any of them living now? A No sir, they say not.
- Q Did any one of them have a son by the name of Robert? A Not that I know of.
- Q Do you know the names of the children of any of those brothers of your mother? A There's one John William that's all I have heard; and Hiram and William and John.
- Q Now what was the name of their father? A Well one of them was named Russell Blakely.
- Q Father of who? A Hiram and William.
- Q What was the name of John's father? A John's father is--I don't know--Jim Blakely or which it is; they moved away when I was a boy; I don't know them, only just hearing people say who they are; I just remember when I was little about my uncles and aunts.
- Q Do you know a man by the name of Walter S. Blakely? A No sir.
- Q Do you know a woman by the name of Lelia B. Haffington? A No sir.
- Q You want your case consolidated do you with the case of Tempie McAllister and others, applications of identification as Mississippi Choctaws of persons having the same common ancestor as you? A Yes sir.

Special reference is hereby made to the testimony of John Lewis taken at Atoka, Indian Territory, on July 11, 1901; also to the testimony of Elizabeth Williamson taken at Atoka, Indian Territory, on August 1, 1901; also to the testimony of Robert H. Laird taken at Muskogee, Indian Territory, on January 14, 1902, all of which will be found on file in consolidated M C R case No. 2857, Tempie McAllister et al.

- Q Nothing further you care to say in reference to this application is there Mr. Lee? A No sir.

Albert G. McMillan, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 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 11 day of July, 1902.

Guy L. V. Emerson
Notary Public.

Maskogee, Indian Territory, July 24, 1901.

William Lee,
Van Wert, Iowa,

Dear Sir:

Receipt is hereby acknowledged of the affidavit of S. W. Kehler, Clerk of Decatur County, Iowa, relative to the destruction of the records of that county in 1874; also certificate of S. Samson as to the marriage of William Lee and Henrietta Branscom on the 24th of September, 1866. The same has been duly filed as a part of the records in the matter of your application for the identification of yourself and minor children as Mississippi Choctaws.

Yours truly,

Commissioner in Charge.

MC 2589

Miss. Choctaw 2559

Muskogee, Indian Territory, March 29, 1902.

Robert E. Lee,

Summerfield, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty fifth instant, asking if a white girl who marries an Indian now will get land and money as though she were an Indian by blood; you also ask if Mississippi Choctaws who have lived in this country ten or eleven years ago will get land and money the same as those who have always lived here.

In reply to your letter you are advised that the Commission cannot render opinions upon hypothetical cases; furthermore, no opinion can be given as to the rights of any persons to land or money in the Choctaw Nation until such persons have made personal application to the Commission and proper record has been made of such application.

Relative to the rights of Mississippi Choctaws to land in the Choctaw Nation, the act of Congress of May 31, 1900, provides:

"That any Mississippi Choctaw duly identified as such by the United States Commission to the Five Civilized Tribes shall have

R.E.L. 2

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."

But it is believed that the benefits of the above legislation would not accrue to applicants until they had been identified by the Commission as Choctaw Indians entitled to share in the Choctaw lands under the fourteenth article of the treaty of 1830.

Our records show that two persons by the name of Robert E. Lee are applicants for identification as Mississippi Choctaws, but the information contained in your letter is not sufficient to enable us to determine whether you have appeared as an applicant for identification as a Mississippi Choctaw to this Commission.

If you will advise the Commission definitely in regard to the matters concerning which you ask information, the same will receive further consideration.

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.

REFER IN REPLY TO THE FOLLOWING

N.C.R. 2059

Muskogee, Indian Territory, January 23, 1903.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

William Lee, Remailed on April 7 1903 to Kiowa D.J.
Vanvert, Iowa.

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 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 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, 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, Burtt 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, 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,

NED.

Registered.

Acting Chairman.

COPY.

M.C.R. 2559.

Muskogee, Indian Territory, July 13, 1903.

William Lee,
Vanwert, Iowa,

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 Tempie McAllister, et al., of which decision you were advised by registered mail on the 23rd day of January, 1903.

Respectfully,

I. B. Needles.
Commissioner in Charge.

M.C.R.2559

Muskogee, Indian Territory, April 26, 1904.

Robert Lee,
Glenn, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant, in which you ask to be advised the status of the application of your deceased father, William Lee, for identification as a Mississippi Choctaw.

In reply to your letter you are informed that on May 20, 1903, the Secretary of the Interior approved the decision of the Commission refusing the application made to this Commission by William Lee for the identification of himself and his five minor children, Robert E., William H., Zerah E., Dora A. and Granville H. Lee, as Mississippi Choctaws, of which Departmental action William Lee was duly notified on April 13, 1903.

The Commission now considers this case closed.

Respectfully,

Chairman.

K.C.R.2669

Muskogee, Indian Territory, May 17, 1904.

Robert Lee,

Glenn, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of May 6, in which you ask why your deceased father was refused identification as a Mississippi Choctaw. You ^{d 50}ask that you be furnished a copy of the "treaty book."

As advised in our letter of April 26, 1904, the Secretary of the Interior on May 20, 1903, approved the decision of the Commission refusing the application made by William Lee for the identification of himself and minor children as Mississippi Choctaws.

The Commission requires of applicants for identification as Mississippi Choctaws that they not only show that they are possessed of Choctaw blood, but that they must also show that they are descendants of Choctaw ancestors, who resided in the old Choctaw Nation, in the States of Mississippi and Alabama, in 1830, and that such ancestors complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, or subsequently had their claims arising thereunder adjudicated by either

R. L., 2.

of the two Commissions authorized for this purpose by the acts of Congress of March 3, 1837, and August 23, 1842. No proof of this character was submitted in support of the Mississippi Choctaw application of William Lee, et al.

A copy of the Choctaw-Chickasaw supplemental agreement is herewith enclosed you.

Respectfully,

Com. in Charge
Choctaw.

Choo-Chic Agreement.

Muskogee, Indian Territory, July 10, 1906.

The Honorable,
The Secretary of the Interior.

Sir:

In the matter of the consolidated Mississippi Choctaw case of Tempie McAllister, et al., the record therein, together with the adverse decision of the Commission to the Five Civilized Tribes of January 23, 1903, was, on February 9, 1903, forwarded the Department.

May 20, 1903 (I T D 2602, 4204-1903), the Department affirmed the decision of said Commission rendered January 23, 1903.

July 28, 1903, the Commission to the Five Civilized Tribes transmitted to the Department a petition of Hiram Blakeley, one of the applicants in the above consolidated case, praying for a rehearing in order that additional evidence might be offered in support of the claims of the several applicants.

August 18, 1903 (I T D 6146-1903), the Department refused the petition above referred to.

November 3, 1903, the Commission to the Five Civilized Tribes transmitted to the Department interrogatories and cross-interrogatories to be propounded to W. J. Jones, the same to be read in evidence in the matter of the petition of Hiram Blakeley.

(2)

November 20, 1903, the Commission to the Five Civilized Tribes transmitted to the Department the affidavits of Jno. Blakeley and Billy John, offered in support of the aforesaid petition of Hiram Blakeley.

December 1, 1903 (I T D 6146, 8238-1903), the Department again refused to reopen the consolidated Mississippi Choctaw case of Tempie McAllister, et al.

December 12, 1903 (I T D 8624-1903), the Department advised the Commission to the Five Civilized Tribes that the affidavits of John Blakeley and Billy John, above mentioned, had been examined and did not disclose any evidence which would justify a rehearing.

July 25, 1905 (I T D 6571-1905), the Department denied a petition dated May 13, 1905, submitted by J. and T. J. Overstreet, applicants herein, for a rehearing of their applications.

June 26, 1906, this office received from T. D. Taylor, South McAlester, Indian Territory, a petition of William Lee, one of the applicants in the consolidated Mississippi Choctaw case of Tempie McAllister, et al., requesting that a rehearing be granted in the matter of his application. The petition is herewith transmitted.

Respectfully,

Through the Commissioner
of Indian Affairs.
McM 10/1

Commissioner.

M C R 2857
M C R 2559

Muskogee, Indian Territory, July 10, 1906.

T. D. Taylor,
South McAlester, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the petition of William Lee, one of the applicants in the consolidated Mississippi Choctaw case of Tempie McAllister, et al., requesting a rehearing of his application. The petition has this day been transmitted to the Secretary of the Interior.

Respectfully,

Commissioner.

MCR 2559

Muskogee, Indian Territory, December 6, 1906.

William Lee,

Vanwert, Iowa.

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.

J. D. Taylor

1861

2557

William Lee, et al.

JAN 25 1908

H TO M. P. 2857

No. 2559

For Identification as a Mississippi Choctaw.

Date JUL 1 1902

Name Wm Lee et al.

Age

Blood

Post-Office,

Father:

Mother:

Claims through

Adm'l testimony
of Wm Lee
taken at
Muskogee, T.

Children:

Stenographer

A. G. M. Millan

No. 2559

For Identification as a Mississippi Choctaw.

Date JUN 5- 1901

Name William Lee

Age 60 Blood 1/8

Post Office, Van Wert Iowa

Father: Jacob Lee (dead)

Mother: Nancy Lee (dead)

Claims through father

Wife: Henrietta Lee
(No claims for her)

Children:

Robert E. Lee 17

William N. Lee 17

Zorah E. Lee 16

Dora A. Lee 13

Granville H. Lee 11

(Claims for himself and
five minor children)

Stenographer

Henry G. Hains.

Choctaw MCR 2560

Laura A H Tolbott

MCR 2560

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,

In the matter of the application of Laura A. H. Talbott,
et al., for identification as Mississippi Choctaws, M. C. R. 2560.

---- I N D E X ----

List of papers forwarded to the Secretary of the Interior, compris-
ing the record in the case of Laura A. H. Talbott, et al.,
M. C. R. 2560

	Page.
Original application of Laura A. H. Talbott, et al., before the Dawes Commission for identification as Mississippi Choctaws, - - - - -	1
Joint affidavit of A. Bailey, G. Lee Jefferson, and Jacob Spriggs, - - - - -	4
Decision of the Commission refusing the applica- tion of Laura A. H. Talbott, et al., for iden- tification as Mississippi Choctaws, - - - - -	8

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 5, 1901.

#2560

In the matter of the application of Laura A. H. Talbott for the identification of herself and her minor child as Mississippi Choctaws. Laura A. H. Talbott having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Laura A. H. Talbott.
Q What is your age? A Thirty-five yesterday.
Q What is your post-office address? A 610 Jackson, Topeka, Kansas.
Q How long have you lived there? A Fourteen years.
Q Where did you live before you moved to Kansas? A Vicksburg Mississippi.
Q Born in Mississippi? A Yes.
Q And lived there all your life until you moved to Kansas? A No, I lived part of the time in Ohio.
Q How old were you when you left Mississippi? A Its fourteen years ago and came to Kansas; went to Ohio when I was quite small.
Q How old were you when you first left Mississippi? A Four years.
Q And you went then to Ohio? A Yes.
Q How long did you stay in Ohio? A About six years.
Q And from there where did you go? A Back to Vicksburg.
Q and remained there until--? A 1886- fourteen years ago when I went to Kansas and have lived there ever since.
Q What is your father's name? A My own father's name? was DeCostro; Francis DeCostro.
Q Is he living? A No, I don't remember him at all; he died when I was an infant.
Q What is your mother's name? A Frances DeCostro; when she died her name was Frances Lewis; she married again.
Q You say she is dead? A Yes, died in '75.
Q Through which one of your parents do you derive your Choctaw blood?
A Mother- my mother.
Q How much Choctaw blood do you claim? A Well, my grandmother was a full-blood.
Q That will make you how much? A I don't know.
Q If your grandmother was full blood your mother would be how much?
A I think one half.
Q And you then would be how much? A One quarter, or what- I don't know how they arrange these things.
Q Well, you would be half of what your mother was A Yes.
Q Are you married? A Yes.
Q What is your husband's name? A Richard C. Talbott.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A I just make it for myself; he has no Indian blood in him.
Q Have you any children in your family for whom you wish to make application? A One; Cecil R. Talbott (Boy), six and a half years.
Q You are the mother of this child? A Yes.
Q And what is the name of his father? A Richard C. Talbott.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Is your name or the name of this child on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to have yourself or this child enrolled as a member of that tribe? A No, I spoke to Dr. Lynn about it and he just neglected it until a few weeks ago?

Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A Let me see; in 1896, you say; no, I don't think in '96; I know I wrote to Mr. Curtis last Winter about it, and he said that claim was closed up and I couldn't go into that and he told me--

Q You did not make application five years ago to the Commission?
A No.

Q Have you or your child ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.

Q Have you ever made application prior to this time for yourself or this child either to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as members of the Choctaw Nation? A I spoke to Dr. Lynn about it about eight years ago and he did not make any--

Q Was Dr. Lynn one of the citizenship Commission? A I don't know he said he was interested.

Q Then you didn't make any application to any of the authorities?
A No, this is my first.

Q This is the first application of any description you have ever made
A Yes.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I do.

Q Are you familiar with the provisions of that article of that treaty
A I just read it in this paper here.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of now; they did when I was quite small.

Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw tribe in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A My great grandmother was named Fannie Grooms; Mr Curtis told me to have that name translated into Choctaw and told me to have this other name taken to Mr. Ainsworth--

Q This then was your great-grandmother? A Yes.

Q And how much Choctaw blood did she have? A Full-blood.

Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians at that time? A All I know is what I have on this paper, and this was sent to me since I was out here in Kansas, but my mother dying told me to remember that I was Indian.

Q Did this great-grandmother of yours, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians, from 1833 to 1838? A That I don't know but I think she died in Mississippi.

Q If she did not remove with the other members of the tribe did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Nation in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I couldn't say.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.

Q Are there any additional statements you desire to make in support of this application? A I don't know- I don't understand; Mr. Curtis told me to take this and come down here-. My great-grandmother was Fannie Grooms; my mother's mother was Amir Grooms and there's a cousin named Enoch Grooms.

- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of article fourteen of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A I have these; are all I have got.
- Q Would you like time in which to file additional evidence in this case? A Well, I might, I will take thirty days.

Thirty days from the date hereof is allowed applicant in which, to file additional evidence in support of her application.

The decision of the Commission as to your application for yourself and your minor child for identification as Mississippi Choctaws will be determined at the earliest possible date and report of same be made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of the same will be sent to you in writing at your post-office address as given by you in your testimony.

Applicant apparently has slight appearance of being Choctaw; high cheek bones, hair very black and almost straight.

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 all proceedings had in the above entitled cause on June 5, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linebaugh
Notary Public.

J. H. C. W.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.

In the matter of the application of Laura A. H. Talbott,
et al., for identification as Mississippi Choctaws, M.C.R. 2500.

--- DECISION ---

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Laura A. H. Talbott for herself and her minor child, Cecil R. Talbott, under the following provision of the act of Congress approved June 20, 1898 (30 Stats., 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 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 Fannie Grooms, who is alleged to have been a full 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 none of said applicants has ever been enrolled 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 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 Fannie Grooms, 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 Laura A. E. Talbott and Cecil E. Talbott 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 application for their identification as such should be refused and it is so ordered,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

SIGNED: James Dixby,
Acting Chairman
T. B. Needles,
Commissioner.
C. G. Brewster,
Commissioner.

Muskogee, Indian Territory.
OCT 17, 1902

COPY.

M.C.R. 2560

Muskogee, Indian Territory, October 17, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 17th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Laura A. H. Talbott, 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 Laura A. H. Talbott and Cecil R. Talbott 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 application for their identification as such should be refused, and it is so ordered."

H, Mok & C-2

You are further advised that the principal applicant in this case has 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 Birby
Acting Chairman

COPY

M.C.R. 2560

Muskogee, Indian Territory, October 17, 1902.

Laura A. H. Talbott,
#610 Jackson St.,
Topeka, Kansas.

*Remailed South McAlester I. T.
Dec. 4. 1902.*

Dear Madam:

You are hereby advised that on the 17th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Laura A. H. Talbott, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1896 (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 Laura A. H. Talbott and Cecil R. Talbott 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 application for their identification as such should be refused, and it is so ordered."

Laura A. H. Talbot-6

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 Birby.

Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory November 3, 1902.

The Honorable

The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the case of Laura A. H. Talbott, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 17th, 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,


Acting Chairman.

Through the
Commissioner of Indian Affairs.

Enc. M C R 2560.

Department of the Interior

(Copy)

Office of Indian Affairs.

Land
67763-1902.

Washington, January 28, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, for your consideration, application of Laura A.H. Talbott for herself and her minor child Cecil R. Talbott for identification as Mississippi Choctaws wherein a decision adverse to them was rendered by the Commission October 17, 1902.

The testimony in this case shows that the applicants base their claims to identification on their descent from Fannie Grooms, whom it is alleged was a member of the Choctaw tribe of Indians in Mississippi in 1830, through her daughter Annie Grooms, and her granddaughter Francis Lewis (was De Costro). The Commission rejected the applicants because it did not appear from its records that the ancestor claimed under by the applicants complied or attempted to comply with the provisions of the 14th article of the treaty of 1830. An examination of the records of this office discloses the fact that the names Fannie Grooms or Annie Grooms do not appear among the names of those Choctaw Indians who complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, nor does it appear that they applied to the Commissions appointed under acts of March 3, 1837 (5 Stats., 180) and August 23, 1842, (5 Stats., 515) for an adjudication

tion of their rights, if they had any, as Choctaw Indians.

These being the facts, it is respectfully recommended that the decision of the Commission rejecting the applicants be approved.

Very respectfully,

W. A. Jones,

Commissioner.

CTC

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DC-4314-03.

EAF.

Department of the Interior
Washington

ITD.1000-1903.

February 9, 1903.

LRS

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

Gentlemen:

November 3, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Laura A. H. Talbott and her minor child, Cecil R. Talbott, including your decision of October 17, 1902, adverse to the applicants.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Fannie Grooms, who is alleged to have been a full blood Choctaw Indian residing in Mississippi in 1830.

The record fails to show that the applicants have ever been admitted or enrolled as citizens of the Choctaw Nation, or that said Fannie Grooms or an ancestor less remote complied or attempted to comply with said article 14 or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

Reporting January 28, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy

-2-

of his letter is inclosed.

The Department has carefully reviewed the record and hereby affirms your decision.

Respectfully,

Thos Ryan

Acting Secretary.

1 inclosure.

M.C.R. 2560

COPY.

Muskogee, Indian Territory, February 21, 1903.

Laura A. H. Talbott,
610 Jackson Street,
Topeka, Kansas.

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 application for identification as Mississippi Choctaws of the several persons included in the case of Laura A. H. Talbott, et al., of which decision you were advised by registered mail on the 17th day of October, 1902.

Respectfully,

(SIGNED)

James Dixie.
Chairman.

COPY.

M.C.R. 2560

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,
Attorneys for the Choctaw and Chickasaw Nations,
South McAlester, 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 application for identification as Mississippi Choctaws of the several persons included in the case of Laura A. H. Talbott, et al., of which decision you were advised by mail on the 17th day of October, 1902.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

M.C.R.2560

Muskogee, Indian Territory, May 19, 1904.

Laura A. R. Talbott,

South McAlester, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 12th instant, in which you ask to be advised the status of the application made by you for the identification of yourself and minor child as Mississippi Choctaws.

In reply to your letter you are informed that it appears from our records that on February 9, 1903, the Secretary of the Interior approved the decision of this Commission refusing the application made by you on June 5, 1901, for the identification of yourself and minor child, Cecil R. Talbott, as Mississippi Choctaws, of which Departmental action you were duly notified on February 21, 1903.

The Commission's decision having been approved by the Secretary of the Interior, your case is now considered closed, and it is not believed that you and your minor child are in any manner entitled to possessory rights of the tribal property of the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner in Charge.

No. 2500

For Identification as a Mississippi Choctaw.

Date JUN 5- 1901

Name *Laura A. H. Talbott*

Age *36* Blood *1/4*

Post Office, *610 Jackson Topeka, Kan.*

Father: *Francis De Castro (dead)*

Mother: *Frances Lewis (dead)*

Claims through *mother*

Husband: *Richard C. Talbott*

(No claim for him)

Children.

Cecil R Talbott 6 1/2

*Claims for herself and one
minor child.*

Stenographer

Henry B. Lewis

Laura A. H. Talbot et al

REFUSED

DECISION RENDERED OCT 17 1902

NOTICE OF DECISION MAILED APPLICANT.

R. 2 500 OCT 17 1902

FORWARDED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

300 1902

RECORD FORWARDED DEPARTMENT

NOV 3 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

⚡

11/4 01

Choctaw MCR 2561

Miles Burnett

MCR 2561

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

In the matter of the application of Miles Burnett, et al.,
for identification as Mississippi Choctaws, M.C.R. 2561.

List of papers forwarded to the Secretary of the Interior comprising
the record in the case of Miles Burnett, et al.

	Page
Original application of Miles Burnett, et al., before the Daves Commission for identification as Mississippi Choctaws.....	1
Ex parte affidavit of Prince Hegan.....	4
Ex parte affidavit of F. H. Plepton.....	5
Ex parte affidavit of Jessie Shannon.....	7
Certificate of L. B. Harris certifying to issuance of marriage license to Miles Burnett and Francis Roe.....	8
Decision of the Commission refusing the application of Miles Burnett, et al., for identification as Mississippi Choctaws.....	9

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 4, 1901.

In the matter of the application of Miles Burnett for the identification of himself and one major child as Mississippi Choctaws.

Miles Burnett, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Miles Burnett.
Q What is your age? A Forty seven years old.
Q What is your post office address? A Gibson, Mississippi; Monroe County.
Q How long have you lived at Gibson? A I moved -- I have been there I was bred and born - I was bred and born seven miles north of Aberdeen.
Q You never lived out of the State of Mississippi? A No sir.
Q What is your father's name? A Anthony Burnett.
Q Is he living? A No sir, he's dead.
Q What is your mother's name? A Emily.
Q Is she living? A No sir; she died last August 29th.
Q Through which one of these parents do you claim Choctaw blood?
A My mother.
Q How much do you claim? A Well, I claim a quarter; I can tell you how it is; I go back -- my grand mother was a quarter and my mother's father was a full blood Indian; the way it was.
Q Do you claim any Choctaw blood through your father? A No sir.
Q What is his blood? A He was African; full blood darkey.
Q And your mother had how much Choctaw blood? A Little over a half, by her mother being a quarter, you know.
Q What was her other blood? A Darkey.
Q Were either of your parents slaves before the war? A Yes sir.
Q Both of them? A Yes sir.
Q Were you a slave? A Yes sir; I was given away to a cripple man. I was 11 years old when the surrender.
Q Has your mother, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or the authorities of the United States?
A No sir; not as I know of.
Q Have you a wife living? A No sir; she's dead.
Q Have you any children you want to make application for? A One.
Q Is this wife the mother of this child you are going to make application for? A Yes sir.
Q What is her name? A Frances.
Q She is dead? A Yes sir.
Q What was her blood? A Her blood- she was from Georgia. and her mother was half herself, but then I married the girl after she come from Georgia.
Q What do you claim her blood was? A Part negro and part Choctaw.
Q What is the name of this child for whom you desire to make application? A Logan.

Mills Burnett, et al., #2.

- Q A boy? A Yes sir.
- Q How old is Logan? A Seventeen years old.
- Q Was Frances the mother of Logan? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Is he living with you? A Yes sir, living with me.
- Q When and where were you married to your wife? A I was married in Monroe County; I married in '70.
- Q Monroe County, Mississippi? A Yes sir.
- Q Married by license by an ordained minister? A Yes sir.
- Q Is your name, or the name of your son on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application for yourself or your son to the Choctaw tribal authorities in Indian Territory to be enrolled as a members of the tribe? A No sir.
- Q Did you, or any one for you, in 1896, under the Act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No, sir.
- Q Have you ever made application for yourself or son before this time? A Never have.
- Q To the Choctaw tribal authorities or to the authorities of the United States? to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.
- Q Is this the first application you have made of any description? A The first.
- Q Do you now make application or identification as Mississippi Choctaws for yourself and child? A Yes sir.
- Q Do you claim this right as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q What is the name of any of our ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the Choctaws and the Government of the United States? A Only my mother.
- Q You gave her name as Emily? A Yes sir; I have got the affidavit.
- Q Did your ancestors, any of them, remove from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1831 and 1838? A No sir, not as I know of.
- Q Did any of your ancestors within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent living in Mississippi that they intended to stay in Mississippi and become citizens of the States? A Not as I know of.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A No sir.
- Q Do you speak the Choctaw language? A No sir, I can't.
- Q You never associated with the Choctaw Indians? A Yes sir; they always come - they would come to my mother's house to trade and eat with her on account, they said, of being relations; my mother had cold black hair, and I have got some brothers that take right after her; I take after the father's side.
- Q You take after the colored side - the negro? A Yes sir.
- Q In your general physical make up? A Yes sir, but I have got brothers taking after my mother.
- Q Are there any additional statements you want to make? A No sir, I am just telling you I know them and seen them several times, because they would come to my mother's house an account of relation.

Miles Burnett, et al., #2.

Q. Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that any of your ancestors were in 1830, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that article of that treaty? A Yes sir.

The affidavit of Price Hogan presented by applicant, received, filed, marked Exhibit "A", and made a part of the record in this case.

The affidavit of Jesse Shamon presented by applicant received, filed marked Exhibit "B", and made a part of the record in this case.

Thirty days time from the date hereof is allowed this applicant in which to file proper documentary evidence in support of this application, and also marriage license and certificate, or certified copies thereof.

(This applicant has the appearance and general characteristics of a full blood negro; he claims one quarter Choctaw blood. He claims that he favors his father, who was a full blood negro, but that he has brothers and sisters who show more plainly than he the traces of their Choctaw ancestry. He has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself and minor child as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 June 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R.S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

[Signature]
Notary Public.

Handwritten initials and "COPY" written vertically.

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

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In the matter of the application of Miles Burnett, et al.,
for identification as Mississippi Choctaws, M.C.R. 2561.

--: 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 Miles Burnett for himself and his minor child Logan Burnett, 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 the principal applicant claims 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 a descendant

of one Fanny, who is alleged to have been about an one-fourth blood Choctaw Indian, and the minor applicant herein applied for, claims said rights by reason of being a descendant of the said Fanny and of Frances Burnett, who is alleged to have been an one-half 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 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 article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Fanny, or Frances Burnett 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 Miles Burnett and Logan Burnett 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,

SIGNED.

Tame Bixby.

Acting Chairman.

SIGNED

T. B. Needles.

Commissioner.

SIGNED

R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

DEC 5 1905

M.C.R. 3561.

COF
Muskogee, Indian Territory, December 8, 1902.

Miles Burnett,
Gibson, Mississippi.

Dear Sir:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Miles Burnett, 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., 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 Miles Burnett and Logan Burnett 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 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

X. B. -----

case, together with such arguments will be forwarded for review to
the Secretary of the Interior through the Commissioner of Indian
Affairs.

Respectfully,

SIGNED

Tarns B. Stobis

Acting Chairman,

Registered.

M.C.R. 2561.

^{COPY}
Muskogee, Indian Territory, December 5, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Miles Burnett, 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).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Miles Burnett and Logan Burnett 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 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)

Tamm Bixby
Acting Chairman.

COPY.

Muskogee, Indian Territory, December 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Miles Burnett, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 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 letters being attached to the record.

Respectfully,

Tamm

Through the
Commissioner of Indian Affairs.

Acting Chairman.

Enc.: M.C.R.2561.

Land
76260-1902

(Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

WASHINGTON, March 26, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith for your consideration the record of the Commission to the Five Civilized Tribes in the matter of the application of Miles Burnett for himself and his minor child Logan Burnett, for identification as Mississippi Choctaws, claiming rights as such under the provisions of the 14th article of the Choctaw treaty of 1830.

The testimony in this case shows that the applicants base their claim to identification on their descent from one Fanny, who is alleged to have been a quarter blood Choctaw Indian; and the minor applicant herein, by reason of being a descendant of said Fanny and of Frances Burnett (nee Roe) who is alleged to have been a half blood Choctaw Indian.

The Commission rejected the applicants December 5, 1902, because the names of the ancestors through whom they claim do not appear among those who complied or attempted to comply with the provisions of the 14th article of said treaty, and for the additional

reason that the applicants had never been enrolled as citizens of the Choctaw Nation.

An examination of the records of this office has been made in reference to the names of Fanny and Frances Burnett (nee Roe), and it is discovered that their names do not appear among those who complied or attempted to comply with the provisions of the 14th article of the said treaty; neither does it appear that they applied to the commissions appointed to adjudicate the claims of those having rights as Choctaw Indians, if they had such rights.

These being the facts it is respectfully recommended that the decision of the Commission rejecting the applicants be approved.

Very respectfully,

A. C. TONER,

Acting Commissioner.

C.T.C.(B.)

D.C. 10467-1903.
I.T.D. 3298-1903.
LRS.

(Copy)

FHE.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, April 11, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

December 22, 1902, you transmitted the record in the case involving the application for identification as Mississippi Choctaws of Miles Burnett (M.C.R. 2561), for himself and his minor child, Logan Burnett, including your decision of December 5, 1902, denying said application.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Fanny, who is alleged to have been about an one-fourth blood Choctaw Indian, and of Frances Burnett (nee Roe), who is alleged to have been an one-half blood Choctaw Indian.

The records fail to show that the applicants were ever admitted or enrolled as members of the Choctaw tribe of Indians, or that their alleged ancestors ever complied or attempted to comply with said article 14 of the treaty of 1830, or with the subsequent acts of Congress relating thereto.

Reporting in the matter March 26, 1903, the Acting Commissioner

-2-

of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department finds no reason to disturb your decision, and it is hereby affirmed.

Respectfully,

(signed) THOS. RYAN,

Acting Secretary.

1 inclosure.

M. O. R. 2551

COPY.

Muskogee, Indian Territory, April 24, 1903.

Miles Burnett,

Gibson, Mississippi.

Dear Sir:

You are hereby notified that on the 11th day of April, 1903, 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 Miles Burnett, et al., of which decision you were advised by registered mail on the 5th day of December, 1902.

Respectfully,

(SIGNED)

Tame Dixby.

Chairman.

M.C.R.2561

COPY.

Muskogee, Indian Territory, April 24, 1903.

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

Gentlemen:

You are hereby notified that on the 11th day of April, 1903, 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 Miles Burnett, et al., of which decision you were advised by mail on the 5th day of December, 1902.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

#891

No 2511

For Identification as a Mississippi Choctaw.

Date JUN 4 1901

Name Miles Burnett

Age 47 - Blood 1/4

Post Office, Gibson, Miss.

Father: Anthony Burnett ^{negro} d

Mother: Emily ^{1/2 Choctaw} ^{negro} d

- Claims through mother -
^{wife}

Frances (d.) ^{1/2 Choctaw} ^{negro}
(dead)

Children:

Logan - 17

Claims for self
and son.

Stenographer R. A. Harris

A. MISB...

REFUSED

Miles Burnett, et al.

DECISION RENDERED. DEC 5 1902

NOTICE OF DECISION MAILED APPLICANTS DEC 5 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS DEC 5 1902

RECORD FORWARDED DEPARTMENT. DEC 22 1902

DECISION APPROVED BY SECRETARY OF INTERIOR. APR 2 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
APR 24 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.
APR 24 1903

DECISION PREPARED

Choctaw MCR 2562

Lillie Woods

See MCR 2314

MCR 2562

FOR IDENTIFICATION AS BEING
A MISSISSIPPI CHOCTAW.

Lillie Woods -
REFUSED

DECISION RENDERED. JUL 22 1902

NOTICE TO APPLICANT.

NOTICE TO APPLICANT.

NOTICE TO APPLICANT.

JUL 22 1902

ACTION BY THE COMMISSIONER (INTERIOR)

NOTICE TO APPLICANT.

OCT 17 1902

NOTICE TO APPLICANT.

1902

NOTICE TO APPLICANT.

REFER TO M. C. R. 2314

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 4, 1901.

In the matter of the application of Lillie Woods for
identification as a Mississippi Choctaw.

Lillie Woods, having been first duly sworn, upon her oath
testified as follows:

Examination by the Commission.

- Q What is your name? A Little Woods.
Q What is your age? A Nineteen.
Q What is your post office address? A Tuscaloosa, Alabama.
Q How long have you lived at Tuscaloosa? A All my life.
Q Born there? A Yes sir.
Q What is your father's name? A William H. O'Rourke.
Q He is living? A Yes sir.
Q What is your mother's name? A Lillie C. O'Rourke.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim Choctaw blood?
A Both of them.
Q How much do you claim? A My mother --- 3/4, -- you mean how
much do I claim myself --- five eighths.
Q Have your parents through whom you claim your right to identifica-
tion as a Mississippi Choctaw ever been recognized in any manner or
enrolled as members of the Choctaw tribe of Indians by the Choctaw
tribal authorities or the United States authorities? A No sir.
Q Do you know anything about your grand mother, or any member of
your family having been a slave? A No sir.
Q You claim Indian and white blood? A Yes sir.
Q The white blood comes from where? A My grand father; my mother's
father was part Irish.
Q Your mother's father and then your father's father? A Yes sir; my
grand mother was full blood Indian.
Q What was her name? A Evaline Jones.
Q Are you married? A Yes sir.
Q What is your husband's name? A James Woods.
Q What is he? A I don't know sir; they call him a molly-gloster.
You know they have a kind of a creole look + little bit darker than
I am.
Q What would be his blood? A I guess it is mixed negro blood.
Q You don't make any claim for him? A No sir.
Q You have no children? A No sir.
Q You claim for yourself alone? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
Indian Territory? A No sir.
Q Have you ever made application to the Choctaw tribal authorities
in Indian Territory for citizenship in the Choctaw Nation? A No sir.
Q Have you ever made any application to the Commission to the
Five Civilized Tribes under the Act of Congress of June 10, 1896,
for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation
by either the Choctaw tribal authorities, the Commission to the Five
Civilized Tribes or the United States Court in Indian Territory?
A No sir.

Lillie Woods, #2.

Q Did you ever, before this time, make application for citizenship in the Choctaw Nation to any authorities whatever? A No sir.

Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.

Q Do you make this claim as a beneficiary under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Did your ancestors, or you, ever receive any benefits as Choctaw Indians? A No sir.

Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe? A My great grand parents was full blood Choctaw Indians.

Q What were their names? Zaddock Love and Margaret Love.

Q Were they full blood Indians? A Yes sir.

Q Did they live away back in 1830? A Yes sir.

Q Do you know the names of any other of your ancestors? A I don't know any but my uncle, James, my grand mother's brother.

Q I mean your own direct kin? A Yes sir.

Q Any others besides these two? A No sir.

Q Have you any proof that these ancestors whose names you have given were recognized members of the Choctaw tribe of Indians in 1830? A No sir.

Q Do you wish to submit proof later? A From the understanding that my uncle gave me; he said he had sent all proof that was necessary for the family.

Q Your attorney will attend to that for you. Did any of your ancestors remove from Mississippi or Alabama to the Indian Territory with the other Indians between 1833 and 1838? A No sir.

Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent in Mississippi their intention to remain in Mississippi and become citizens of the States? A No sir, not that I know of.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir.

Q Do you speak the Choctaw language? A No sir.

Q Did you ever associate with the Choctaw Indians? A No sir.

Q Is there anything further you want to say in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers, showing that any of your ancestors were in 1830, when the Treaty of Dancing Rabbit Creek was made, recognized member of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of that treaty or ever received any benefits thereunder? A No sir.

E.P. Hudson, attorney for the applicant, asks leave to file documentary evidence in support of this application within thirty days from this date.

Permission is granted to the attorney for applicant to file proper documentary evidence in support of this application within a period of thirty days from the date hereof.

Lillie Woods, #3.

(This applicant has the appearance of a person descended from a mixed ancestry of white and Indian blood in which the Indian predominates; she has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of her ancestors with any of the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek.)

The decision of the Commission as to the application you make at this time for the identification of yourself as a Mississippi Choctaw will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to your post office address as given in your testimony.

R.S. Streit, 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 June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi,
this 19th day of July, 1901.

[Signature]
Notary Public.

COPY.

M C R 2562

Muskogee, Indian Territory, July 22, 1902,

Lillie Woods,
Tuscaloosa, Alabama.

Dear Madam:

You are hereby advised that on the 22nd day of July, 1902 the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Georgia Samuels, et al., embracing the following applications for identification as Mississippi Choctaws:

Georgia Samuels, et al.,	M C R 2314
Shandy W. Samuels, et al.,	M C R 4767
Eveline McGuire, et al.,	M C R 2678
Maggie White,	M C R 2679
Shandy McGuire, et al.,	M C R 2678
Elizabeth Pope, et al.,	M C R 2312
Val H. Pope, et al.,	M C R 2443
Evelina Hedge,	M C R 2442
Spottswood Jones, et al.,	M C R 2315
Summers Jones,	M C R 2676
Fred Hawkins, et al.,	M C R 2622
William H. O'Rourke, et al.,	M C R 2562
Lillie Woods,	M C R 2562

These applications were made under the provisions 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."

L V __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 Georgia Samuels, Van Jones, Pink Samuels, Shandy W. Samuels, Georgia Samuels(S), Eveline McGuire, Louis McGuire, Ophelia McGuire, Maggie White, Shandy McGuire, Haywood T. McGuire, Elisabeth Pope, Cornelia Jones, Lissie Conley, Val H. Pope, Arthur L. Pope, Annie M. Pope, Evalina Hodge, Spottswood Jones, Annie Jones, John Jones, Eliska Jones, Gesna Jones, Charles Jones, Jeanette Jones, Samers Jones (dead), Carita Jones, Walter Conley, Rosa Conley, Lina Conley, Roy Conley, Maybelle Conley, Georgia Jones, Summers Jones, Fred Hawkins, Annie Hawkins, Lillie Hawkins, Fred Hawkins(S), Ethel Hawkins, William H. O'Rourke, Lillie C. O'Rourke, Eva C. O'Rourke, Henry S. O'Rourke, Timothy R. O'Rourke, Ed. E. O'Rourke and Lillie Woods as Cheotaw Indians entitled to rights in the Cheotaw lands under 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 hereby 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.

Commissioner in Charge.

COPY

M.C.R. 2562

Muskogee, Indian Territory October 17, 1902.

Lillie Woods,
Tuscaloosa, Alabama.

Dear Madam:-

You are hereby advised that on the 9th 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 Georgia Samuels, et al., of which decision you were advised by registered mail on the 22d day of July, 1902.

Respectfully,

(SIGNED)

Acting Chairman.

897

No

For Identification as a Mississippi Choctaw.

Date JUN 4 1901

Name Lillie Woods,

Age 19 ~~7~~ Blood ~~1/2~~ 1/8

Post Office, Muscaloosa Ala.

Father: ~~James~~ William H. O'Rourke - I.

Mother: Lillie C. " " I.

Claims through both parents -
Husband -

James Woods;

No claim for husband.

~~CLAIMS~~

Claims for self
alone -

Stenographer

R. J. Street

Choctaw MCR 2563

William H O'Rourke

See MCR 2314

MCR 2563

FOR IDENTIFICATION
A MISSISSIPPI CHOCOLATE LAW. R. 2563

William H. O'Rourke et al.

REFUSED

DECISION NUMBERED JUL 22 1902

NOTE: MAILED APPLICANT.

JUL 22 1902

NOTE: APPLICANT'S OFFICE

NOTE: APPLICANT'S OFFICE

JUL 22 1902

NOTE: APPLICANT'S OFFICE

ACTION: APPLICANT'S OFFICE

FORWARD: APPLICANT'S OFFICE
JUL 22 1902

NOTE: APPLICANT'S OFFICE

NOTE: APPLICANT'S OFFICE

NOTE: APPLICANT'S OFFICE
M.C.R. 2314

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 3, 1901.

In the matter of the application of William H. O'Rourke for the identification of himself, his wife and four minor children as Mississippi Choctaws.

William H. O'Rourke, having been first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A William H. O'Rourke.
Q What is your age? A I don't know exactly, about forty four.
Q What is your post office address? A Tuscaloosa, Alabama.
Q How long have you lived at Tuscaloosa? A Born there.
Q Always lived there? A I have not lived there all the time; I was born there.
Q Lived in the State of Alabama all the time? A Yes sir, except when I was traveling.
Q What is your father's name? A Timothy O'Rourke.
Q Is he living? A No sir, dead.
Q What is your mother's name? A Sarah Thomas.
Q Is she living? A Yes sir; she was the last I heard from her.
Q Through which one of your parents do you derive your Choctaw blood? A I am not claiming it altogether, because I can't get it up.
Q Well, do you claim that your father had Indian blood? A He was an Irishman; my mother was an Indian.
Q Was she a full blood Indian? A Yes, so far as my judgment is, she was; she was stolen and don't know.
Q Your father was white? A Yes sir.
Q And your mother had Indian blood? A Yes sir.
Q How much, do you know? A Well, she always said she was all Indian.
Q As far as you know she was a full blood? A Yes sir.
Q Choctaw? A Yes sir.
Q Do you claim your Indian blood through your mother? A Yes sir.
Q How much do you claim? A Well, I specks from all accounts, it looks to me it ought to be half or five eighths, or something like that.
Q Well, you say one half, or five eighths, which do you want it? A Well, I can't determine it myself.
Q No, but you can give your best opinion? A Well, I suppose a half anyway.
Q Have you any colored blood? A Not as I knows of.
Q Your father, you say was a white man? A Yes sir.
Q Was your mother a free woman? A Yes sir; she tells me when she was stolen she was free.
Q Where was she stolen? A I don't know, because she was five or six years of age.
Q Was she then living in the State of Mississippi or Alabama? A No sir; carried to Alabama and sold to a old lady, she lived with.
Q How long was she a slave? A As soon as that old lady died, she was set free.
Q How long did she remain a slave to this old woman? A I don't know.

William H. O'Rourke, et al., #2.

- Q This was in Alabama? A Yes sir.
- Q Did you ever hear she had any colored blood? A Never in my life time; she never claimed any.
- Q Then your family tradition and history is that she was a full blood Indian, stolen by some party and sold to this woman? A Stolen by a trader and then sold.
- Q Did you ever hear anyone else say she was a full blood Indian? A Yes sir.
- Q People that know her and knew you? A Yes sir, nothing but an Indian.
- Q Have straight black hair? A Yes sir.
- Q No kink or curl in it? A Yes sir; it is now since she gets old. She wets her head every time she washes her face.
- Q Has your mother, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw authorities or the United States authorities? A No sir; I am satisfied she has not.
- Q Are you married? A Yes sir.
- Q Is your wife living? A Yes sir.
- Q What is her name? A Lillie C.
- Q How old is she? A Forty two.
- Q Is she a Choctaw Indian? A She ~~sixteen~~ come from over there.
- Q Is she a full blood? A No sir.
- Q What is her father's name? A Shandy W. Jones.
- Q Is he living? A No sir, dead.
- Q What is her name? A Evalina Love, she was before she married. ~~xx~~
~~xxxx~~
- Q Is she living? A No sir; she's dead.
- Q Through which one of these parents does your wife claim Choctaw blood? A All of them.
- Q Through both? A Yes sir, her father and her mother, and her grand father and grand mother.
- Q How much Choctaw blood do you claim for your wife? A I suppose she was about three quarters according to the way I can figure it out.
- Q Was she a slave before the war? A No sir.
- Q Was her father a slave? A No sir.
- Q Her mother? A No sir.
- Q Always free people? A Yes sir.
- Q Any negro blood in her? A None that I have ever heard at all of.
- Q What was the other blood? A White; her father was Scotch Irish and Indian.
- Q When were you married to her? A In 1879.
- Q Were you married by license? A Yes sir.
- Q And where were you married? A Tuscaloosa, Alabama.
- Q Have you your marriage license and certificate with you? A No sir; I think they ought to be here in these papers.
- Q You think you would like to present your license later? A Well, I will do so.
- Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the United States authorities or the Choctaw authorities in Indian Territory? 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.

William H. O'Rourke, et al., #3.

Q Give me the name of the eldest? A Eva C.

Q How old? A Twenty.

Q The next? A Henry S.

Q How old? A Sixteen.

Q The next? A Timothy R.

Q How old is he? A Thirteen.

Q The next? A Val P.

Q How old? A Eight.

Q That's all? A Yes sir.

Q Is your wife, Lillie C., the mother of these children? A Yes sir.

Q Are you the father? A Yes sir.

Q Are they living with you at your home? A No, they are all off at work.

Q You are supporting them? A Yes sir.

Q Is your name, or the name of your wife or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Q Have you ever made application for yourself, your wife or children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of the tribe? A No sir.

Q Did you, or any one for you, or your wife and children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1898? A No sir.

Q Have you or your wife or children ever been admitted to citizenship in the Choctaw Nation, by judgment of the United States Court in Indian Territory, by the Commission to the Five Civilized Tribes or by the Choctaw Nation? A No sir.

Q Have you ever made application before this time for yourself, your wife or children for citizenship in the Choctaw Nation to either the Choctaw tribal authorities or to the United States authorities? A No sir.

Q Is this the first application of any kind you have made? A Yes sir.

Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.

Q Do you claim this right under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have your ancestors or your wife's ancestors ever received any benefits as Choctaw Indians? A Not that I have known of; I have never heard of it.

Q Have you or your wife ever received any benefits? A Nothing at all.

Q Can you give any of the names of your ancestors or your wife's ancestors who were recognized members of the Choctaw tribe of Indians in 1830 when the Treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw Indians? A Her great grand father? A

Q What was his name? A Zadeck Love.

Q Your wife's great grand father? A Yes sir.

Q Can you give the names of any of your ancestors? A No sir, not outside of Sarah Thomas. She was a slave by the name of Sarah Maxwell.

Q That is your mother? A Yes sir.

Q You have already said she was stolen and liberated? A Yes sir.

William H. O'Rourke, et al., #4.

Q Did any of your ancestors, or your wife's ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the Indian Territory with the other Indians between the years 1833 and 1838?

A Not as I know of.

Q Did any of your ancestors or your wife's ancestors, within six months after the ratification of the Treaty of 1830, go to the United States Indian Agent in Mississippi and tell him they preferred to stay in Mississippi and become citizens of the States? A No sir.

Q Did any of your ancestors or your wife's ancestors ever claim or receive any land in Mississippi under Article Fourteen of the Treaty of 1830? A No sir.

Q Can you speak the Choctaw language? A No sir.

Q You never have been among them much? A Oh! yes.

Q You have not lived as a Choctaw Indian? A No sir.

Q But as a white man among white and colored people? A Been among white people all my life.

Q Are there any additional statements you desire to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors or your wife's ancestors were in 1830, recognized members of the Choctaw tribe of Indian, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits thereunder? A No sir.

L.P. Hudson, attorney for applicant, asks leave to file documentary evidence in support of this application within a period of thirty days from this date.


Permission granted.

(This applicant appears to be a person descended from a mixed ancestry of Choctaw blood, in which the Indian predominates. He claims 1/2 Choctaw blood; this claim would seem to be substantiated by his general appearance. He has no knowledge of the Choctaw language.)

The decision of the Commission as to the application you make for the identification of yourself, wife and children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of same will be mailed to your post office address as given in your testimony.

R.S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause on June 3, 1901, and that the above is a full, true and correct translation of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.


Notary Public.

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

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

11/11/1902
KEEP IN REPLY TO THE FOLLOWING

M C R 2563

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, July 22, 1902,

William H. O'Rourke,
Tuscaloosa, Alabama.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Georgia Samuels, et al., embracing the following applications for identification as Mississippi Choctaw:

Georgia Samuels, et al.,	M C R 2314
Shandy V. Samuels, et al.,	M C R 2767
Evaline McGuire, et al.,	M C R 2678
Maggie White,	M C R 2679
Shandy McGuire, et al.,	M C R 2675
Elizabeth Pope, et al.,	M C R 2312
Val H. Pope, et al.,	M C R 2443
Evalina Hedge,	M C R 2442
Spottswood Jones, et al.,	M C R 2315
Summers Jones,	M C R 2676
Fred Hawkins, et al.,	M C R 2628
William H. O'Rourke, et al.,	M C R 2563
Lillie Woods,	M C R 2562

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

W H O'R 2.

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 Georgia Samuels, Van Jones, Pink Samuels, Shandy W. Samuels, Georgia Samuels (2), Eveline McGuire, Louis McGuire, Ophelia McGuire, Maggie White, Shandy McGuire, Haywood T. McGuire, Elizabeth Pepe, Cornelia Jones, Lizzie Conley, Val H. Pepe, Arthur L. Pepe, Annie M. Pepe, Evalina Hodge, Spottswood Jones, Annie Jones, John Jones, Kliska Jones, Gesna Jones, Charles Jones, Jeanetta Jones, Semers Jones (dead), Carita Jones, Walter Conley, Rosa Conley, Lina Conley, Roy Conley, Maybelle Conley, Georgia Jones, Summers Jones, Fred Hawkins, Annie Hawkins, Lillie Hawkins, Fred Hawkins (2), Ethel Hawkins, William H. O'Rourke, Lillie C. O'Rourke, Eva C. O'Rourke, Henry S. O'Rourke Timothy R. O'Rourke, Val P. O'Rourke and Lillie Woods 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.

Commissioner in Charge.

M.C.R. 2563

COPY.

Muskogee, Indian Territory October 17, 1902.

William H. O'Rourke,
Tuscaloosa, Alabama.

Dear Sir:-

You are hereby advised that on the 9th 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 Georgia Samuels, et al., of which decision you were advised by registered mail on the 22d day of July, 1902.

Respectfully,

James Birney
Acting Chairman.

Muskogee, Indian Territory, June 18, 1907.

Henry S. O'Rourke,
1709 Avenue N,
Ensley, Alabama.

Dear Sir:

Replying to your letter of the 13th instant, you are informed that the Mississippi Choctaw application of William H. O'Rourke, et al., was refused by the Commission to the Five Civilized Tribes July 28, 1902, and this action was affirmed by the Secretary of the Interior October 9, 1902.

You are further informed that the rolls of citizenship of the Five Civilized Tribes were closed March 4, 1907, and no further consideration can now be given this claim.

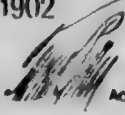
Respectfully,

Commissioner.

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

FILED

NOV 18 1902



ACTING CHIEF



Department of the Interior

Commission to the Five Civilized Tribes

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

William H. O'Rourke,

Tuscaloosa,

Ala.

858

117

899
No. _____
For Identification as a Mississippi Choctaw.

Date JUL 1 1901

Name William H. O'Rourke.

Age 44 - Blood 1/2

Post Office. Tuscaloosa, Ala.

Father: Timothy O'Rourke (d)

Mother: Sarah Thomas (d)

Claims through mother -

wife - Lillie C. - 3/4 - 42.
father: ~~Larry~~ SHANDY W. JONES, (d)
mother: Evalina { " (d)
claims thro' both - {

Children: Eva C. - 20
Henry S. 16
Timothy R. 13
Val P. 8

Claims for self, wife
and children -

Stenographer R. A. Street.

Choctaw MCR 2564

Annie Harmon

See MCR 2566, 2567, 2568
2565, 2570, 2573, 2569, 2571
2572, 3197, 3196, 3253, 3198
3842

MCR 2564

R. 2564

Annie Harmon.

REFUSED

VISION MAIL DELIVERANT.

SEP 1902

FROM NEW YORK AND DISTRICT OFFICES

ALL INFORMATION FURNISHED

REC- 100

NEW YORK

YES

REFER TO M. S. NO. 2566, 2567, 2568, 2565,
2570, 2573, 2569, 2571, 2572, 3197, 3196,
3253, 3198, 3842

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

In the matter of the application of Annie Harmon, et al.,
for identification as Mississippi Chetaws, consolidating the appli-
cations of

Annie Harmon,	M C R 2564
George W. Harmon, et al.,	M C R 2566
Billie Harmon, et al.,	M C R 2567
Rosa Harner, et al.,	M C R 2568
Phenie Covey, et al.,	M C R 2565
Mollie Howdenhall, et al.,	M C R 2570
Ida Stone, et al.,	M C R 2573
Mattie Owens,	M C R 2569
Wash Sledge, et al.,	M C R 2571
William Sledge,	M C R 2572
Virginia Harmon, et al.,	M C R 3197
Lena Akers,	M C R 3196
Clara Wagoner,	M C R 3253
Letia Blankinship, et al.,	M C R 3198
Victoria G. Dennis, et al.,	M C R 3842

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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for identification as Mississippi Cheesecake 08

Final decision of the Commission in the case
solidated case of Marie Harvey, et al., appli-
cants for identification as Mississippi Chees-
cake, denying said application 01

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 6, 1901.

#2564

In the matter of the application of Annie Harmon for identification as a Mississippi Choctaw.
Annie Harmon having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Annie Harmon.
Q What is your age? A Sixty seven.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A Eleven years I reckon.
Q Where did you live before you lived in Texas? A In Kentucky.
Q How long did you live in Texas? A Eleven years.
Q How long in Kentucky? A A All my life.
Q Born in Kentucky? A Yes.
Q And lived there all your life until you came to Texas? A Yes.
Q Never lived in Mississippi? CA No.
Q What is your father's name? A Ahijah Rose.
Q Is he living? A No.
Q What is your mother's name? A Elizabeth Rose.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood?
A My father.
Q How much Choctaw blood do you claim? A About 1/8 I believe.
Q Has your father thorough whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw Nation by either the Choctaw tribal authorities or the authorities of the United States? A I don't know whether he was or not.
Q Were they ever enrolled by the Choctaw tribal authorities? A No, my father was not- my grand-father might-
Q Was your father enrolled by the authorities of the United States?
QA No, I reckon not.
Q Are you married? A Yes.
Q What is your husband's name? A M. D. C. Harmon.
Q Is he living? A Yes.
Q Do you make application for him? A No, just for myself.
Q Have you any children in your family under twenty-one and unmarried for whom you wish to make application at this time? A No.
Q Are you making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No, I don't suppose it is.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A No.
Q Did you or any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a member citizen of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

Annie Harmon---2

- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes, I reckon I do
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors--? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama undrecognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barten.
- Q What relation was she to you? A My great-grandmother.
- Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians at that time? A I have been told so-- I have heard.
- Q Did she, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi or Alabama to the present Choctaw Nation in Indian Territory, at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I suppose she did-- that's what I have learned.
- Q If she did not remove with the other members of the tribe did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A No, she didn't not as I know of.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of your application? A Statements?
- Q Yes, is there anything more that you want to say now? A Not that I know of.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were recognized members of the Choctaw tribe in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A I have papers to show-- witness, here.
- Q Do you want to file these papers? A Yes.

Application of Annie Harmon offered in evidence by applicant marked Exhibit "A", filed and made a part of the record; affidavit of J.G. Riley offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case; affidavit of John Alberson offered in evidence by applicant, filed, marked Exhibit "C" and made a part of the records; affidavit of John Lewis offered in evidence by applicant, filed, marked Exhibit "D" and made a part of the record in this case.

- Q Do you want time in which to offer any additional evidence in support of your case? A I suppose I better.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same be made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

~~THE STATE OF CALIFORNIA, COUNTY OF [illegible]~~
~~I, the undersigned, a Notary Public in and for the State of California, do hereby certify that the within and foregoing instrument is a true and correct copy of the original as the same appears from the records of my office.~~

Subscribed and sworn to before me this 11th day of July, 1941.

Robert L. [illegible]
Notary Public

JAB
C. W. W.

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

In the matter of the application of Annie Harmon, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of

Annie Harmon,	M C R 2564
George W. Harmon, et al.,	M C R 2566
Billie Harmon, et al.,	M C R 2567
Rosa Mercer, et al.,	M C R 2568
Phenie Covey, et al.,	M C R 2568
Mollie Housenshall, et al.,	M C R 2570
Ida Stone, et al.,	M C R 2573
Mattie Owens,	M C R 2569
Wash Sledge, et al.,	M C R 2571
William Sledge,	M C R 2572
Virginia Harmon, et al.,	M C R 3197
Lena Kerr,	M C R 3196
Clara Wagoner,	M C R 3253
Letia Blankinship, et al.,	M C R 3198
Victoria G. Dennis, et al.,	M C R 3242

-- DECISION --

It appears from the record herein that applications for
identification as Mississippi Choctaws were made to this Commission
by Annie Harmon for herself; by George W. Harmon for himself and
his four minor children, Leora, Ira, Lealie and Rena Harmon; by
Billie Harmon for himself and his four minor children, Bala, Bura,

Cora and Eddie Harmon; by Rosa Mercer for herself and her three minor children, Ada, Jeffie and Ima Mercer; by Phenie Covey for herself and her four minor children, Eva, Zula, Clifford and Earnie Covey; by Mollie Howdeshell for herself and her three minor children, Earl, Ohmer and Herbert Howdeshell; by Ida Stone for herself and her four minor children, Mary, Hubert, Genie and Carl Earnest Stone; by Mattie Owens for herself; by Wash Sledge for himself and his minor child, Sherman Sledge; by William Sledge for himself; by Virginia Harmon for herself and her four minor children, Agnes, Edna, Vera and Jewel Harmon; by Lena Akers for herself; by Clara Wagener for herself; by Lettie Blankinship for herself and her two minor children, Mora and Jewel Blankinship; and by Victoria G. Dennis for herself and her four minor children, Oma Pauline, Mena F., William R. and Hattie Bell Dennis, 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

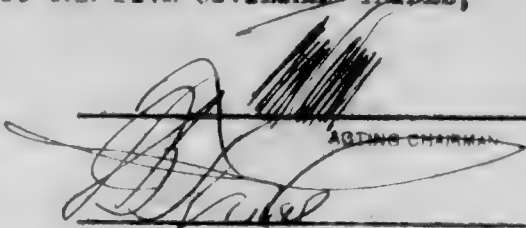
twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Bartheba (or Barzey) (or Bartheba) (or Barhee) Barton, who is alleged to have been a three fourths blood Choctaw Indian, and to have resided in the old Choctaw Nation, states of Mississippi and Alabama, in eighteen hundred and thirty.

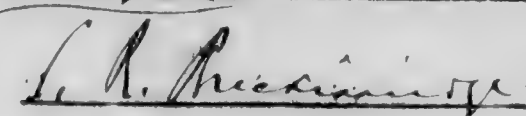
It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 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 claimants thereunder, that the said Bartheba (or Barzey) (or Bartheba) (or Barhee) Barton, 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 Stat., 180), and August 23, 1842, (8 Stat., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhoe Harmon, Billie Harmon, Nula Harmon, Kura Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ina Mercer, Phemie Covey, Eva Covey, Zula Covey, Clifford Covey, Barnie Covey, Nellie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria S. Dennis, Oma Pauline Dennis, Mona F. Dennis, William R. Dennis and Mattie Bell Dennis 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.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,



 ACTING CHAIRMAN


Muskogee, Indian Territory,

Commissioners.

SEP 4 1902

You are advised that records that any person by the name of Annie Harmon has ever made application for enrollment as a citizen of the Choctaw Nation. It does appear however that on June 6th, 1901, Annie Harmon appeared before the Commission at Atoka, Indian Territory, and applied for identification as a Mississippi Choctaw.

Muskogee, Indian Territory, July 27, 1901.

Annie Harmon,
Sherman, Texas.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 3rd instant, in which you state that you appeared before the Commission and made application for citizenship on the 6th day of June, and asked for thirty days time to file additional evidence which was granted; that you sent to Kentucky for a marriage license which has just reached you without seal and you have been compelled to return same. The thirty days time granted you expires on July 6th and you ask for an extension of time in which to file evidence in support of your application.

You are advised that it does not appear from our records that any person by the name of Annie Harmon has ever made a application for enrollment as a citizen of the Choctaw Nation. It does appear however that on June 6th, 1901, Annie Harmon appeared before the Commission at Atoka, Indian Territory, and applied for identification as a Mississippi Choctaw.

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

AR42

consideration of the Commission in determining your rights *as to*
identification as a Mississippi Choctaw.

Yours truly,

Commissioner in charge.

COPY.

M. C. R. 2564

Muskogee, Indian Territory, September 4, 1902.

Manfield, Murray & Gernish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Settlement

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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C R	2564
George W. Harmon, et al.,	"	2566
Billie Harmon, et al.,	"	2567
Rosa Mercer, et al.,	"	2568
Phemie Covay, et al.,	"	2568
Mollie Howdeshell, et al.,	"	2570
Ida Stone, et al.,	"	2572
Mattie Owens,	"	2569
Wash Sledge, et al.,	"	2571
William Sledge,	"	2572
Virginia Harmon, et al.,	"	2197
Lena Akers,	"	2196
Clara Wagoner,	"	2256
Letia Blankinship, et al.,	"	2198
Victoria G. Dennis, et al.,	"	2242

These applications were made under the provisions of the

H. No. & C. ---S.

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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Ehes Harmon, Billie Harmon, Eula Harmon, Sara Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ina Mercer, Phenie Covey, Eva Covey, Eula Covey, Clifford Covey, Bemie Covey, Mollie Howdeshell, Earl Howdeshell, Omer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Nora Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mena F. Dennis, William R. Dennis and Hattie Bell Dennis 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

H.M.O. & C.-----S.

Interior for review and you will be informed in due time of such
action as may be taken by him.

Yours truly,

IGNED.

Tame Dixby.

Acting Chairman.

COPY.

M.C.R. 2564

OPY.

Muskogee, Indian Territory, September 4, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of Annie Harmon, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of September 4th, 1902.

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

Annie Harmon,	M.C.R. 2564
George W. Harmon, et al.,	" 2566
Billie Harmon, et al.,	" 2567
Rosa Mercer, et al.,	" 2568
Phenie Covey, et al.,	" 2565
Hollie Howdeshall, et al.,	" 2570
Ida Stone, et al.,	" 2573
Mattie Owens,	" 2569
Wash Sledge, et al.,	" 2571
William Sledge,	" 2572
Virginia Harmon, et al.,	" 3197
Lena Akers,	" 3196
Clara Vagoner,	" 3253
Letia Blankinship, et al.,	" 3198
Viviera G. Dennis, et al.,	" 3242

The Commission has the honor to report that the principal

Secretary-2

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)

Tams Bixby.

Acting Chairman.

Through the
Commissioner of Indian Affairs.

1 enclosure.

COPY

M. C. R. 2004

Muskogee, Indian Territory, September 4, 1902.

Annie Harmon,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C R	2004
George W. Harmon, et al.,	"	2005
Hillie Harmon, et al.,	"	2007
Rosa Harner, et al.,	"	2008
Phenie Covey, et al.,	"	2043
Mollie Hartschell, et al.,	"	2070
Ida Stone, et al.,	"	2073
Mattie Owens,	"	2069
Wash Sledge, et al.,	"	2071
William Sledge,	"	2072
Virginia Harmon, et al.,	"	2107
Lena Akers,	"	2106
Clara Wagoner,	"	2000
Letia Blackship, et al.,	"	2100
Victoria G. Dennis, et al.,	"	2042

A.H.---3.

These applications were made under the provisions 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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Zula Harmon, Nura Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ina Mercer, Phemie Covey, Eva Covey, Zula Covey, Clifford Covey, Bernie Covey, Mollie Howdeshell, Earl Howdeshell, Omer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagener, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mema F. Dennis, William R. Dennis and Mattie Bell Dennis 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."

A. H. ...

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 Bixby.

Acting Chairman.

Registered.

C O P Y

D.C. 4594

DEPARTMENT OF THE INTERIOR
WASHINGTON

J.W.H.
FHE

I.T.D. 7585-1902

February 13, 1903

L.R.S.

Commission to the Five Civilized Tribes
Muskogee, Indian Territory

Gentlemen:-

September 4, 1902, you transmitted the record in the consolidated case embracing the applications for identification as Mississippi Choctaws of Annie Harmon (M.C.R. 2564) George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Eula Harmon, Eura Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ima Mercer, Phenie Covey, Eva Covey, Zula Covey, Clifford Covey, Earnie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagener, Lotia Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mana F. Dennis, William R. Dennis, and Hattie Bell Dennis, including your decision of the same date refusing to identify them as such.

These applicants are descendants in the first, second, third and fourth degrees of one Ahijah (or Higer) Rose, who was born about 1804. It is claimed that he obtained his Choctaw blood

from his mother, Mrs. Wiloby Rose, formerly Charity Barton. She was the daughter of Barshoba Barton, a 3/4 blood Choctaw woman, who was a resident of Mississippi in 1830.

The testimony as furnished by the record fails to show that these applicants or any of their alleged ancestors ever complied or attempted to comply, in person or by proxy, with the provisions of article 14 of the treaty of September 27, 1830, or with the subsequent acts relating thereto.

It appears that the records of the Government in your possession as well as those at the Indian Office, fail to show that any person whatever bearing the name of any of the alleged ancestors ever complied or attempted to comply with said article or acts.

The Department is therefore of the opinion, in view of the testimony now before it, that these applicants have failed to establish their claims.

Reporting in the matter December 5, 1902, the Commissioner of Indian Affairs recommended that your decision be approved. A copy of his letter is inclosed.

The Department concurs therein and your decision is accordingly affirmed.

Respectfully

(Signed) Thos Ryan

Acting Secretary

1 inclosure

C O P Y

DEPARTMENT OF THE INTERIOR

Land

OFFICE OF INDIAN AFFAIRS

55,821-1902

Washington, Dec. 5, 1902

The Honorable

The Secretary of the Interior

Sir:

I have the honor to submit, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes in the matter of the consolidated application for identification as Mississippi Choctaws of the following parties: George W. Harmon for himself and his four minor children, Leora, Ira, Leslie and Rhea Harmon; Billie Harmon for himself and his four minor children, Eula, Eura, Cera and Eddie Harmon; Rosa Mercer for herself and her three minor children, Ada, Jeffie and Ina Mercer; Phenie Covey for herself and her four minor children, Eva, Eula, Clifford and Barnie Covey; Mollie Howdeshell for herself and her three minor children, Earl, Ohmer and Herbert Howdeshell; Ida Stone for herself and her four minor children, Mary, Hubert, Genie and Carl Earnest Stone; Mattie Owens for herself; Wash Sledge for himself and his minor child, Sherman Sledge; William Sledge for himself; Virginia Harmon for herself and her four minor children, Agnes, Edna, Vera and Jewel Harmon; Lena Akers for herself; Clara Wagoner for herself; Letia Blankinship for herself and her two minor children, Mera and

Jewel Blankenship; Victoria G. Dennis for herself and her four minor children, Oma Pauline, Mona F., William R. and Hattie Bell Dennis, wherein a decision adverse to the applicants was rendered by the Commission on September 4, 1902.

The testimony in this case shows that the parties base their claims to identification as Mississippi Choctaws under this application because of their descent from Barabeba Barton, Charity (Barton) Rose and Ahijah Rose, who, they claim, were Choctaw Indians and residents of the Choctaw Nation, in Mississippi, at the time of the making of the Choctaw treaty of 1830.

The commission rejected these parties because their names did not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

An examination has been made of the records of this office with reference to the names of the different parties from whom these applicants claim descent, and it is discovered that their names do not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

This being the case it is evident that the decision of the Commission rejecting the applicants was correct, and I concur in that finding and recommend that it be approved.

Very respectfully

(E.B.H.)

W. A. Jones

Commissioner

M.C.R. 2364

COPY.

Muskogee, Indian Territory, February 26, 1903.

Annie Harmon,

Sherman, Texas.

Dear Madam:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

Tame Dixby.
Chairman.

M.C.R. 2384

COPY!

Maakegee, Indian Territory, February 26, 1903.

Mansfield, McMurray & Gernish,

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

Gentlemen:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by mail on the 4th day of September, 1902.

Respectfully,

(SIGNED)

James Dixby

Chairman.

No. 12533

For Identification as a Mississippi Choctaw.

Date JUN 6- 1901

Name Annie Harmon

Age 67 Blood 1/8

Post Office, Sherman, Texas

Father: Abijah Rose (dead)

Mother: Elizabeth " "

Claims through father

Husband: M. D. L. Harmon

Children:

Claims for herself alone

Stenographer

Henry G. Hains

Consolidated Case
of
Annie Harmon

REFER TO M. C. R 2564.

Barshelba Barton (3/4)

Charity Barton
married
Willoughby Rose
(or Wiloby Rose)

Abiyah Rose
(or Hyah, Abiyah)
(or Hagar)
Wife
Elizabeth Rose
(or Betsey Rose)

Elizabeth Rose
married
William Pelly Sledge
(or Pellié)

Lettie Rose
(or Letia, Leticia)
(or Lettie R. M. ^{or Letitia})
married
John G. Riley

Clara Sledge 29-1/6
married
George Robert Wagoner

Wash Sledge 25-1/6
married
Frances Williams

William Sledge 23-1/6

Lena Riley 29-1/6
married
J. M. Akers, w-

Victoria G. Riley 25-1/6
married
Francis A. Dennis, w-

Virginia Riley 34-1/6
married
R. J. Harmon

Dora P. Dennis 7
Mona F " 5
William R " 2
Hattie Bell " 3m

Agnes Harmon 14
Edna Harmon 12
Vera Harmon 6
Jewel Harmon 2

mCR
3197

mCR
3842

mCR
3196

mCR
3757

mCR
2572

mCR

Barshela Barton (37/4)

Charity Barton

married

Willoughby Rose
(or Wiloby Rose)

Sister

Abijah Rose

(or Hyah, Abijah)
(or Hagar)

Wife

Elizabeth Rose
(or Betsy Rose)

Lettie Rose
(or Letia, Leticia)
(or Lettie R. M., Letitia)
married
John G. Riley

met
3-16

Lena Riley 29-1/16

married

J. M. Akers, w.

William T. 2
Hattie Bell 3m

met

Clara Sledge 29-1/16

married

George Robert Wagoner

Elizabeth Rose

married

William Pelly Sledge
(or Pella)

Wash Sledge 25-1/16

married

Frances Williams

Sherman Sledge 2

William Sledge 23-1/16

met

Letia Sledge 18-1/16
(or Lettie)

married

William Blankenship

Mora Blankenship 19m

Jewel Blankenship 2m

Barsheeba Barton (3/2)

Charity Barton
married
Willoughby (or Wiloby)

Abigail Rose
(or Hiyah, Abijah,
or Higan)
Wife
Elizabeth Rose
(or Betsy Rose)

me 2564
Annie Rose 67 1/8
married
M. D. C. Harmon
(or Cager, M. C. Cager,
Micager or Haga)

me 2566
George W. Harmon 42 1/16
married
Mattie Coy

me 2567
Billie Harmon 34 1/16
married
Betty Wright

me 2568
Ida Harmon 31 1/8
married
Charley Stone

me 2569
Rosa Harmon 29 1/16
married
Henry S. Mercer

me 2565
Phemie Harmon 25 1/16
married
Joe Covey

John Harmon (dead)
wife
Caroline Harmon
(now Riley)

David Harmon 21
me 2561
Lesia Harmon 15
Ira Harmon 10
Leslie Harmon 6
Rhea Harmon 1 1/2 m

Eula Harmon 8
Eura Harmon 6
Lora Harmon 4
Eddie Harmon 1
(Cara + Etta in affido)

me 2563
Mary Stone 14
Hubert Stone 11
Benie Stone 6
Carl Earnest Stone 2 m
(Gene in affido)

me 2568
Ada Mercer 6
Jeffie Mercer 4
Ima Mercer 2

me 2564
Eva Covey 7
Zula Covey 5
Clifford Covey 3
Barnie Covey 1 1/2
(Barney in affido)

Mollie Harmon 23 1/32
married
Joseph Howdeshell
(a Howdeshell)

me 2570
Earl Howdeshell 5
Ohmer " 3
Herbert " 6 m

Barsheeba Barton (1770)

Charity Barton
married
Willoughby
(or Wiloby)

Abigail Rose
(or Hiyah, Abigail,
or Higan)
Wife
Elizabeth Rose
(or Betsy Rose)

<sup>met
2564</sup>
Annie Rose 67 1/8
married
M.D.C. Harmon
(or Cager, M. Cager,
Micager or Hagar)

Betty Wright

Ida Harmon 31-1/8
married
Charley Stone

<sup>met
2565</sup>
Rosa Harmon 29 1/8
married
Henry S. Mercer

<sup>met
2566</sup>
Phenie Harmon 25 1/8
married
Joe Covey

John Harmon (dead)
wife
Caroline Harmon
(now Riley)

Mattie Harmon 23-1/16
married
Roy Owens

Charles Harmon

Eddie Harmon 1
(Cara + Etta in aff.)

Mary Stone 14
Hubert Stone 11
Bernie Stone 6
Carl Earnest Stone 2 m
(Lige in aff. later)

<sup>met
2567</sup>
Ada Mercer 6
Jeffie Mercer 4
Ima Mercer 2

<sup>met
2568</sup>
Eva Covey 7
Zula Covey 5
Clifford Covey 3
Barnie Covey 1 1/2
(Barney in aff.)

<sup>met
2570</sup>
Mollie Harmon 23-1/32
married
Joseph Howdeshell
(a Howdeshell)

Earl Howdeshell 5
Chmer " 3
Herbert " 6 m
(Howdeshell)

Choctaw MCR 2565

Phenie Covey

MCR 2565

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 6, 1901.

#2565

In the matter of the application of Phemie Covey for the identification of herself and her five minor children as Mississippi Choctaws.

Phemie Covey being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Phemie Covey.
Q What is your age? A Twenty-five.
Q What is your post-office address? A Sherman, Texas.
Q Have you a street number? A Live in the country.
Q How long have you lived there? A About eleven years.
Q Where did you live before that? A In Kentucky.
Q How long did you live in Kentucky? A I lived there until I came to Texas.
Q Born there? A Yes.
Q And lived there until you came to Texas? Yes.
Q What is your father's name? A McAger Harmon.
Q Is he living? A Yes.
Q What is your mother's name? A Annie Harmon.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother? A How much Choctaw blood do you claim?
A One sixteenth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Joe Covey.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application at this time? A Yes.
Q Give their names and ages. A Eva Covey, seven; Zula Covey (Girl) five; Clifford Covey, (BOY), three; Barnie Covey (BOY), one and a half years old.
Q These are all your children? A Yes.
Q What is their father's name? A Joe Covey.
Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself or children to be enrolled as members of that tribe? A No.
Q Did you or did any one for you or for them make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.

- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article of that treaty? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barton.
- Q What relation was she to you? A She was my great-great-grandmother.
- Q Have you any evidence showing that such ancestor was a recognized member of that Choctaw tribe at that time? A No.
- Q Did she, if a Choctaw Indian, remove from the territory occupied by the Choctaw tribe of Indians in Mississippi and Alabama to the present Choctaw nation in the Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Not that I know of; I can't tell you.
- Q If she did not remove with the other members of the tribe did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A Not that I know of.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No.
- Q You have no papers that you want to file? A Yes.

Application of Phenie Covey offered in evidence by applicant, filed, marked Exhibit "A" and made a part of the records in this case; copy of affidavit of John Alberson offered in evidence by applicant, filed marked Exhibit "B" and made a part of the record in this case; copy of affidavit of John Lewis offered in evidence by applicant, filed, marked Exhibit "C", and made a part of the record in this case.

- Q Do you want time in which to file additional evidence in support of this application? A Yes.

Thirty days from this date is allowed applicant in which to file additional evidence in support of this claim.

The decision of the Commission as to your application for identification for yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of same will be made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white woman.

Henry G. Hains being duly sworn on his oath states that as

stenographer to the Commission to the New-England Tribes he reported in full all proceedings had in the above entitled case on June 6, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said case on said date.

Henry G. Haine

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Lincoln

Notary Public.

G.O.P.

Muskogee, Indian Territory, September 4, 1902.

Phenie Covey,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon	M C R 2564
George W. Harmon, et al.,	" 2566
Billie Harmon, et al.,	" 2567
Rosa Mercer, et al.,	" 2568
Phenie Covey, et al.,	" 2565
Mollie Howdeanell, et al.,	" 2570
Ida Stone, et al.,	" 2573
Mattie Owens,	" 2569
Wash Sledge, et al.,	" 2571
William Sledge,	" 2572
Virginia Harmon, et al.,	" 3197
Lena Akers,	" 3196
Clara Wagoner,	" 3253
Letia Blankinship, et al.,	" 3198
Victoria G. Dennis, et al.,	" 3842

P.O.-----2.

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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Eula Harmon, Eura Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ina Mercer, Phanie Covey, Eva Covey, Zula Covey, Clifford Covey, Bannie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria G. Dennis, Osa Pauline Dennis, Mona F. Dennis, William F. Dennis and Hattie Bell Dennis 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."

P.C.---8.

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 actions may be taken by him.

Yours truly,

(SIGNED)

James Dixby

Acting Chairman.

Registered.

COPY

M.C.R. 2865

Muskogee, Indian Territory, February 26, 1903.

Fannie Covey,
Sherman, Texas.

Dear Madam:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

Tams Dixby.
Chairman.

No. 2565

For Identification as a Mississippi Choctaw.

Date JUN 6- 1907

Name *Cherrie Corey*
Age *25* Blood *1/6*

Post Office, *Sherman Texas*

Father: *McAyer Harmon*

Mother: *Archie Harmon*

Claims through *mother*

Husband: *Joe Corey*
(*No claim for him*)

Children:

<i>Eva Corey</i>		<i>7</i>
<i>Zula</i>	<i>F</i>	<i>5</i>
<i>Clifford</i>	<i>M</i>	<i>3</i>
<i>Bernie</i>	<i>M</i>	<i>1 1/2</i>

*Claims for herself and
four minor children*

Stenographer

Henry G. Hains

Choctaw MCR 2566

George W Harmon

MCR 2566

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
ATOKA, I.T. June 6, 1901.

#2566

In the matter of the application of George W. Harmon for the identification of himself and his four minor children as Mississippi Choctaws.

George W. Harmon having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A George W. Harmon.
Q What is your age? A Forty-two.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A Fourteen years.
Q Where did you live before you lived there? A In Kentucky.
Q How long did you live in Kentucky? A All the balance of my life.
Q You were born there and lived there until you came to Texas? A Yes.
Q What is your father's name? A Cager Harmon.
Q Is he living? A Yes.
Q What is your mother's name? A Annie Harmon.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A Well, about 1/16.
Q Was your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Mattie Harmon.
Q Do you make application on behalf of your wife? A No.
Q She is living? A Yes.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application now? A Yes, I have four under twenty-one.
Q Give the names and ages of your children. A Leora Harmon, fifteen; Ira Harmon, ten; Leslie Harmon, six; Rhea Harmon, one month and a half. The last three are boys.
Q These are all your children? A Yes.
Q What is the name of their mother? A Mattie.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A No, I haven't them with me.

It will be necessary that the Commission be supplied with evidence of your marriage to your wife in support of your application on behalf of your minor children.

- A They are in Kentucky and I would have to write for them.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
Q Are the names of any of your children? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or them to be enrolled as members of that tribe? A No.
Q Did you or any one for you or your children in 1896, make application to the Commission to the Five Civilized Tribes in for citizenship in the Choctaw Nation under Act of Congress of June 16,

18967 A No.

Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.

Q Have you ever made application prior to this time for yourself or your children to the tribal authorities or the authorities of the United States to be admitted or enrolled as ~~max~~ citizens of the Choctaw Nation? A No.

Q Is this the first application of any description you have ever made? A Yes.

Q Is it now your purpose to make application for identification as Mississippi Choctaws? A Yes.

Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.

Q Are you familiar with the provisions of that article? A No, I am not.

Q Article fourteen of the treaty of 1830 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 who may be 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 land intending to become citizens of the States for five years from 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 claiming 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."

Q Do you claim under this article of this treaty? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors--? A No.

Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Baraheeba Barton.

Q Have you any evidence showing that such ancestor was ever a recognized member of the Choctaw tribe of Indians at that time?

A Yes, these here papers.

Q What relation was she to you? A Well, she was my grand-father's grand-mother.

Q Your great-great-grandmother? A Yes.

Q Did she, if a Choctaw Indian, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838?

A I don't know.

Q If she did not remove with the other members of the tribe, did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the old Choctaw nation in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q Are there any additional statements you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper

papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of

the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No, nothing only these papers here.

Application of George W. Harmon offered in evidence by applicant, filed, marked Exhibit "A", and made a part of the record in this case; copy of affidavit of John Alberson offered in evidence by applicant, filed, marked Exhibit "B" and made a part of the record in this case; copy of the affidavit of John Lewis offered in evidence by applicant, filed, marked Exhibit "C" and made a part of the record in this case.

Q Do you want time in which to file additional evidence in support of your claim? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for yourself and your minor children for identification as Mississippi Choctaws will be determined at the earliest possible date, and report of same will be made to the Secretary of the Interior, conformable to the provisions of the 21st Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 6, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. L. Linsbaugh
Notary Public

M.C.R. 2566

COPY.

McAlester, Indian Territory, September 4, 1902.

George W. Harmon,
Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M U R 2564
George W. Harmon, et al.,	" 2565
Billie Harmon, et al.,	" 2567
Rosa Harvey, et al.,	" 2568
Phenie Govey, et al.,	" 2569
Mollie Howardshell, et al.,	" 2570
Ira Stone, et al.,	" 2575
Mattie Green,	" 2569
Wash Sledge, et al.,	" 2571
William Sledge,	" 2572
Virginia Harmon, et al.,	" 2577
Lena Ahers,	" 2576
Clara Wagner,	" 2585
Letia Blankinship, et al.,	" 2590
Victoria G. Dennis, et al.,	" 2542

G.W.H.---2.

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, of nteen 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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Lula Harmon, Mufa Harmon, Cora Harmon, Wddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ima Mercer, Phenie Covey, Eva Covey, Zula Covey, Clifford Covey, Bennie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mona F. Dennis, William R. Dennis and Hattie Bell Dennis 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

G. V. H. Wood.

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. Wood.

James Dixby.

Acting Chairman.

Registered.

COPY.

M.C.R. 2566

Muskegee, Indian Territory, February 26, 1903.

George W. Harmon,
Sherman, Texas.

Dear Sir:

You are hereby notified that on the 15th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

respectfully,

James Birby
Chairman.

George A. Harmon et al

REFUSED

DECISION FILED SEP 4 1902

OFFICE OF RECORDS IN MAILED APPLICANTS

SEP - 4 1902

ADVISE OF DECISION TO ALL ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS

SEP - 4 1902

FORWARD FORWARDED DEPARTMENT

SEP - 4 1902

ADVISE OF DECISION TO ALL ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS

SEP - 4 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

FEB 26 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANTS FOR CHOCTAW
AND CHICKASAW NATIONS

FEB 26 1903

REFER TO MAIL # 2564

No. 25166

For Identification as a Mississippi Choctaw.

Date JUN 6- 1901

Name George ^H Harmon

Age 42 Blood 1/16

Post Office, Sherman, Texas

Father: Cayer Harmon

Mother: Annie Harmon

Claims through mother

Wife: Mattie Harmon

(No claim for her)

Children:

Lena Harmon 15

Lora " 10

Leslie " M 6

Ahea " M 1 1/2 mo.
Ray

Claims for himself and
4 minor children

Stenographer

Henry G. Hains

Choctaw MCR 2567

Billie Harmon

MCR 2567

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 6, 1901.

#2567

In the matter of the application of Billie Harmon for the identification of himself and his minor children as Mississippi Choctaws. Billie Harmon having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Billie Harmon.
Q What is your age? A Thirty-four.
Q What is your post-office address? A Sherman, Grayson County, Texas.
Q How long have you lived there? A About eleven years.
Q Where did you live before you lived there? A Kentucky.
Q How long did you live in Kentucky? A All the balance of my life.
Q Born there and lived there until you came to Texas? A Yes.
Q What is your father's name? A Cager Harmon.
Q Is he living? A Yes.
Q What is your mother's name? A Annie Harmon.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A An eighth-no, I made a mistake, a sixteenth.
Q You claim one sixteenth? A Yes.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw Nation by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Betty Harmon.
Q She is living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q Have you any children for whom you wish to make application at this time? A I have four children.
Q Give their names and ages. A Mula Harmon (GIRL), eight; Eura Harmon, (Boy), six; Cora Harmon, four; and Eddie Harmon, one.
Q These are your children? A Yes.
Q What is the name of their mother? A Betty Harmon.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A No, I haven't.
It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of your application for your minor children.
Q Is your name or the names of any of the children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to have yourself or children enrolled as members of that tribe? A No.
Q Did you or did any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under Act of Congress of June 10, 1896? A Didn't
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your children to the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.

Billie Harmon--2

- Q Is this the first application you have ever made of any description? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors--? A No.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barton.
- Q Have you any evidence showing that she was a recognized member of the Choctaw tribe at that time? A No.
- Q What relation was she to you? A She was my great-great-grandmother.
- Q Did she, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q If she did not remove with the other members of the tribe did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Nation in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I can't tell you.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No, I don't think there is.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complier attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A I have only these.

Application of Billie Harmon offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; affidavit of John Alberson offered in evidence by applicant marked Exhibit "B", filed and made a part of the record; copy of affidavit of John Lewis offered in evidence by applicant marked Exhibit "C", filed and made a part of the record;

- Q Do you wish any time in which to file additional evidence? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of his claim; also marriage license and certificate.

The decision of the Commission as to your application for identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

)Applicant apparently a white man)

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 all proceedings had in the above entitled cause on June 6,

Billie Farmer--3

1901, and that the above and foregoing is a full, true and correct
transcript of his stenographic notes in said case on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Hainsbaugh

Notary Public.

5110
JULY 15 1901
NOTARY PUBLIC
6002

COPY.

Muskogee, Indian Territory, September 4, 1902.

Billie Harmon,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M. G. R. 2266
George W. Harmon, et al.,	" 2266
Billie Harmon, et al.,	" 2267
Rosa Harney, et al.,	" 2268
Phemie Covey, et al.,	" 2268
Mollie McGinnell, et al.,	" 2270
Ida Stone, et al.,	" 2272
Mattie Owen,	" 2269
Wash Sledge, et al.,	" 2271
William Sledge,	" 2272
Virginia Harmon, et al.,	" 2197
Leah Ahevo,	" 2196
Clara Wagner,	" 2268
Letia Blankinship, et al.,	" 2196
Victoria G. Dennis, et al.,	" 2242

B.H.-----2.

These applications were made under the provisions 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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Eliza Harmon, Billie Harmon, Lula Harmon, Myra Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ima Mercer, Phenie Covey, Eva Covey, Lula Covey, Clifford Covey, Bernie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Mina Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria O. Dennis, Oma Pauline Dennis, Mona F. Dennis, William R. Dennis and Hattie Bell Dennis 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

B.H. 11111111.

Interior for review and you will be informed in due time of such
action as may be taken by him.

Yours truly,

(SIGNED)

Tamie Dixby.

Acting Chairman.

Registered.

COPY

H.C.R. 2567

Muskogee, Indian Territory, February 26, 1903.

Billie Harmon,

Sherman, Texas.

Dear Sir:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

(SIGNED)

Tame Pixby.

Chairman.

No. 2567

For Identification as a Mississippi Choctaw.

Date JUN 8 1901

Name Billie Harmon

Age 34 Blood 1/16

Post Office, Sherman, Texas

Father: Cager Harmon

Mother: Annie Harmon

Claims through mother

Wife: Betty Harmon
(no claim for her)

Children:

Eula Harmon 8

Eura " M 6

Cora " 4

Eddie " 1

Claims for himself and 4 children

Stenographer

Henry G. Hains

A MISSISSIPPI CHOCTAW.

Pillie Harmon et al.

REFUSED

DECISION RENDERED SEP 4 1902

NOTICE OF DECISION MAILED APPLICANT.

SEP - 1 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

RECORD FORWARDED DEPARTMENT

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 13 1903

W. H. CANNON
S. H. CANNON

FEB 13 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED TO THE SECRETARY OF THE CHOCTAW
AND CHICKASAW NATIONS.

FEB 13 1903

REFER TO M. C. R. 2564

Department of the Interior

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Billie Harmon,
Sherman, Texas.

~~2099~~
~~2099~~

498

Choctaw MCR 2568

Rose Mercer

MCR 2568

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 6, 1901.

#2568

In the matter of the application of Rosa Mercer for the identification of herself and her minor children as Mississippi Choctaws. Rosa Mercer having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Rosa Mercer.
Q What is your age? A Twenty-nine.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A About eleven years.
Q Where did you live before you lived there? A Kentucky.
Q How long did you live in Kentucky? A All my life.
Q You were born there? A Yes.
Q And lived there until you moved to Texas? A Yes.
Q What is your father's name? A Cager Harmon.
Q Is he living? A Yes.
Q What is your mother's name? A Annie Harmon.
Q Is she living? A Yes.
Q Through which one your parents do you derive your Choctaw blood?
A My mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw Nation by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Henry C. Mercer.
Q Do you make application for him? A No.
Q He is living? A Yes.
Q Have you any children for whom you wish to make application?
A Three.
Q Give the names and ages of these children. A Ada Mercer, six; Jeffie Mercer, four; and Ina (Girl) Mercer, two.
Q These are all your children? A Yes.
Q What is the name of their father? A Henry C. Mercer.
Q Is your name or the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or your children to be enrolled as members of that tribe? A No.
Q Did you or did any one for you or your children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as members of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as Mississippi Choctaw? A Yes.

Rosa Mercer---2

- Q De you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors---? A No.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barton.
- Q What relation was she to you? A Great-great-grandmother.
- Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians at that time? A Only this paper.
- Q Did she if a Choctaw Indian, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A Not as I know of.
- Q If she did not remove with the other members of the tribe, did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A Not as I know of.
- Q Have any of your ancestors ever claimed or received any baw land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements that you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Nothing only these papers.

Application of Rosa Mercer offered in evidence by applicant marked Exhibit "A", filed and made apart of the record in this case; copy of the affidavit of John Alberson offered in evidence by applicant marked Exhibit "B", filed and made a part of the record; copy of the affidavit of John Lewis offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record.

- Q Do you want time in which to offer any additional evidence in support of this case? A Yes.

Thirty days time is allowed applicant in which to offer any additional evidence in support of her application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. section of the Act of Congress of June 28, 1896, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently whitea.

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 all proceedings had in the above entitled cause on June 6, 1901, and that the above and foregoing is a full, true and correct

Essa Herber—3

transcript of his stenographic notes in said case on said date.

Subscribed and sworn to before me this 15 day of July 1901.

Henry G. Hains

H. Hainsbaugh

Notary Public.

COPY!

Muskogee, Indian Territory, September 4, 1902.

Rosa Mercer,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C N	2564
George W. Harmon, et al.,	"	2565
Billie Harmon, et al.,	"	2567
Rosa Mercer, et al.,	"	2568
Phenie Covey, et al.,	"	2569
Mellie Nowdeshell, et al.,	"	2570
Ida Stone, et al.,	"	2571
Mattie Owens,	"	2572
Wash Sledge, et al.,	"	2573
William Sledge	"	2574
Virginia Harmon, et al.,	"	2575
Lena Akers,	"	2576
Clara Wagner,	"	2577
Letia Blankinship, et al.,	"	2578
Victoria G. Dennis, et al.,	"	2579

R.H.-----2

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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Whea Harmon, Billie Harmon, Eula Harmon, Eura Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ima Mercer, Phemie Covey, Eva Covey, Zula Covey, Clifford Covey, Bemie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mona F. Dennis, William R. Dennis and Hattie Bell Dennis 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

H. H. -----

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.

M:G.N. 2308

COPY

Muskogee, Indian Territory, February 26, 1903.

Rosa Mercer,
Sherman, Texas.

Dear Madam:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

respectfully,

Tams Bixby
Chairman

A MISSOURI PROHIBITION

R. 10

Rosa Mercer et al.

REFUSED

RECEIVED SEP 4 1902

NOTICE TO APPLICANT

SEP - 4 1902

RECEIVED

NEW YORK

SEP - 4 1902

RECEIVED

11

12

13

RECEIVED SEP 25 1903

SEP 25 1903

RECEIVED

SEP 25 1903

No. 2568

For Identification as a Mississippi Choctaw.

Date JUN 6 1901

Name Rosa Mercer

Age 29 Blood 1/16

Post Office, Sherman, Texas

Father: Cager Harmon

Mother: Annie Harmon

Claims through mother

Husband: Henry C. Mercer
(no claim for him)

Children:

Ada Mercer 6

Jeppie " 11 4

Louisa " 17 2

Claims for herself and 3 children

Stenographer

Henry G. Hains

Choctaw MCR 2569

Mattie Owens

MCR 2569

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 6, 1901.

#2569

In Matter of the application of Mattie Owens for identification as a Mississippi Choctaw.

Mattie Owens having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mattie Owens.
Q What is your age? A Twenty-three.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A Eleven years.
Q Where did you live before that? A Kentucky.
Q How long did you live in Kentucky? A I was born in Kentucky.
Q And lived there all your life until you moved to Texas? A Yes.
Q What is your father's name? A Gager Harmon.
Q Is he living? A Yes.
Q What is your mother's name? A Annie Harmon.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Roy Owens.
Q He is living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children--? A No.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you or any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No.
Q Is this the first application of any description that you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of.
Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba; I think the other name is Barten. She is my great-great-grandmother.
Q Have you any evidence showing that such ancestor was a recognized

Mollie Owens---2

member of the Choctaw tribe at that time? A No.

Q Did she, if a Choctaw Indian, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.

Q If she did not remove with the other members of the tribe, did she within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I don't know.

Q Have any of your ancestors ever claimed or received any bwn lands in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know of.

Q Are there any additional statements that you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of

the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Yes.

Application of Mattie Owens offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; copy of affidavit of John Alberson offered in evidence by applicant, marked Exhibit "B" filed and made a part of the record; copy of affidavit of John Lewis offered in evidence by applicant marked Exhibit "C", filed and made a part of the record in this case;

Q Do you want any additional time in which to file evidence in support of this case? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence in support of this application.

The decision of the Commission as to your application for the identification of yourself ~~xxxxxxxxxxxxxxxx~~ will be determined at the earliest possible date (your application for identification as Mississippi Choctaw), and report of same made to the secretary of the Interior, conformable to the provisions of the 21st. section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address, as given by you in your testimony.

Applicant apparently white.

Henry G. Hains having been duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on June 6, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

Esther Baugh
Notary Public

COPY.

Muskogee, Indian Territory, September 4, 1902.

Mattie Owens,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M O R 2564
George W. Harmon, et al.,	" 2565
Billie Harmon, et al.,	" 2567
Rosa Mercer, et al.,	" 2568
Phenie Covey, et al.,	" 2566
Hollie Howdeshell, et al.,	" 2570
Ide Stone, et al.,	" 2573
Mattie Owens,	" 2569
Wash Sledge, et al.,	" 2571
William Sledge,	" 2572
Virginia Harmon, et al.,	" 3197
Lena Akers,	" 3196
Clara Wagoner,	" 3253
Letia Blankinship, et al.,	" 3198
Victoria G. Dennis, et al.,	" 3042

M.O.-----2.

These applications were made under the provisions of the act of Congress of June 28, 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 herein is insufficient to determine the identity of Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Phoa Harmon, Billie Harmon, Thula Harmon, Vera Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ad Mercer, Jessie Mercer, Ima Mercer, Phemie Covey, Eva Covey, Thula Covey, Clifford Covey, Fannie Covey, Mollie Fowdeshell, Earl Fowdeshell, Omer Fowdeshell, Herbert Fowdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Ash Bledge, Sherman Bledge, William Bledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lona Akers, Clara Harmon, Lattie Blankinship, Nora Blankinship, Jewel Blankinship, Victoria O. Dennis, Oma Pauline Dennis, Mona E. Dennis, William E. Dennis and Mattie Nell Dennis 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

M.O.-----E.

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. O. B.

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

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2569

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

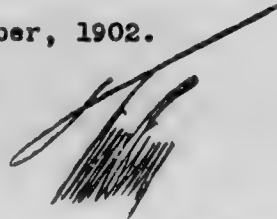
Muskogee, Indian Territory, February 26, 1903.

Mattie Owens,
Sherman, Texas.

Dear Madam:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,



Chairman.

No. 2569

For Identification as a Mississippi Choctaw.

Date JUN 6- 1901

Name *Mattie Owens*

Age *23* Blood *1/16*

Post Office, *Sherman, Texas*

Father: *Cager Harmon* ✓

Mother: *Arnie* " ✓

Claims through *mother*

Husband: *Roy Owens* ✓
(*No claim for him*)

Children:

Claims for herself alone.

Stenographer

Henry G. Hains

2569

File



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

APR 2 1903

A handwritten signature in dark ink, appearing to be 'W. H. ...'.

CHAIRMAN.

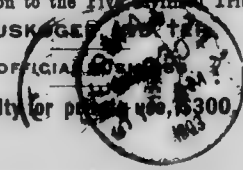
Department of the Interior

Commission to the Five Civilized Tribes

MUSKOGEE

OFFICIAL BUSINESS

Penalty for private use, \$300



RETURN
TO
WRITER
Mattie Owens,

~~Sherman, Texas~~

Unclaimed

A MISSISSIPPI CHOCTAW.

Mattie Owens

RECEIVED

DECISION RECEIVED SEP 4 1902

DECISION MAILED APR 1902

SEP - 4 1902

NOTICE OF DECISION MAILED AT 10:00 AM
FOR CHOCTAW AND CHICKASAW NATIONS.

SEP 4 1902

FORWARDED TO

SEP 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 22 1903

APPLICANT

FEB 26 1903

CHOCTAW AND CHICKASAW
NATIONS

SEP 1902

REFER TO M. C. R. 2564

Choctaw MCR 2570

Millie Howdishell

MCR 2570

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 6, 1901.

#2570

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

Mollie Howdeshell having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mollie Howdeshell.
Q What is your age? A Twenty-three.
Q What is your post-office address? A Howe, Texas.
Q How long have you lived there? A Eleven years.
Q Where did you live before you lived there? A Kentucky.
Q How long did you live in Kentucky? A Was born there.
Q And lived there all your life until you came to Texas? A Yes.
Q What is your father's name? A John Harman.
Q Is he living? A No.
Q What is your mother's name? A Now its Caroline Riley.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A About 1/32.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Joseph Howdeshell.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application at this time? A Yes.
Q Give their names and ages. A Harl(Boy), five; Ohmer, three and Herbert, six months.
Q These are all your children? A Yes.
Q What is their father's name? A Joseph Howdeshell.
Q Is your name on any of the rolls of the Choctaw Nation in Indian Territory? A Not that I know of; no.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you or any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 16, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States for yourself or your children to be admitted or enrolled as ~~members~~ citizens of the Choctaw tribe? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.

Mollie Howdeshell---2

- Q Have any of your ancestors--? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barton.
- Q What relation was she to you? A My great-great-grandmother.
- Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians at that time? A No.
- Q Did she, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q If she did not remove with the other members of the tribe, did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever received or claimed any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deed or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever received any benefits under that article of the treaty of 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830? A No.
- Q You have no papers that you want to file? A Yes, I didn't understand.

Application of Mollie Howdeshell offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; copy of affidavit of John Alberson, offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record; copy of affidavit of John Lewis offered in evidence by applicant, marked Exhibit "C", filed, and made a part of the records in this case.

- Q Do you wish any time in which to offer additional evidence? A Yes.

Thirty days time is allowed applicant in which to offer additional evidence in support of this application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.
(Applicant apparently white.)

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 all proceedings had in the above entitled cause on June 28, 1901 and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Whitebaugh
Notary Public

M.C.R. 2670

COPY.

Muskogee, Indian Territory, September 4, 1908.

Mellie Howdeshell,

Howe, Texas.

Dear Madam:

You are hereby advised that on the 4th day of September, 1908, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C R	2564
George W. Harmon, et al.,	"	2565
Billie Harmon, et al.,	"	2567
Rosa Mercer, et al.,	"	2568
Phenie Covey, et al.,	"	2565
Mellie Howdeshell, et al.,	"	2570
Ida Stone, et al.,	"	2573
Mattie Owens,	"	2569
Wash Sledge, et al.,	"	2571
William Sledge,	"	2572
Virginia Harmon, et al.,	"	3197
Lena Akers,	"	3196
Clara Wagoner,	"	3255
Letia Blankinship, et al.,	"	3198
Victoria G. Dennis, et al.,	"	3842

M.H.----2.

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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Eula Harmon, Eura Harmon, Cora Harmon, Eddie Harmon, Posa Mercer, Ada Mercer, Joffie Mercer, Ina Mercer, Phenie Covey, Eva Covey, Eula Covey, Clifford Covey, Bannie Covey, Mollie Howdeshell, Earl Howdeshell, Omer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mona P. Dennis, William R. Dennis and Mattie Bell Dennis 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.H.-----2.

You are farther 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. Dobb

Acting Chairman.

Registered.

M.C.R. 2570

COPY.

Muskegee, Indian Territory, February 26, 1903.

Nellie Howdeshell,

Howe, Texas.

Dear Madam:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

Tame Bixby.

Chairman.

No. 2570

For Identification as a Mississippi Choctaw.

Date JUN 6- 1901

Name Mollie Howdeshell

Age 23 Blood 1/32

Post Office, Hovor, Texas

Father: John Harmon (dead)

Mother: Caroline Riley

(Claims through father)

Husband: Joseph Howdeshell
(No claim for him)

Children:

Earl Howdeshell M 5

Chomer .. 3

Herbert .. 6 mo.

Claims for herself and three
minor children

Stenographer

Henry G. Hays.

Nollie Howdeshell, et al.

REFUSED

DECISION RENDERED SEP 4 1902

NOTICE OF DECISION MAILED TO APPLICANT.

SEP - 4 1902

ATTORNEYS
FOR CHICKASAW AND CHICKASAW NATIONS

1902

RECORD FORWARDED BY DEPARTMENT

ACTION BY SECRETARY DEPARTMENT

FEB 10 1903

MENTAL ACTION
FORWARDED APPLICANT.

FEB 21 1903

IN CASE OF DEPARTMENTAL ACTION
FOR CHICKASAW AND CHICKASAW NATIONS

FEB 21 1903

REFER TO M. C. R. 256

Choctaw MCR 2571

Wash Sledge

MCR 2571

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I.T. June 6, 1901.

#3571

In the matter of the application of Wash Sledge for the identification of himself and his minor child, as Mississippi Choctaws. Wash Sledge having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Wash Sledge.
Q What is your age? A Twenty-five.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A Three years.
Q Where did you live before? A Kentucky.
Q How long did you live in Kentucky? A All my life.
Q Born there and lived there until you moved to Texas? A Yes.
Q What is your father's name? A W.P. Sledge.
Q Is he living? A Yes.
Q What is your mother's name? A Elizabeth Sledge.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A I guess about 1/16.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States?
A No.
Q Are you married? A Yes.
Q What is your wife's name? A Frances Sledge.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q When and where were you married to Frances Sledge? A Allen County Kentucky.
Q How long ago? A Four years ago.
Q Have you any children? A I have one child; Sherman Sledge, two years old.
Q You are this child's father? A Yes.
Q What is the name of its mother? A Frances Sledge.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you wish to offer same in evidence? A No.
It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of your application on behalf of your minor child.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A No.
Q Did you or did any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 16, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your child to the Choctaw tribal authorities or the authorities of

Wash Sledge---2

- the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors--? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A I think her name is Barsheeba Barton; she is my great-great-grandmother.
- Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians at that time? A No.
- Q Did she, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1835 to 1838? A I couldn't tell you; I don't know.
- Q If she did not remove with the other members of the tribe did she within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the treaty of 1830 article fourteen, or that they ever received any benefits under that article of that treaty? A No.
- Q Have you no papers that you want to file? A Yes.

Application of Wash Sledge offered in evidence by applicant marked Exhibit "A", filed, and made a part of the record in this case; affidavit of J.G.Riley offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record; copy of affidavit of John Alberson offered in evidence by applicant, filed, marked Exhibit "C" and made a part of the records; copy of affidavit of John Lewis offered in evidence by applicant, filed, marked Exhibit "D" and made a part of the records in this case.

- Q Do you want time in which to file any additional evidence in support of this claim? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence and marriage license and certificate.

The decision of the Commission as to your application for the identification of yourself and your minor child as Mississippi Choctaws will be determined at the earliest possible date and a report of same will be made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

West Dodge

Applicant apparently a white man.

Henry G. Hains being duly sworn on his oath states that as
deputy to the Commissioner to the Five Civilized Tribes he re-
ported in full all proceedings had in the above entitled case on
July 6, 1901, and that the above and foregoing is a full, true and
correct transcript of his stenographic notes in said case on said
date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July, 1901.

R. H. Lambaugh
Notary Public.

RECEIVED
JUL 15 1901
U.S. DEPT. OF JUSTICE
WASHINGTON

M.C.R. 2571

COPY.

Muskogee, Indian Territory, September 4, 1902.

Wash Sledge,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C R	2564
George W. Harmon, et al.,	"	2566
Billie Harmon, et al.,	"	2567
Rosa Mercer, et al.,	"	2568
Phenie Covey, et al.,	"	2568
Mollie Howdeshell, et al.,	"	2570
Ida Stone, et al.,	"	2573
Mattie Owens,	"	2569
Wash Sledge, et al.,	"	2571
William Sledge,	"	2572
Virginia Harmon, et al.,	"	3197
Lena Akers,	"	3196
Clara Wagoner,	"	3253
Letia Blankinship, et al.,	"	3198
Victoria G. Dennis, et al.,	"	3342

These applications were made under the provisions of the act of Congress of June 28, 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 herein is insufficient to determine the identity of Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Eula Harmon, Eura Harmon, Cora Harmon, Eddie Harmon, Fosa Mercer, Ada Mercer, Jeffie Mercer, Ina Mercer, Phemie Covey, Eva Covey, Zula Covey, Clifford Covey, Barnie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mora Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mona P. Dennis, William R. Dennis and Pattie Bell Dennis 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."

W.S. 5.

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

Samuel Dixey

Acting Chairman.

Registered.

M.C.R. 2571

COPY.

Muskogee, Indian Territory, February 26, 1903.

Wash Sledge,
Sherman, Texas.

Dear Sir:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,

James Bixby.

Chairman.

No. 2571

For Identification as a Mississippi Choctaw.

Date JUN 6- 1901

Name Wash Sledge

Age 25 Blood 1/16

Post Office, Sherman, Texas

Father: W. P. Sledge

Mother: Elizabeth Sledge

Claims through mother

Wife: Frances Sledge
(No claim for her)

Children:

Sherman Sledge 2

Claims for himself and one minor child.

Stenographer

Henry D. Hains

A MISSISSIPPI CHECKSTAW. P. 2571

Wash Dunge et al.

FEB 13 1903

Choctaw MCR 2572

William Sledge

MCR 2572

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I.T. June 6, 1901.

42572

In the matter of the application of William Sledge for identification as a Mississippi Choctaw.

William Sledge having been first duly sworn testified as follows

Examination by the Commission:

- Q What is your name? A William Sledge.
Q What is your age? A Twenty-three.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A Six months.
Q Where did you live before you lived there? A Kentucky.
Q How long did you live in Kentucky? A Until I came to Texas.
Q Born there? A Yes.
Q Lived there all your life until you came to Texas? A Yes, I came out here and stayed two months but I wouldn't count that.
Q What is your father's name? A W.P. Sledge.
Q Is he living? A Yes.
Q What is your mother's name? A Elizabeth Sledge.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Mother
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes No.
Q Making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A No.
Q Did you or any one for you in 1898, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A Yes.
Q Have any of your ancestors--? A No.
Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe in 1830 when the treaty of Dancing Rabbit-Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barton, my great-great-grandmother.
Q Have you any evidence showing that she was a recognized member of the Choctaw tribe of Indians at that time? A No.
Q Did she, if a Choctaw Indian, remove from the territory occupied by

Will Sledge--2

the old Choctaw nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.

Q If she did not remove with the other members of the tribe, did she, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Nation in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.

Q Are there any additional statements you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written evidence of any kind, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Only these.

Application of William Sledge offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; copy of affidavit of John Albersen offered in evidence by applicant marked Exhibit "B", filed, and made a part of the record; copy of affidavit of John Lewis offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record in this case.

Q Do you wish any time in which to offer any additional evidence in support of this case? A Yes, thirty days, please.

Thirty days time is allowed applicant in which to offer any additional evidence in support of his application.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same made to the Secretary of the Interior conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 6, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linebaugh
Notary Public.

COPY.

Muskogee, Indian Territory, September 4, 1902.

William Sledge,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C R	2564
George W. Harmon, et al.,	"	2566
Billie Harmon, et al.,	"	2567
Rosa Mercer, et al.,	"	2568
Phenie Covey, et al.,	"	2565
Mollie Howdeshell, et al.,	"	2570
Ida Stone, et al.,	"	2573
Mattie Owens,	"	2569
Wash Sledge, et al.,	"	2571
William Sledge,	"	2572
Virginia Harmon, et al.,	"	3197
Leas Akers,	"	3196
Clara Wagoner,	"	3263
Letia Blankinship, et al.,	"	3198
Victoria S. Dennis, et al.,	"	3842

W.S.-----2.

These applications were made under the provisions of the act of Congress of June 22, 1896 (50 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 Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Nula Harmon, Eura Harmon, Cora Harmon, Eddie Harmon, Neesa Mercer, Ada Mercer, Jeffie Mercer, Ina Mercer, Phemie Covey, Eva Covey, Zula Covey, Clifford Covey, Barnie Covey, Mollie Howdeshell, Earl Howdeshell, Ohaer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mera Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mona P. Dennis, William R. Dennis and Mattie Bell Dennis 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."

U.S. 100-10000.

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.

M.C.R. 2572

COPY.

Muskogee, Indian Territory, February 26, 1903.

William Sledge,
Sherman, Texas.

Dear Sir:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

respectfully,

Tams Bixby.
Chairman.

L

William Sledge.

REFUSED

DECISION RENDERED. **SEP 4 1902**

NOTICE OF DECISION MAILED APPLICANT.

SEP - 4 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

SEP

RECORD FORWARDED DEPARTMENT.

NOTICE OF DECISION MAILED ATTORNEYS

FEB 13 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

FEB 26 1903

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

FEB 25 1903

REFER TO M. C. R. 2564

No. 2372

For Identification as a Mississippi Choctaw.

Date JUN 6 1901

Name William Sledge

Age 23 Blood 1/16

Post Office, Sherman, Texas

Father: H. P. Sledge

Mother: Elizabeth Sledge

Claims through mother

~~Children:~~

Claims for himself alone

Stenographer

Henry D. Hains

Choctaw MCR 2573

Ida Stone

MCR 2573

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I.T. June 6, 1901.

42573

In the matter of the application of Ida Stone for the identification of herself and her minor children as Mississippi Choctaws. Ida Stone having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Ida Stone.
Q What is your age? A Thirty-one.
Q What is your post-office address? A Sherman, Texas.
Q How long have you lived there? A Nine years.
Q Where did you live before you lived there? A Kentucky.
Q How long did you live in Kentucky? A Ever since I lived anywhere
Q born in Kentucky and lived there until you moved to Texas? A Yes.
Q What is your father's name? A Gager Harmon.
Q Is he living? A Yes.
Q What is your mother's name? A Annie Harmon.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw
Q blood? A My mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q as your mother through whom you claim your right to identifica-
Q tion as a Mississippi Choctaw ever been recognized in any manner
Q or enrolled as a member of the Choctaw tribe of Indians by either
Q the Choctaw tribal authorities or the authorities of the United
Q States? A No, not that I know of.
Q Are you married? A Yes.
Q What is your husband's name? A Charley Stone.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application at
Q this time? A Yes, I have four.
Q Give the names and ages- A Mary Stone, fourteen; Hubert Stone,
Q eleven; Genie Stone, '(Boy), six; and Carl Earnest Stone, two
Q months.
Q You are the mother of these children? A Yes.
Q What is the name of their father? A Charley Stone.
Q Is your name or are the names of any of your children on any of
Q the tribal rolls of the Choctaw Nation in Indian Territory? A Not
Q that I know of.
Q Have you ever made application to the Choctaw tribal authorities
Q in Indian Territory to have yourself or your children enrolled as
Q members of that tribe? A No.
Q Did you or any one for you or for your children make application
Q in 1896, to the Commission to the Five Civilized Tribes for citi-
Q zenship in the Choctaw nation under the Act of Congress of June
Q 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the
Q Choctaw nation by either the Choctaw tribal authorities, the Com-
Q mission to the Five Civilized Tribes, or by judgment of the United
Q States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or
Q your children to either the Choctaw tribal authorities or the
Q authorities of the United States to be admitted or enrolled as
Q citizens of the Choctaw nation? A No.
Q Is this the first application of any description you have ever
Q made? A Yes.
Q Is it now your purpose to make application for identification as
Q Mississippi Choctaws? A Yes.
Q Do you claim your rights as beneficiaries under the provisions of
Q the fourteenth article of the treaty of 1830? A Yes.

Ida Stone---2

- A I don't know.
- Q Are you familiar with the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Don't you know then whether you claim under it or not? A Yes, I do claim under it.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Barsheeba Barten; my great-great-grandmother.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe of Indians in Mississippi at that time? A No.
- Q Did she, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi or Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q If she did not remove with the other members of the tribe did she within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw tribe in Mississippi her intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits or written evidence of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A I have some papers here.

Application of Ida Stone offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; copy of the affidavit of John Alberson offered in evidence by applicant, filed, marked Exhibit "B", and made a part of the record; copy of the affidavit of John Lewis offered in evidence by applicant, filed, marked Exhibit "C", and made a part of the record in this case.

- Q Do you want time in which to offer additional evidence in support of this claim? A Yes.

Thirty days time is allowed applicant in which to offer additional evidence in support of her application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report be made to the Secretary of the Interior of same, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

Henry G. Hains being duly sworn on his oath states that as sten-

No. 1000—3

Presented to the Commission to the Five Civilized Tribes he reported in said all proceedings had in the above entitled cause on June 6, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15th day of July 1901.

W. H. Lambaugh
Notary Public

RECORDED
INDEXED
JUL 15 1901
NOTARY PUBLIC

COPY

Muskogee, Indian Territory, September 4, 1902.

Ida Stone,

Sherman, 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 Annie Harmon, et al., embracing the following applications for identification as Mississippi Choctaws:

Annie Harmon,	M C R	2564
George W. Harmon, et al.,	"	2566
Billie Harmon, et al.,	"	2567
Rosa Mercer, et al.,	"	2568
Phenie Covey, et al.,	"	2568
Mollie Howdeshell, et al.,	"	2570
Ida Stone, et al.,	"	2578
Mattie Owens,	"	2569
Wash Sledge, et al.,	"	2571
William Sledge,	"	2572
Virginia Harmon, et al.,	"	3197
Lena Akers,	"	3196
Clara Wagoner,	"	3253
Letia Blankinship, et al.,	"	3198
Victoria G. Dennis, et al.,	"	3242

I.2.-----3.

These applications were made under the provisions of the act of Congress of June 28, 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 herein is insufficient to determine the identity of Annie Harmon, George W. Harmon, Leora Harmon, Ira Harmon, Leslie Harmon, Rhea Harmon, Billie Harmon, Lula Harmon, Bura Harmon, Cora Harmon, Eddie Harmon, Rosa Mercer, Ada Mercer, Jeffie Mercer, Ima Mercer, Phemie Covey, Eva Covey, Lula Covey, Clifford Covey, Bernie Covey, Mollie Howdeshell, Earl Howdeshell, Ohmer Howdeshell, Herbert Howdeshell, Ida Stone, Mary Stone, Hubert Stone, Genie Stone, Carl Earnest Stone, Mattie Owens, Wash Sledge, Sherman Sledge, William Sledge, Virginia Harmon, Agnes Harmon, Edna Harmon, Vera Harmon, Jewel Harmon, Lena Akers, Clara Wagoner, Letia Blankinship, Mera Blankinship, Jewel Blankinship, Victoria G. Dennis, Oma Pauline Dennis, Mona F. Dennis, William R. Dennis and Hattie Bell Dennis 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."

L.S. -----S.

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:

Fanto Dingo

Acting Chairman.

Registered.

W. O. B.

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

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2573

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

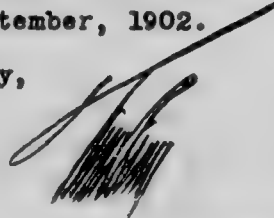
Muskogee, Indian Territory, February 26, 1903.

Ida Stone,
Sherman, Texas.

Dear Madam:

You are hereby notified that on the 13th 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 Annie Harmon, et al., of which decision you were advised by registered mail on the 4th day of September, 1902.

Respectfully,



Chairman.

No. 2573

For Identification as a Mississippi Choctaw.

Date JUN 6- 1901

Name *Ida Stone*

Age *31* Blood *1/16*

Post Office, *Sherman, Texas*

Father: *Cager Harmon*

Mother: *Lucie Harmon*

Claims through *mother*

Husband: *Charley Stone*
(*No claim for him*)

Children:

<i>Mary Stone</i>	<i>14</i>
<i>Hubert "</i>	<i>11</i>
<i>Genie "</i>	<i>11 6</i>
<i>Carl Earnest "</i>	<i>2 mos.</i>

*Claims for herself and four
minor children.*

Stenographer

Henry G. Harris.



2573
File



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

FILED

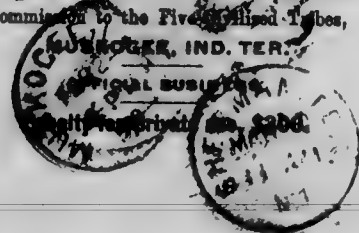
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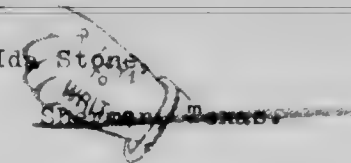
Department of the Interior.

Commissioner to the Five Civilized Tribes,

ROCKWELL, IND. TER.



Ida Stone



Unclaimed

Roda Stone et al.

REFUSED

DECISION FILED SEP 4 1902

NOTICE OF DECISION MAILED APPLICANT

SEP - 4 1902

CHIEF OF BUREAU OF LANDS
WASHINGTON, D. C.

SEP

NOTICE OF DECISION MAILED APPLICANT

ACTION BY SECRETARY OF INTERIOR

FEB 26 1903

NOTICE OF DECISION
MAILED APPLICANT

FEB 26 1903

FOR CHOKTAW
AND CHITOKASAW NATIONS.

FEB 26 1903

2564

Choctaw MCR 2574

John Bull

(On-ta-tubbee)

MCR 2574

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

In the Matter of the Application of John Bull (On-ta-tubbee)
for Identification as a Mississippi Choctaw.

M. C. R. 2574.

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

In the Matter of the Application of John Bull for
Identification as a Mississippi Choctaw.

M. C. R. 2574.

- - I N D E X . - -

Original application of John Bull for identification as a Mississippi Choctaw -----	1
Supplemental testimony of Applicant taken April 9, 1902 at Rio, Mississippi -----	4
Original patent issued to Che-caw (or Che-caugh) as a beneficiary under Art. 14 of the treaty of Dancing Rabbit Creek, issued January 5, 1846 -----	6
Decision of the Commission identifying said applicant -----	7.

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 5, 1901.

In the matter of the application of John Bull for
identification as a Mississippi Choctaw.

John Bull, having been first duly sworn, upon his oath
testified as follows: (Isiah Johnston, duly sworn interpreter.)

Examination by the Commission.

- Q What is your name? A John Bull.
- Q What is your age? A About eighty.
- Q What is your post office address? A Rio, Mississippi.
- Q Where were you born? A In Kemper County.
- Q Have you always lived in Kemper County? A Yes, all the time.
- Q What is your father's name? A I done forget it.
- Q Is he living? A No, dead long time.
- Q Was he a full blood Choctaw? A Yes.
- Q What is your mother's name? A I don't know. I little boy when she died.
- Q Was she a full blood Choctaw Indian? A Yes.
- Q She is dead now? A Yes, dead long time.
- Q Are you a full blood Choctaw Indian? A Yes sir.
- Q You claim your Choctaw blood through both your father and mother? A Yes.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A No, I go but they both dead.
- Q Are you married? A Yes, my wife dead four or five years.
- Q What was your wife's name? A Susie.
- Q She's dead? A Yes.
- Q Was she a full blood Indian? A Yes.
- Q Have you any children under twenty one years of age and unmarried? A No.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Did you ever make application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the tribe? A Not yet.
- Q Did you, or any one for you, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No.
- Q Have you ever made application before this time to either the Choctaw authorities or the United States authorities for citizenship in the Choctaw Nation? A No, this the first time.
- Q You now make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim this right as a beneficiary under Article Fourteen of the Treaty of 1830? A Yes.
- Q Did you or your ancestors ever receive any benefits as Choctaw Indians? A Little money in the Territory, about one hundred dollars.
- Q When was that? A Long time, when I was a boy.

John Hall, #2.

- Q Did you go to the Indian Territory? A Yes.
Q Did you get any land? A No.
Q When did you go to the Territory? A I think I about ten years old
Q That was seventy years ago? A Yes.
Q You are eighty or more now? A Yes.
Q Did you go with a lot of other people? A Yes.
Q That's when the Government sent the people out and you went too?
A Yes.
Q When did you go to in the Territory? A Skullyville.
Q How long did you stay there? A About a month.
Q What made you come back? A Well, my folks come back and I come
with them.
Q Did your father go? A No. I aint got no kin folks.
Q Your father and mother dead at that time? A Yes.
Q They were dead when you went to the Territory? A Yes.
Q Did your grand pa go? A All dead.
Q Did he go to the Territory? A No, all died.
Q Grand ma died too? A Yes.
Q What kin folks took you? A Well, I just go with Hugh McDonald.
Q Can you give me the name of any of your ancestors? A I don't
know.
Q You can't give me the name of ny of your ancestors who went from
Mississippi or Alabama to the Territory? A No, they all died.
Q Did any of your ancestors go to the United States Indian Agent
here in Mississippi and tell him they wanted to stay here in Mississ-
ippi and not go there? A I don't know; they all dead.
Q Did any of your ancestors claim or receive any land from the
Government under Article Fourteen of the Treaty of 1830? A My grand-
mother got some land.
Q Did your grand mother get some land? A Yes.
Q Where? A I live on it in Kemper County.
Q Your grand mother got some land in Kemper County from the
Government? A Yes.
Q What was her name? A I don't know.
Q Do you live on that land your grand mother got? A Yes.
Q How do you know she got it from the Government? A I got deed.
Q What is it, sheep skin? A Yes.
Q Have you got it with you? A No.
Q Have you got a patent from the Government for that land A Yes.
Q Don't you want to give it in as evidence? A Yes.
Q How does that deed look? A Just like cloth.
Q It doesn't look like paper? A Na.
Q Is it shepp skin? A Looks like it.
Q Don't look like paper? A No.
Q Got printing all over it? A Yes. That sheepskin said 640 acres ;
Hugh McDonald have half, they give g and ma 320.
Q What did Hugh McDonald take it for? A I don't know.
Q Who was he? A He was a white man.
Q What was he? A Just half they took.
Q He was an interpreter? A Yes.
Q And you went with him to the Territory? A Yes.
Q Now, will you bring that patent here, that deed, so the Commission
can see it? A Yes.
Q When will you bring it? A Any time.
Q

Thirty days time is allowed the applicant in which to
produce the original patent issued by the United States
Government to his grand mother to 320 acres of land in

John Bull, #3.

Kemper County; and also other documentary evidence if he desires to submit same in support of this application.

Q Do you speak Choctaw all the time? A Yes.

Q You don't understand the English language so well? A No sir.

Q Are there any additional statements you desire to make at this time in support of your application? A No.

(This applicant has the appearance and all of the physical characteristics of a full blood Choctaw Indian. He speaks the Choctaw language; he has also a sufficient knowledge of the English language to give his testimony with very little assistance from a sworn Choctaw interpreter. He claims a compliance on the part of his grand mother, whose name he does not now remember, with the provisions of the Fourteenth Article of the Treaty of 1830. He claims to be possessed of the original patent given to her by the United States Government, and for the purpose of its production, thirty days time is given him by the Commission in order that he may comply with the request to present it in support of this application which he makes in his own behalf.)

The decision of the Commission as to the application you make at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 5th day of June, 1901, and that the above and foregoing is a full true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

[Signature]

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Rio, Mississippi, April 9th, 1902.

Additional testimony in the matter of the application of John Bull and his descendants for identification as Mississippi Choctaws, MCB 2574.

Said John Bull, being first duly sworn, testified as follows:
(Oscar Billey, official interpreter)

Examination by the Commission.

- Q What's your name? A John Bull.
Q How old are you? A About eighty-one.
Q What's your postoffice address? A Rio, Kemper County, Mississippi.
Q Have you lived in Mississippi all your life? A Yes.
Q Are you a full blood Choctaw Indian? A Yes.
Q Have you a Choctaw name? A Yes.
Q What is it? A On-ta-tubbee.
Q What was your father's name? A No-ha-cubbee.
Q Do you know the names of any one of your grandparents? A No.
Q You appeared at Meridian last year, did you not? A Yes.
Q You exhibit to the Commission the original patent to Section 9, Township 9 North, Range 14 East of the Choctaw meridian in Kemper County, Mississippi, duly signed by President James K. Polk, issued on the 5th day of January, 1846, in favor of Checaw or Checaugh, what relation was Checaw to you? A She was my mother's mother's grandmother.
Q Is the land upon which you now live and where we are now taking ~~now~~ now taking your testimony part of the land covered in this patent? A Yes.
Q Do you own this land? A Yes, I own 320 acres of the original tract--the other 320 acres was taken from us by a white man a long time ago.
How did you come in the possession of this land? A Woman got this land, just turned it over to her sons and on the death of her sons I came into possession of it.
Q Did your father or mother ever get any land here in Mississippi from the Government? A No.

On page 570 of Volume one of the record of the Court of Claims, case No 12742, entitled the Choctaw Nation of Indians vs the United States, in abstract No 5 of case adjudicated by the Commissioners appointed under the act of Congress approved August 23, 1842, appears the case of Che-caw-ta or Che-caugh-ta, being No 340, it appearing that at the time the treaty was made she was living on Section 9 Township 9 Range 14; that this tract was awarded to her by said Commissioners and the decision of the Commissioners was approved by the Secretary of War. John Bull is to all appearances a full blood Choctaw Indian and he, being an invalid, this testimony is taken at his home on Section 9, Township 9, Range 14 East. The original patent issued

John Bull et al--2

on the 5th day of January, 1846, by President James K. Polk to Che-caw or Che-caugh, covering Section 9, Township 9 North, Range 14 East, is offered in evidence, identified as "Exhibit-A", filed and made a part of the record in this case.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause, heard at Rio, Mississippi, April 9th, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Ira S. Niles
Subscribed and sworn to before me this the 15th day of April, 1902,
at Meridian, Mississippi.

L. B. Mosely
Clerk U. S. Circuit Court, Southern
District of Mississippi.

By *[Signature]*

Deputy.

(Copy)

THE UNITED STATES OF AMERICA,

To all to whom these Presents shall come, Greeting:

WHEREAS, under the fourteenth article of the Treaty, concluded at Dancing Rabbit Creek, on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and thirty, by the Commissioners on the part of the United States, and the Chiefs, Captains, and Head Men of the Choctaw Nation, on the part of said Nation, Che-caw, or Che Caught (Dead) (as head of a family)--became entitled out of the lands ceded to the United States by the said Treaty, to one Section----- of land; And whereas, it appears from a return, reported November 22d, 1845, by the Commissioner of Indian Affairs to the General Land Office, that the Commissioners under the Act of Congress approved 23d August, 1842, entitled "An Act to provide for the satisfaction of claims arising under the fourteenth and nineteenth articles of the treaty of Dancing Rabbit Creek, concluded in September, one thousand eight hundred and thirty--" have made an award which was approved on the 23d July, 1845, by the Secretary of War in favor of the said Che-caw or Che caught, of the following described tract, viz.: Section nine, containing Six hundred and thirty two acres, and forty-four hundredredths of an acre, in Township nine (north) of Range fourteen East, (of the Choctaw Meridian) in the District of lands subject to sale at Columbus, Mississippi-----;

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the provisions of the said Treaty, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Che-caw or Che caught, and to the heirs of the same----- the said tract of land above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances of whatsoever nature thereunto belonging, unto the said Che-caw, or Che caught-----, and to the heirs and assigns forever, of the said Che-caw, or Che caught-----.

IN TESTIMONY WHEREOF, I, JAMES K. POLK, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these Letters to be made PATENT, and the SEAL of the GENERAL LAND OFFICE to be hereunto affixed.

GIVEN under my hand, at the CITY OF WASHINGTON, the fifth day of January-----in the year of our Lord one thousand eight hundred and forty six -----and of the INDEPENDENCE of the UNITED STATES the seventieth.

BY THE PRESIDENT: JAMES K. POLK,

(SEAL) By J. KNOX WALKER, Sec'y.

Recorded Vol. 2,
Page 41.

S. H. LAUGHLIN, Recorder of the General Land Office

Ex'd.

(Endorsements.)

In the matter of the application of John Bull and descendants for identification as Mississippi Choctaws, M.C.R. 2574, et al.,
"Exhibit A"

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

FILED
APR 9, 1902.

Tans Bixby, Acting Chairman.

C.W.

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

In the Matter of the Application of John Bull (On-ta-tubbee) for
Identification as a Mississippi Choctaw .

M. C. R. 2574.

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

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on June 5, 1901, by John Bull (Indian name, On-ta-tubbee) 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."

From the evidence submitted in support of said application it appears that the applicant is a full-blood Mississippi Choctaw Indian.

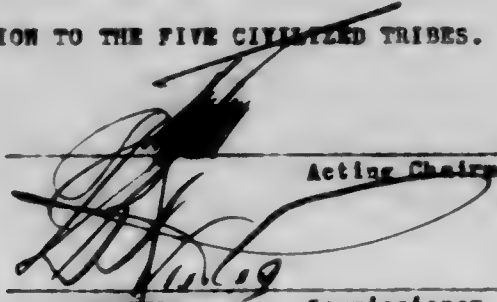
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902 (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi


Chectaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Chectaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Chectaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Chectaw of the full blood, or who is not the descendant of a Mississippi Chectaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Chectaw Nation, all of said Mississippi Chectaws so enrolled by said Commission shall be upon a separate roll".

It is, therefore, the opinion of the Commission that John Bull (On-tu-tubee) should be identified as a Mississippi Chectaw, and it is so ordered.

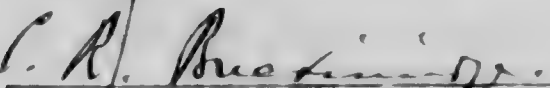
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Acting Chairman.



Commissioner.



C. R. Buckner
Commissioner.

Muskogee, Indian Territory.

FEB 14 1903

M C R 2574

Muskogee, Indian Territory, May 14, 1902.

The Commissioner of Indian Affairs,
Washington, D. C.

Sir:

On June 5, 1901, at Meridian, Mississippi, John Bull, 80 years of age, a full blood Choctaw Indian made application to the Commission for identification as a Mississippi Choctaw.

The applicant has always resided in Mississippi and speaks the Choctaw language. He has offered in evidence in support of his application, the original patent issued to Che-caw or Che-caugh by the United States under the fourteenth article of the treaty concluded at Dancing Rabbit Creek on the 27th day of September, 1830, to Section 9, Township 9 North, Range 14 East of the Choctaw Meridian in Kemper County, Mississippi, the same being duly signed by President James K. Polk and issued on the 5th day of January, 1846.

The applicant testified that he is still in possession of and residing upon a portion of the land described in this patent and that he has always lived upon this land.

The applicant is an ignorant full blood Choctaw Indian and at the time of his application was unable to give the names of either of his parents, or of his grand-parents or to testify anything relative to his family relationship and at the time the

Commissioner 3

patent referred to was offered by him in evidence, in answer to the question, "What relation was Ohe-caw to you" replied "She was my mother's mother's grand-mother."

It is impossible to determine from the testimony of this applicant with any degree of accuracy which one of his ancestors was really a beneficiary under the provisions of the fourteenth article of the treaty of 1830 and to whom the patent referred to was issued. Nor do the records now in the possession of the Commission relative to the fourteenth article beneficiaries under the treaty of 1830 in any way assist in the determining of this question.

On page 570 of Volume 1 of the Records of the Court of Claims in case No. 12742, the Chootaw Nation of Indians versus the United States in Abstract No. 8 of the cases adjudicated under the commission appointed by act of Congress approved August 23, 1842, is found the case of Ohe-caw-ta or Ohe-caugh-ta.

At the time the treaty of 1830 was entered into this record will show that the said Ohe-caw-ta or Ohe-caugh-ta was living on Section 9, Township 9 North, Range 14 East and that this tract of land was awarded to her by the commission authorized by the act of Congress of August 23, 1842, which award was approved by the Secretary of War.

Commissioner 3

As the applicant, John Bull would apparently have been in the neighborhood of twenty years of age at the time of the adjudication of the claim of Che-caw-ta by the commission authorized by act of Congress of August 23, 1842, it is possible that the record in the adjudication of the claim of Che-caw-ta would through some light upon the identity of the applicant, John Bull.

The Commission has therefore to request that an examination be made of the records in the possession of the Indian Office pertaining to the adjudication of the claim of Che-caw-ta under the fourteenth article of the treaty of 1830 and that if such record in any manner pertains to the applicant, John Bull, that the Commission be supplied with either the original or a copy thereof.

There are nine descendants of John Bull also applicants to this Commission for identification as Mississippi Choctaws and the adjudication of their rights as such depends upon the relationship established between the applicant, John Bull and the Choctaw Indian to whom the patent was issued under the provisions of the fourteenth article of the treaty of 1830.

It is possible that this applicant who now goes under the name of John Bull, may have had an Indian name between 1830 and 1842 but it would be impracticable at this late date to obtain any reliable information concerning the Indian name he may have

Commissioner 4

usually been known by sixty years age

Respectfully,

Acting Chairman

RECEIVED
MAY 22 1964
U.S. DEPARTMENT OF JUSTICE

INDEXED.

8583

CHOCTAW

Indian Office,
Tonner,
Washington,
May 2,

Vertical text on the right side of the page, possibly a date stamp or reference number.

Vertical text on the right side of the page, possibly a date stamp or reference number.

Enclosing testimony taken
with reference to Che-caugh
Che-caugh who received certain
land in Mississippi under the
fourteenth article of the Cho-
caw treaty of 1830.

-1-

Reply in reply to the following:
Land
29522-1902.

154
Department of the Interior, *CA*

OFFICE OF INDIAN AFFAIRS,

WASHINGTON,

May 24, 1902.

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

Gentlemen:

Your letter of the 14th instant asking that such information as this office has with reference to Che-caw or Che-Caugh, who received land, to wit, section 9, T.9 N., R.14 E., of the Choctaw Meridian, Mississippi, under the fourteenth article of the Choctaw Treaty of 1830, has been received.

You say that you have a case pending before you where John Bull, who resides upon a part of this land, which he obtained through inheritance from the original grantee, is an applicant for identification as a "Mississippi Choctaw".

In this connection, I incorporate in this letter such testimony as was taken with reference to the members

of the family of Che-Caw as covers the family relationships existing at that time. As must be well known to you, at the time of the treaty of 1830, and for a great many years succeeding, the Indians had not begun to adopt the names of white men as family designations. In fact, there were hardly any full-blood Indians in 1830 who were known by English names, those having such names being of mixed-blood as a rule.

The information given in connection with this proof may enable the applicant of whom you write to identify some of the parties herein as his immediate ancestors, or, he may, as a matter of fact, be among those whose names appear in connection with this testimony.

July 21st, 1843.

Case No. 340. Claim 139.

Che-caw-ta, dead, represented by her son and heir Ub-
ah-wa-la, spelt sometimes Ah-bow-wa-la, five ft.
3 in. high. His statement filed.

1 Witness, Me-ah-to-chubbee, being first sworn, gives the name of Ah-bon-wa-la, the man present. Says he is representing the claim of his deceased mother, Che-oh-ta, who died about five years ago. Witness was no relation of heirs and has no interest in her claim. Knew her well, lived six miles from her at the date of Treaty of Dancing Rabbit. She was a full blood; was a widow. Her husband, Hock-a-loon-tubbee, died before the Treaty. She, at the date of the Treaty, was the head of a family. She had no one living with her, her only child, Ah-bon-wa-la, the man present, being then married and living off to himself. Ah-bon-wa-la, her son, lived then about four hundred yards from his mother. The deceased, at date of Treaty, had a separate house and field entirely to herself. She then lived on Tallachuloc six miles from Yazoo, and continued to live on her place until her death. Never left it any time. She belonged to Ah-chalaters company and Leflores district. Her son, Ah-bon-wa-la, has her place still in possession.

July 20th, 1843.

Case No. 334

Claim filed No. 137.

Ah-bon-e-la, or Ub-ah-we-le, or Ab-ah-we-le, a full blood

Choctaw man, five feet, three inches high, says

he is seventy years old.

His statement filed.

1 Witness. Me-ah-to-chubbee being first sworn, gives the name of claimant as above. Is no relation to him. Has no interest in his claim. At the date of Treaty of Dancing Rabbit, lived six miles from him. Knew him well. He is a Choctaw and was, at the date of the Treaty, the head of a Choctaw family. He had then a wife, Ah-sho-mah; now sick at the camp, and five unmarried children then living with him, viz.

1. Ah-no-hah, woman, present, then about seventeen years old.

2. He-bah-tam-be, died four years ago, left two children, viz: Ben and Phil, both boys now at home.

He-bah-tam-be was about fifteen at the date of treaty.

3. Oon-ta-cubbee, man, present, then about 13 years old.
4. Buch-ah-he-nah, woman, present, then about 11 years old.
5. Cuz-e-mah-iubbee, then under ten, died about four years after treaty. Left no children.

At the date of said treaty, the claimant had a house to himself and cultivated a separate field under the same fence with his daughter, Ah-to-be, and her husband, Pis-ah-tiah, who lived with her.

The claimant then lived on Tallechuloc about six miles East of this place - Yazoo - where he still resides and has continued to reside since the Treaty. He belongs to Ah-che-laters Company and Leflores district. Never been west or left the ceded country.

July 19th, 1848.

Case No. 329.

Pis-a-ti-ah, deceased, by his widow, Ah-to-be, for herself

and hairs, four feet, eleven inches high, says she is thirty-five years of age.

Her statement filed.

1 Witness, Ho-wah, being first sworn, gives the name of the woman present as Ah-to-be. States she was married, at the date of the last Treaty, to Pis-a-tiah, who died last summer. Witness is no relation to the wife or to Pis-a-tiah. Has no interest in their claim. Lived, at date of Treaty, about twenty miles from him, but knew him very well, witness having many friends and relations living in the neighborhood of the deceased, often visited the neighborhood.

He was a Choctaw and was the head of a Choctaw family at date of said Treaty. He had then a wife, Ah-to-be, the woman present, and one child, Tan-e-tubbee, then over ten years of age, could shoot a rifle then very well, is now dead - left no children. He was unmarried and living with father at the date of the Treaty.

The deceased claimant had, at the date of the Treaty, a separate (house ?) and cultivated a separate field under the same fence with Ah-bow-a-la, his father-in-law, who lived about one hundred steps from deceased, cribbed their crops separately, cooked and ate separately and were two distinct families.

He then lived about nine miles southeast of this place, Yazoo, on the creek called Tallechuloc, and continued to live there from the date of the Treaty, till his death, his family still residing there. The deceased never went west or left the ceded country.

Very respectfully,

The two last families received scrip under the 14th article.

A. C. Donner
Acting Commissioner.

E.B.H. H'r.

INDEXED.

COMMISSION TO FIVE TRIBES.	
No.	Received
9158	JUN 6 1902
1902	

CHOCTAW

Indian Office,
 Tonner,
 Washington, D. C.
 June 3, 1902.

Enc. testimony with refer-
 ence to Ah-took-ah-can-subbe,
 grandson of Che-ca-ta.

CHOCOTAW
 JUN 6 1902
 RECEIVED

... testimony ...
 ... Ah-took-ah-can-subbe ...
 ... grandson of Che-ca-ta ...
 ... Washington, D. C. ...
 ... June 3, 1902 ...

Refer in reply to the following:

Land.

7-7
Department of the Interior

OFFICE OF INDIAN AFFAIRS.

WASHINGTON, June 3, 1902.

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

Gentlemen:

On the 24th ultimo, this office in response to a request from you, relative to Che-caw-caw-ta, or Che-caw, who was claimed as an ancestor by John Bull, sent copies of testimony relative to Che-caw, her son Ub-ah-we-lah and his daughter Ah-to-be. There is now incorporated in this letter testimony with reference to Ah-took-ah-lan-tubbee, who was a son of Ub-ah-we-lah and consequently grandson of Che-caw-ta. Scrip was issued on account of Ah-took-ah-lan-tubbee, and his two children whose names are given, except that the name of the second child appears on the scrip list as Chu-e-te-tubbee. Ah-ne-honah was a girl.

August 1st, 1843.

Case No. 359.

Ah-took-ah-lan-tubbee, dec'd,
represented by Ub-ah-we-le, or Ah-bow-wa-la, five ft.
3 1/4 in. high, says he is seventy years old.
His statement filed.

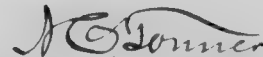
1 Witness, Me-ah-to-chubbee being first sworn, gives the name of Ah-bow-wa-la, present, and that said Ah-bow-wa-la had a son named Ah-took-ah-lan-tubbee, who died about five years ago. Witness is no relation to either and has no interest in the claim of Ah-took-ah-lan-tubbee, the dec'd. Witness was well acquainted with dec'd at the date of treaty of Dancing Rabbit, lived six miles from him at that date. He was a Choctaw and was then the head of a Choctaw family. He had then a wife, Con-sha-hoka, and two children, very small, and living with dec'd; they are:

- 1 Ah-ne-honah, then about four years old.
- 2 Khu-e-le-tubbee, then too small to talk.

These children went west with their mother about the second emigration. Witness don't know that they are now dead or living. Their father did not go west then, but remained in his house till his death - married again about two years after his wife went west. They lived well together, but his wife's relations went west and she went west with them. He preferred staying in the country to going west with her.

The dec'd had an improvement at the date of the treaty, a house and field entirely to himself. His nearest neighbor was his father, not quite a mile distant. He then lived on Tallachuloc about six miles from this place, and lived on his place continuously until his death; never went west or left the ceded country. The dec'd married again Stah-he-mah who is still living on Tallachuloc, and had children by her, but they are all dead. No one is now living on the place of the dec'd.

Very respectfully,



Acting Commissioner.

E. B. H.

L.

Miss. Choctaw 2574

Muskogee, Indian Territory, October 28, 1902.

Bus W. Coffee,

Attorney at Law,

Pauls Valley, Indian Territory,

Dear Sir:

Your letter without date, addressed to the Secretary of the Interior, has been by him referred to this Commission for consideration and appropriate action. You ask therein to be advised whether or not John Bull, Pink Bull, R. E. or Bob Bull and Pink and Leah Bull have been sufficiently identified as Mississippi Choctaws to entitle them to enrollment as such, and if so, to be informed of the date of their identification.

In reply to your letter, you are advised that on October 18, 1902, a letter was addressed you from this office, giving you full information regarding the status of these applicants for identification as Mississippi Choctaws.

Respectfully,

Commissioner in Charge.

COPY.

M C R 2574

Muskogee, Indian Territory, February 21, 1903.

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

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying John Bull, (On-ta-tubbee) as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said John Bull (On-ta-tubbee) as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tamie Bixby.

Acting Chairman.

Register.
OR-encl-21-42.

M.C.R.2574.

COPY.

Kuskogee, Indian Territory, March 11, 1903.

John Bull (On-ta-tubba),
Miss, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian, under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date, or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

Tams Dixby
Chairman.

Registered.

Enc.: 2574.

M O R 2574

Muskogee, Indian Territory, May 13, 1903.

W. C. Hall,
Rio, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 6th instant, in which you state "Enclosed find copy of receipt signed by Mr. Emerson. Please send me or John Bull the Patent as we will use it a land suit."

In compliance with your request said patent is herewith returned you, a copy of the same having been made and filed with the record in this case.

The copy of receipt enclosed by you is herewith enclosed.

Respectfully,

Commissioner in Charge.

MaM 100

REFER TO M. O. R.

2574

John Bull et al

Consolidated Co.

Dont know father
Dont know mother

Patent filed April 4 1902
Issued to Che-caw
or Che-cangh (Dead)
head of family,

... list of the Indians
whose land under ...
Che-caw head of family, and
one son apparently 1 yr. at
time of treaty.
John Bull's name not included

MCK
2574

John Bull, full, 80
wife
Susie Bull, full, dead

MCK
5113

Asa Elmon Bull, 25, full
wife

x Susan Bull, 25, 3/4

x Included in consolidated case
MCK 2587

MCK
2725

George Bull, 27, full
wife

x Sisay Bull, 24, full

x Included in consolidated case
MCK 5136

MCK
2724

Grady Bull, 26, full
married

x Tom H. Mann, 27, 3/4

x Included in consolidated case
MCK 2587

MCK
272

Christian Mann, 4

Winnor Mann, 1

MCK
2525

Pink Bull, 23, full
wife

(1) Emma Bull 17, full
(separated)

(2) Jah-tah-he-mah Bull 23 full
(See MCK 5216)

MCK
2521

Leah Bull, 28, full

MCK
2524

Robert E. Bull, 20, full

MCK
1646

Houston Bull, 20, full

899. No. 2574
For Identification as a Mississippi Choctaw.

Date JUN 5 1901

Name John Bull (On-tu-tu-tka)

Age 80 - Blood full

Post Office, Rio, Miss.

Father: don't know, f. b. d

Mother: " " f. b. d

Claims through both parents - -
Wife, Susie f. b. d

Children:

For self alone

Stenographer R. S. Strick

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

*John Bull
(On-ta-tubbee.)*

IDENTIFIED

R. 2514

DECISION REGISTERED FEBRUARY 1903

COPY OF
RECORDED
BY
GRA

FEBRUARY 1903

**COPY OF DECISION FORWARDED
APPLICANT**

MAR 11 1903

Wm. P. P. ...

Choctaw MCR 2575

Solomon A Boykin

MCR 2575

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

In the matter of the application of Solomon A. Boykin, et al., for identification as Mississippi Choctaws, M.C.R. 2575.

List of papers forwarded to the Secretary of the Interior comprising the record in the case of Solomon A. Boykin, et al.

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 5th, 1901.

In the matter of the application of Solomon A. Boykin for the identification of himself, ~~his~~ and five minor children as Mississippi Choctaws.

Said Solomon A. Boykin, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Solomon A Boykin.
Q What is your age? A Thirty-eight in September.
Q What is your postoffice address? A Garmichael, Mississippi.
Q How long have you lived there? A Two years.
Q Where were you born? A In Choctaw County, Alabama.
Q How long have you lived there? A Lived there ever since I was born until two years ago last February.
Q What is your father's name? A Solomon Boykin.
Q Is he dead or living? A Living.
Q What is your mother's name? A Mary J. Boykin.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim Choctaw blood?
A My mother's side.
Q How much do you claim? A She says her mother was half.
Q How much do you claim? A That would make me about one-eighth I guess.
Q Has your mother, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw Tribal authorities or the United States authorities? A Not that I know of.
Q Are you married? A Yes sir.
Q What is your wife's name? A Ella.
Q Do you make any claim for her? A No sir.
Q What is her blood? A Her father come from Ireland, I know she is half Irish.
Q She is white, is she? A Yes sir.
Q What is the other half, Irish and what? A I don't know.
Q Is she white? A Yes sir.
Q Have you children under 21 years of age and unmarried that you want to make application for? A Yes sir.
Q What is the name of the oldest? A Sarah J.
Q How old is she? A Fourteen.
Q Next? A Leona.
Q Girl? A Yes sir.
Q How old is she? A Twelve.
Q Next? A Velma.
Q Girl? A Yes sir.
Q How old? A She is seven.
Q Next? A Alma.
Q Girl? A Yes sir.
Q How old? A Three.
Q Next? A Buford.
Q Boy or girl? A Boy.
Q How old? A One year old in August.
Q Is your wife Ella the mother of these children? A Yes sir.

- Q Are you the father? A Yes sir.
- Q Are they living with you at your home? A Yes sir.
- Q When were you married to your wife, how long ago? A About fifteen years ago last December.
- Q Were you married by license? A Yes sir.
- Q By an ordained minister? A Yes sir.
- Q Have you your marriage license and certificate that you would like to present now? A No sir, I haven't got it with me; I could get it up though.
- Q Is your name or the names of your children on any of the Tribal rolls of the Choctaw Nation in the Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw Tribal authorities in Indian Territory for the enrollment of yourself and children as members of the Choctaw Tribe? A No sir.
- Q Did you or anyone for you or for your children in 1896 make application to the ~~Five~~ Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this time to either the Choctaw Tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.
- Q Is this the first application of any kind you have ever made? A Yes sir.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim this right for yourself and children as beneficiaries under article 14 of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q Can you give the name of any of your ancestors who were recognized members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was ratified between the United States Government and the Choctaw Indians? A No sir.
- Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A Not that I know of.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to stay in Mississippi take land there and become citizens of the States? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A Not that I know of.
- Q Can you speak the Choctaw language? A No sir.
- Q You never associated with the Indians? A No sir.
- Q Never lived with them? A No sir, they used to go around peddling.
- Q Have you anything further you want to say in support of this application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever ~~xx~~ complied or attempted to

Samuel A. Boykin et al---3

comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir.

A. W. Trotter, attorney for applicants, requests additional time in which to file documentary evidence in support of this application.

Permission is granted Mr. A. W. Trotter, attorney for applicant, to file written evidence in support of this application provided the same is offered for filing with the Commission within thirty days from the date hereof.

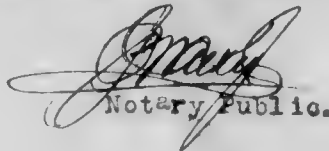
This applicant has the general appearance of a white man, blue eyes, sandy moustache and beard. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of article 14 of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your five minor children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 26, 1896. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause heard at Meridian, Mississippi, June 5th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.



Subscribed and sworn to before me this the 8th day of July, 1901, at Meridian, Mississippi.



Notary Public.

off
C.W.

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

In the matter of the application of Solomon A. Boykin, et al., for identification as Mississippi Choctaws, M.C.R. 2675.

---: 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 Solomon A. Boykin for himself and his five minor children, Sarah J., Leona, Velma, Alma and Buford Boykin, under the following provision of the act of Congress approved June 26, 1908, (35 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 descendants of Millie Wright, who is alleged to have been an one-fourth 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 none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress approved June 10, 1896, (29 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 Millie Wright, or an ancestor less remote, 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 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 Stat., 150), and August 23, 1842, (5 Stat., 513):

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Solomon A. Boykin, Sarah J. Boykin, Leona Boykin, Velma Boykin, Alma Boykin and Buford Boykin 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.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,

(SIGNED)

Tanis Bixby.

Acting Chairman.

(SIGNED)

T. B. Needles.

Commissioner.

(SIGNED)

C. R. Breckinridge.

Special Agent.

Washington, Indian Territory.

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M.C.R. 2575.

COPY.

Muskogee, Indian Territory October 31, 1902.

Messrs. Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 31st day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Solomon A. Boykin, 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 Solomon A. Boykin, Sarah J. Boykin, Leona Boykin, Velma Boykin, Alma Boykin and Buford Boykin 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 principal applicant in this case has been allowed fifteen days from the date hereof

M M & C -2

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)

Yarno Bixby.

Acting Chairman.

W.C.R. 2575.

COPY.

Muskogee, Indian Territory October 31, 1902.

A. W. Trotter,
Attorney at Law.
Shubuta, Mississippi.

Dear Sir:-

You are hereby advised that on the 31st day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Solomon A. Boykin, 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 Solomon A. Boykin, Sarah J. Boykin, Leona Boykin, Velma Boykin, Alma Boykin and Buford Boykin 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 principal applicant in this case has been allowed fifteen days from the date hereof

A W T -2

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 Birby

Acting Chairman.

Registered.

M.O.R. 2575.

COPY

Muskogee, Indian Territory October 31, 1902.

Solomon A. Boykin,
Carmichael, Mississippi.

Dear Sir:-

You are hereby advised that on the 31st day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Solomon A. Boykin, 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 Solomon A. Boykin, Sarah J. Boykin, Leona Boykin, Velma Boykin, Alma Boykin and Buford Boykin 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 you will be allowed fifteen days from the date hereof within which to file arguments in this

g A B -2

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 P. Birney

Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory, November 17, 1902.

The Honorable,
The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the case of Solomon A. Boykin, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 21, 1902.

The Commission has the honor to report that the principal applicant in this case, his 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

Tame Dixie
Acting Chairman.

Through the Commissioner
of Indian Affairs.
Enc. M C R 2575.

-:- COPY -:-

D.C. 5926.

DEPARTMENT OF THE INTERIOR.

ITD.1530-1903.

WASHINGTON.

EAF.

L.R.S.

February 27, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

November 17, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Solomon A. Boykin and his minor children, Sarah J., Leona, Velma, Alma and Buford Boykin, including your decision of October 31, 1902, refusing the application.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Millie Wright, alleged to have been a one-fourth blood Choctaw Indian. The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that said Millie Wright, or an ancestor less remote, complied or attempted to comply with said article 14, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 515).

Reporting February 10, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed. The Department has reviewed the entire record and hereby affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

-F- COPY -:-

Land.

69,837-1902.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Feb. 10, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to submit, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the application of Solomon A. Boykin for the identification of himself and his five minor children, Sarah J., Leona, Velma, Alma and Buford Boykin, wherein a decision adverse to the applicants was rendered by the Commission on October 31, 1902.

The testimony in this case shows that the applicants base their claim to identification as Mississippi Choctaws under this application because of their descent from Millie Wright, who, it is alleged, was a Choctaw Indian and a resident of the Choctaw Nation at the time of the making of the Choctaw treaty of 1830.

The Commission rejected the applicants because the names of the ancestor, through whom they claim, did not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and for

the additional reason that the applicants themselves had never been enrolled as citizens of the Choctaw Nation.

An examination has been made of the records of this office with reference to the name of Mille Wright, and it is discovered that her name does not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

This being the case, it is evident that the decision of the commission rejecting the applicant was correct, and I concur in that finding and recommend that it be approved.

Very respectfully,

A. C. Tonner,
Acting Commissioner.

(W.C.B.)

P.

M. C. R. 2575.

COPY.

Muskogee, Indian Territory, March 12, 1903.

Mansfield, McMurray & Carnish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 27th day of February, 1903, 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 Solomon A. Boykin, et al., of which decision you were advised by mail on the 31st day of October, 1902.

Respectfully,

Tame Dixby.
Chairman.

M.C.R. 2578.

COPY.

Muskogee, Indian Territory, March 12, 1903.

A. W. Trotter,
Attorney at Law,
Shubuta, Mississippi.

Dear Sir:

You are hereby notified that on the 27th day of February, 1903, 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 Solomon A. Boykin, et al., of which decision you were advised by registered mail on the 31st day of October, 1902.

Respectfully,

(SIGNED)

James Dixby.
Chairman.

M.C.R. 2575.

COPY.

Muskogee, Indian Territory, March 12, 1903.

Solomon A. Boykin,
Carmichael, Mississippi.

Dear Sir:

You are hereby notified that on the 27th day of February, 1903, 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 Solomon A. Boykin, et al., of which decision you were advised by registered mail on the 31st day of October, 1902.

Respectfully,

Tamm Dixby.
Chairman.

#900

No 2575

For Identification as a Mississippi Choctaw.

Date

1906

Name Solomon A. Boykin,

Age 38 - Blood 1/8

Post Office, Carmichael, Miss,

Father: Solomon Boykin, I

Mother: Mary J. " I

Claims through mother -

wife Ella - w.

No claim for her -

Children: Sarah J. girl 14

Leona, " 12

Velma " 7

Alma " 3

Burford (boy) 1.

claim for self &
children -

Stenographer J. W. Miles.

Olmon A. Boykin et al

REFUSED

DECISION *001 31 10*
NOTICE OF DECISION MAILED APPLICANT.
001 31 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS
001 31 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.
001 31 1902

RECORD FORWARDED DEPARTMENT.
NOV 17 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.
FEB 27 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.
MAR 12 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.
MAR 12 1903

NOTICE OF DEPARTMENTAL ACTION
FOR ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
MAR 12 1903

Choctaw MCR 2576

Henry Harrison

See MCR 2344

MCR 2576

Henry Harrison

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

REFER TO M. C. R. 2344

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 5th, 1901.

In the matter of the application of Henry Harrison for
identification as a Mississippi Choctaw.

Said Henry Harrison, being first duly sworn, testified as
follows:-

Examination by the Commission.

- Q What is your name? A Henry Harrison.
Q What is your age? A Twenty-one.
Q What is your postoffice address? A Hinton, Alabama.
Q How long have you lived at Hinton? A Born and raised near there.
Q Always lived around there? A Yes sir.
Q What is your father's name? A His name Henry Harrison too.
Q Is he living? A No sir, dead.
Q What is your mother's name? A Vacey Harrison.
Q Is she living or dead? A Living.
Q Through which one of these parents do you claim Choctaw blood?
Q On my mother's side.
Q How much do you claim? A Mother claims one-half fourth, I
claim one-eighth.
Q Has your mother, through whom you claim your right to identifica-
tion as a Mississippi Choctaw ever been recognized in any manner or
enrolled as a member of the Choctaw Tribe of Indians by the Choctaw
Tribal authorities or the United States authorities? A No sir.
Q Are you married? A No sir.
Q Have you children? A No sir.
Q Claim for yourself alone? A Yes sir, my mother has done been up
here.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
Indian Territory, No sir, I reckon not.
Q Have you ever made application to the Choctaw Tribal authorities
in the Indian Territory to be enrolled as a member of the Choctaw
Tribe? A No sir.
Q Did you or did anyone for you in 1896, under the Act of Congress
of June 10, 1896, make application to the Commission to the Five
Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation
by either the Choctaw Tribal authorities, the Commission to the Five
Civilized Tribes or by the United States Court in Indian Territory?
A No sir.
Q Have you ever made application before this time to either the
Choctaw Tribal authorities, the authorities of the United States,
to be admitted or enrolled as a citizen of the Choctaw Nation?
A No sir.
Q Is this the first application of any kind you have ever made?
A Yes sir.
Q Is it now your purpose to make application for identification as
a Mississippi Choctaw? A Yes sir.
Q Do you claim your right as a Beneficiary under the provisions of
the 14th article of the treaty of 1830? A Yes sir.
Q Have you or your ancestors ever received any benefits as Choctaw
Indians? A Not as I knew of.
Q Can you give the name of any of your ancestors who were recog-
nized members of the Choctaw Tribe of Indians in 1830 when the trea-
ty of Dancing Rabbit Creek was ratified between the United States
and the Choctaw Indians? A No sir.
Q Did any of your ancestors remove from Mississippi or Alabama to

Henry Harrison --3

to the Indian Territory with the other Indians between the years 1833 and 1838? A Not as I know of.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent then living in Mississippi that they intended to stay in Mississippi, take land there and become citizens of the States? A Not as I know of.

Q Did any of your ancestors claim or receive any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir, not as I know of.

Q Do you speak the Choctaw language? A No sir.

Q Is there anything further you want to say about your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir.

Q Do you want additional time in which to file documentary evidence? A Yes sir.

Thirty days time allowed this applicant in which to file documentary evidence in support of his application.

This applicant has the appearance and general characteristics of a white person; light hair, grayish-blue eyes. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the ~~14th article~~ 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 5th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 8th day of July, 1901,
at Meridian, Mississippi.

Ira S. Niles
[Signature]

Muskogee, Indian Territory, September 12, 1901.

Mr. George Grayson,
Springs,

Mississippi.

Dear Sir:-

Receipt is hereby acknowledged of your letter of August 29th, in which you state that on June 18th, you sent evidence in regard to your Choctaw Indian Blood, but have never heard whether it had been received by the Commission. You state that such evidence was forwarded in support of the applications of Polly Bankston, Vicy Collins, George Grayson, and Henry Harrison, for identification as Mississippi Choctaws. You state that if the same has not been filed you desire to forward such evidence.

In reply to your letter you are advised that it appears from our records that on May 23rd, 1901, Vicy Collins, fifty-five years old, of Springs, Mississippi, appeared before the Commission at Meridian, Mississippi, and applied for identification of herself and her minor child as Mississippi Choctaws. On June 20th, 1901, the joint affidavit of Betsy Young and J.K. Fleming was filed. This is the only evidence which has been offered for filing in support of this application.

On June 5th, 1901, Henry Harrison, of Hinton, Alabama, applied for identification as a Mississippi Choctaw. The joint affi-

G. G., #2.

affidavit of Betsy Young and J. H. Fleming, was filed in this case on June 20th, 1901. No other evidence has been offered in support of this application.

On May 23rd, 1901, George W. Grayson, of Springs, Mississippi, appeared before the Commission at Meridian, Mississippi, and applied for identification as a Mississippi Choctaw. On May 23rd, 1901, the joint affidavit of Betsy Young and M. M. C. Carmichael was filed in this case. On June 20th, 1901, the joint affidavit of Betsy Young and J. H. Fleming was filed in support of this application. This is the only evidence which has been filed in the application of George W. Grayson for identification as a Mississippi Choctaw.

It does not appear from our records that any person by the name of Polly Bankston has ever appeared before the Commission as an applicant for identification as a Mississippi Choctaw. It does appear however, that on May 23rd, 1901, Mary A. Bankston, fifty-nine years old, of Springs, Mississippi, the daughter of Chesterfield and Mary A. Grayson, applied for identification as a Mississippi Choctaw. No documentary evidence whatever has been filed in this case.

Yours truly,

M. C. 2344
M. C. 2346
M. C. 2347
M. C. 2376.

Muskogee, Indian Territory, October 3, 1901.

Mr. Henry Harrison,
Springs,

Mississippi.

Dear Sir:-

Receipt is hereby acknowledged of your letter of September 23rd, enclosing certificate of B. H. Donald, Clerk, with reference to T. F. Armour, Justice of the Peace, which you offer for filing in support of your application for identification as a Mississippi Choctaw. The same has been duly filed and made a part of the record in your case.

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,

COPY.

M.C.R. 2376.

Muskogee, Indian Territory, July 24, 1902.

Henry Harrison,

Hinton, Alabama.

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 consolidated case of Mary A. Bankston, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Bankston	M.C.R. 2344
Viccy Collins, et al.,	" 2347
George W. Grayson	" 2346
Henry Harrison	" 2376.

These applications were made under the provision of the act of Congress of June 22, 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 A.

H.K. #2.

Basketen, Vasey Collins, George W. Collins, George W. Grayson and Henry Harrison, as Chestaw Indians, entitled to rights in the Chestaw 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.

(SIGNED)

T. B. Needles.
Commissioner in Charge.

Registered.

M.C.R. 2876

Muskogee, Indian Territory, September 5, 1908.

Henry Harrison,
Hinton, Alabama.

Dear Sir:

You are hereby advised that on the 26th day of August, 1908, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Missionsippi Choctaws of the several persons included in the consolidated case of Mary A. Bankston, et al., of which decision you were advised by registered mail on the 24th day of July, 1908.

Yours truly,

Acting Chairman

For Identification as a Mississippi Choctaw.

Date JUN 5 1901

Name Henry Harrison,

Age 21 - Blood 1/8

Post Office, Hinton, Ala.

Father: Henry Harrison, d

Mother: Vicky " l'

Claims through mother -

~~Other:~~

Claims for self
alone -

Stenographer I. J. Miles

Choctaw MCR 2577

Ann Tangle

MCR 2577

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

---0---

In the matter of the application of Ann Tangle, et al.,
for identification as Mississippi Choctaws, M.C.R. 2577.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Ann Tangle, et al.

(Page)

Original application of Ann Tangle, et al.,
before the Dawes Commission, for identification
as Mississippi Choctaws 1

Decision of the Commission refusing the application
of Ann Tangle, et al., for identification
as Mississippi Choctaws 4

-----0-----

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 8th, 1901.

In the matter of the application of Ann Tangle for the identification of herself and her six minor children as Mississippi Choctaws.

Said Ann Tangle, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Ann Tangle.
Q What is your age? A Thirty-five.
Q What is your postoffice address? A Siding, Mississippi.
Q What County is that? A Lauderdale County.
Q How long have you lived in that County? A Six months.
Q Where did you come from there? A Newton County, Mississippi.
Q Where were you born? A Newton County.
Q Always lived in Newton County until you came to Siding? A Yes sir.
Q What is your father's name? A Jack Tim.
Q Is he living? A No sir, he is dead.
Q What is your mother's name? A Rachel.
Q Is she living? A No sir.
Q Through which one of your parents do you claim Choctaw blood?
A My father.
Q How much do you claim? A His father was Choctaw.
Q How much Choctaw blood do you claim? A I don't know, sir, my father was half.
Q How much have you then? A One-fourth, I guess.
Q What was your mother, a negro woman? A Yes sir.
Q Was she a slave before the war? A Yes sir.
Q What was your father's other blood beside ~~negro~~ Indian?
A Negro.
Q One-half Choctaw and one-half negro, was he? A Yes sir.
Q Was he a slave before the war? A Yes sir.
Q Were you a slave? A No sir.
Q You weren't born at that time? A No sir.
Q Has your mother, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw Tribal authorities or by the United States authorities? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Jesse Tangle.
Q What is he, a negro? A Yes sir.
Q Have you children under 21 years of age and unmarried that you want to make application for? A Yes sir.
Q How many children have you? A Six.
Q Give me the name of the oldest? A Ardine.
Q Girl? A Yes sir.
Q How old? A Fifteen.
Q Next? A Marcus.
Q Boy? A Yes sir.
Q How old? A Twelve.
Q Next? A Marshall.
Q Boy? A Yes sir.
Q How old? A Ten.
Q Next? A Lee Belle.
Q Boy or girl? A Girl.

- Q How old is she? A Six.
- Q Next? A Nona.
- Q Girl? A Yes sir.
- Q How old? A Four.
- Q Next? A Fayette.
- Q How old? A One.
- Q Is that all the children you have? A Yes sir.
- Q Is Jesse Tangle the father of these children? A Yes sir.
- Q You the mother? A Yes sir.
- Q Are they living with you at your home? A Yes sir.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application for yourself or children to the Choctaw Tribal authorities in Indian Territory to be enrolled as members of that Tribe? A No sir.
- Q Did you or did anyone for you or for your children in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this time for yourself or children to either the Choctaw Tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.
- Q This is the first time, is it? A Yes sir.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and children? A Yes sir.
- Q Do you claim this right as beneficiaries under the provisions of the 14th article of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the name of any of your ancestors who were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made? A No sir.
- Q Did any of your ancestors go to the Indian Territory from Mississippi or Alabama with the other Indians between the years 1833 and 1838? A Not as I know of.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi at that time that they intended to stay in Mississippi, take land there and become citizens of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the 14th article of the treaty of 1830? A No sir.
- Q Do you speak Choctaw? A No sir, not but very little.
- Q Do you speak it at all? A No sir.
- Q Are there any additional statements that you want to make in support of your application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir.

Ann Tangle et al---3

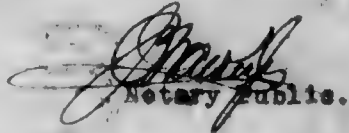
This applicant appears to be a full blood negro, having all the physical marks and characteristics of a member of that race. She does not understand the Choctaw language and has no knowledge of the compliance on the part of her ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your six minor children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Hiles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 8th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.



Subscribed and sworn to before me this the 8th day of July, 1901, at Meridian, Mississippi.



Notary Public.

J. S. A.
C. W.

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

In the matter of the application of Ann Fangle, et al.,
for identification as Chickasaw Indians, N.C.R. 2377.

---: P E R S O N I O N :---

It appears from the record herein that applications for
identification as Chickasaw Indians were made to this Commission
by Ann Fangle for herself and her six minor children, Annie, Marcus,
Marshall, Lou Belle, Vera and Joseph together under the following
provision of the act of Congress approved June 28, 1898 (30 Stat.,
428):

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

It also appears that all of said applicants claim rights
in the Cherokee lands under article fourteen of the treaty between
the United States and the Cherokee Nation, concluded September twenty-

seventh, eighteen hundred and thirty, by reason of being descendants of one Jack Tim, who is alleged to have been a half 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 none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said 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 Jack Tim 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 Ann

-3-

Tangle, Ardis Tangle, Marcus Tangle, Marshall Tangle, Lee Belle
Tangle, Ben Tangle and Fayette Tangle, 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.

(SIGNED)

Tams Bixby

Acting Chairman.

(SIGNED)

I. B. Needles

Commissioner.

(SIGNED)

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,

OCT 31 1907

COPY.

Muskogee, Indian Territory, October 31, 1902.

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

Gentlemen:

You are hereby advised that on the 31st day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Ann Tangle, 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 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 Ann Tangle, Ardine Tangle, Marcus Tangle, Marshall Tangle, Lee Belle Tangle, Nona Tangle and Fayette Tangle, 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 principal applicant in this case has been allowed fifteen days from the date hereof within

M. McM. & C. ---2

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 H. Smith
Acting Chairman.

COPY.

Muskogee, Indian Territory, October 31, 1902

Ann Tangle,
Siding, Mississippi.

Dear Madam:

You are hereby advised that on the 31st day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Ann Tangle, 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 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 Ann Tangle, Ardine Tangle, Marcus Tangle, Marshall Tangle, Lee Belle Tangle, Nema Tangle and Fayette Tangle, 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 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

A.T.---2

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 Dixby.
Acting Chairman.

Registered.

Muskogee, Indian Territory, November 17, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Ann Tangle, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 31, 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,

Acting Chairman.

Through the
Commissioner of Indian Affairs.

Enc. M C R 2577

C O P Y

D.C. 4565

DEPARTMENT OF THE INTERIOR

RAF

Washington

ITD. 1062-1903

February 11, 1903

LRB

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

Gentlemen:-

November 17, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws of Ann Tangle and her minor children, Ardine, Marcus, Marshall, Lee Belle, Nona and Fayette Tangle, including your decision of October 31, 1902, adverse to the applicants.

The applicants claim to be descendants of one Jack Tim, who is alleged to have been a half blood Choctaw Indian.

The record fails to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that said Jack Tim complied or attempted to comply with article 14 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).

Reporting in the matter January 26, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed herewith.

-2-

The Department has reviewed the record in the case and hereby affirms your decision.

Respectfully,

(signed) Thos Ryan

Acting Secretary

1 inclosure

C O P Y

DEPARTMENT OF THE INTERIOR

Land

OFFICE OF INDIAN AFFAIRS

69,850-1902

Washington, Jan. 26, 1903

The Honorable

The Secretary of the Interior

Sir:

I have the honor to submit, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws, of the following parties: Ann Tangle for herself and her six minor children, Ardine, Marcus, Marshall, Lee Belle, Nona and Fayette Tangle, wherein a decision adverse to the applicants was rendered by the commission on October 31, 1902.

The testimony in this case shows that the applicants base their claim to identification as Mississippi Choctaws under this application because of their descent from their father and grandfather, Jack Tim. They are unable to give the name of an ancestor who lived in the Choctaw Nation, in Mississippi, in 1830.

As the applicants were unable to give the name of an ancestor who resided in the Choctaw Nation, in Mississippi, in 1830, the office has been unable to examine its records relative to such an ancestor. The only examination it has been able to make has been in regard to the name of the father and grandfather of the

applicants, Jack Tim, and it is discovered that his name does not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

This being the case it is evident that the decision of the commission rejecting the applicant was correct, and I concur in that finding and recommend that it be approved.

Very respectfully

(E. B. H.)

Commissioner

P.

M.C.R. 2577

COPY.

Muskogee, Indian Territory, February 24, 1903.

Ann Tangle,
Siding, Mississippi.

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 case of Ann Tangle, et al., of which decision you were advised by registered mail on the 31st day of October, 1902.

Respectfully,

W. B. Smith

Chairman.

M.C.R. 2577

COPY.

Muskogee, Indian Territory, February 24, 1903.

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

Gentlemen:

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 case of Ann Tangle, et al., of which decision you were advised by mail on the 31st day of October, 1902.

Respectfully,

Tavis B. B. B.
Chairman.

#900

No. 2577

For Identification as a Mississippi Choctaw.

Date JUN 5 1901

Name Ann Tangle

Age 35 - Blood 1/4 -

Post Office, Siding, Miss.

Father: Jack Tim^{1/2 choct}_{2 nig.} d

Mother: Rachel^{negro} d

Claims through father

~~and Aunt~~ ~~Jessie Tangle~~ ^{negro}

No claim for Successor

Children: Ardine (girl) 15

Maceus (boy) - 12

Marshall (") - 10

Lee Belle (girl) 6

Nona " 4

Fayette 1

Claims for self & children

Stenographer I. S. Miles

Ann

1

...LICANT.

NOV 11 1902

ATTORNEYS

FOR CHOCTAW NATIONS.

182577

FORWARDED DEPARTMENT.

NOV 11 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

FEB 11 1903

DEPARTMENTAL ACTION
APPROVED APPLICANT

FEB 11 1903

DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKSAW NATIONS.

63

Choctaw MCR 2578

Friday Bunch

MCR 2578

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 5, 1901.

In the matter of the application of Friday Bunch for the identification of himself and three minor children as Mississippi Choctaws.

Friday Bunch, having been first duly sworn, upon his oath states as follows:

Examination by the Commission.

- Q What is your name? A Friday Bunch.
- Q What is your age? A Fifty two years old, going on fifty three.
- Q What is your post office address? A Vossburg, Mississippi.
- Q How long have you lived in Vossburg? A I have been living there about twenty eight or twenty nine years; I lived in a half of a mile from there; been there now twenty five years.
- Q Where were you born? A In the upper part of Jasper County.
- Q Did you ever live anywhere else except in the State of Mississippi? A No sir.
- Q What is your father's name? A Lifus White.
- Q Is your father living? A No sir.
- Q Is your mother dead? A No sir.
- Q What is her name? A Handy Jones.
- Q Your name is Bunch? A Yes.
- Q You took your master's name? A Yes.
- Q Whose name did your father take? A His master's.
- Q Whose name did your mother take? A That is her husband now; she was a Bunch before she married Jones.
- Q That is her second husband? A Yes sir.
- Q Through which one of these parents do you claim Choctaw blood? A Both my father and mother.
- Q Were you a slave before the war? A Yes.
- Q Together with your father and mother. A My father died in the time of the war.
- Q How much Choctaw blood do you claim? A Well, from what my mother and my daddy - he was half and my mother was half.
- Q How much are you? A Half. My mother was half and my father was half.
- Q You claim to be half Choctaw? A Yes sir; what my mother and my father told me.
- Q If your father was half Choctaw, what was the other half of his blood? A Well, I don't know.
- Q Yes you do? A Black, I reckon.
- Q And your mother; what was the other half? A Black; my mother was a ~~skawxx~~ half and her mother was half, and her daddy was whole Indian; that's the way they stated to me.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians in Indian Territory either by the Choctaw tribal authorities or by the United States authorities? A No sir.
- Q Are you married? A Yes sir.

Friday Bunch, et al., #2.

- Q What is your wife's name? A Susie.
- Q Is she a colored woman? A Yes sir.
- Q Do you make claim for Susie? A Yes sir, I rec on so, if I understand what you mean.
- Q I mean, are you claiming she has Choctaw blood? A No sir.
- Q You just claim for yourself and children? A Yes sir.
- Q How many children have you under twenty one years of age and unmarried? A Three.
- Q What is the name of the oldest? A Aquilla.
- Q How old is Aquilla? A About eighteen or nineteen years.
- Q What is the name of the next? A Hattie.
- Q How old is Hattie? A About sixteen.
- Q The next? A Bertha.
- Q How old is Bertha? A She's about thirteen.
- Q What is the name of the next? A That's all.
- Q Is Susie the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir, so she says.
- Q When were you married to Susie? A Well, I don't know; its been a long time; I married the third year of the surrender.
- Q After the surrender? A Yes sir.
- Q Then you married her in 186, didn't you? A Yes sir.
- Q Did you marry her by a license? A Yes sir.
- Q Have you that license with you now? A No sir, Mr. Billy McCormick married us.
- Q A justice of the peace or a minister? A He was a minister.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir; I aint been anywheres out of Jasper County.
- Q Did you ever make application for yourself or children to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A I never have.
- Q Did you ever make application for membership for yourself and children in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation in either by the Choctaw tribal authorities or the United States authorities in Indian Territory? A No sir.
- Q Did you ever make application before this time for yourself or children to any authority whatever for citizenship in the Choctaw Nation? A No sir.
- Q This is the first application of any kind you have ever made? A Yes sir.
- Q Do you now make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you make this claim as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give me the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A Well, I can but I don't know them.
- Q Then you can't can you? A I don't know; they have been dead a long time.
- Q What do you mean when you say you can, and you don't know? A Oh! what I had a notion to say, some of the Injuns what know are dead.
- Q You are not able to prove who your ancestors were? A Yes sir, I can do it, but I can't do it here.
- Q You think if you had time you could? A Yes sir; if the Injuns that

Friday Bunch, et al., #3.

had known them all had come we might.

Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A No sir.

Q Did any of your ancestors within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent living in Mississippi that they intended to stay in Mississippi and become citizens of the United States? A No sir.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A Not that I know of.

Q Do you speak the Choctaw language? A No sir, mighty little.

Q You never did associate with the Choctaws? A Been associated with them all my life.

Q Never lived with them? A Yes sir.

Q Are there any additional statements you desire to make at this time in support of your application? A No sir, not that I know of.

Q Did I understand you to say you didn't have any documentary evidence now? A No sir, I have got no papers at all.

Q Would you like time in which to file some? A Yes sir.

Thirty days allowed this applicant in which to file proper documentary evidence in support of this application.

(This applicant has the appearance and general characteristics of a negro; he claims to be descended from mixed ancestry of Choctaw and negro blood; the negro seems to predominate. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself and three minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office as given in your testimony.

R.S. Streit, 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 5th day of June 1901, and that the above is a full, true and correct copy of his stenographic notes in said cause on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

R. S. Streit
[Signature]

COPY.

2578

Washoe, Indian Territory, October 27, 1902.

Friday Bunch,
Vossburg, Mississippi.

Dear Sir:

You are hereby advised that on the 27th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Handy Jones, et al., embracing the following applications for identification as Mississippi Choctaws:

Handy Jones, et al.,	M.C.R. 2579
Friday Bunch, et al.,	M.C.R. 2578

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 in 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 Handy Jones, Gamie Jones, Friday Bunch, Aquilla Bunch, Mattie Bunch and Bertie Bunch 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."

POOR ORIGINAL -
BEST AVAILABLE COPY

F. R. — 2

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

C. R. Breckinridge

Registered.

Miss. Choctaw R2578

Muskogee, Indian Territory, November 14, 1902.

Friday Bunch,

Vossburg, Mississippi,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 11, stating that you have received notice of the decision of the Commission refusing your application for the identification of yourself and your minor children as Mississippi Choctaws, and asking for blanks for the purpose of making a new application.

In reply to your letter you are advised that on November 12, 1902, the record in your case was forwarded to the Secretary of the Interior for review, and you will be notified in due time of such action as may be taken by him. The Commission cannot therefore accept any further evidence in your case pending the action of the Secretary of the Interior therein.

Respectfully,

Acting Chairman.

M.C.R. 2578.

COPY.

Muskogee, Indian Territory, March 5, 1903.

Friday Bunch,
Vossburg, Mississippi.

Dear Sir:

You are hereby notified that on the 20th day of February, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Shootaws of the several persons included in the consolidated case of Handy Jones, et al., of which decision you were advised by registered mail on the 27th day of October, 1902.

Respectfully,

(SIGNED)

James Burby.
Chairman.

#903

No. 2578

For Identification as a Mississippi Choctaw.

Date JUN 5 1901

Name Friday Bunch.

Age 52 - Blood 1/2

Post Office, Vossburg, Miss.

Father: Lifur White, d

Mother: Handy Jones l.

Claims through both parents.
wife Susie - negro - -

Children: Aquilla - 18
Hattie - 16
Bertha - 13

Claims for self
and children

Stenographer R. J. Strick

Friday March 27 1903

REFUSED

DECISION FILED. **OCT 27 1902**

NOTICE OF REFUSAL MAILED APPLICANT.

R. 257

OCT 27 1902

NOTICE OF REFUSAL ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

OCT 27 1902

RECORD FORWARDED DEPARTMENT.

NOV 12 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 20 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAR 5 1903

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

MAR 5 1903

REFER TO M. C. R.

Choctaw MCR 2579

Handy Jones

MCR 2579

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

In the matter of the application of Handy Jones, et al.,
for identification as Mississippi Choctaws, consolidating the
applications of +

Handy Jones, et al., H. U. R. 2570
Friday Bunch, et al., * 2570

List of papers forwarded to the secretary of the Interior,
embracing the record in the consolidated
case of Handy Jones, et al.,

	Page.
Original application of Handy Jones, et al., to the Commission to the Five Civilized Tribes, for identification as Mississippi Choctaws,.....	1
Original application of Friday Bunch, et al., to the Commission to the Five Civilized Tribes, for identification as Mississippi Choctaws,.....	5
Final decision of the Commission to the Five Civ- ilized Tribes, refusing the applications for identi- fication as Mississippi Choctaws, in the consolidated case of Handy Jones, et al.,.....	8

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 5, 1901.

In the matter of the application of Handy Jones for the identification of herself and one child as Mississippi Choctaws.

Handy Jones, having been first duly sworn, upon her oath testified as follows:

Examination by the Commission.

- Q What is your name? A Handy Jones.
Q What is your age? A Sixty five.
Q What is your post office address? A Heidelberg, Mississippi.
Q How long have you lived at Heidelberg? A Three years this year.
Q Where were you born? A Up in Jasper County, Mississippi.
Q Did you always live in Jasper County? A Yes sir.
Q All your life? A Yes sir, all my life.
Q What is your father's name? A His name was Ned, but then he is dead.
Q Is that all; just Ned? A I don't know what his other name was.
Q Was he a white man? A No sir, Indian my mother said.
Q Did he have any negro blood? A Not as I know of; you know I don't know that.
Q Was he a slave? A Yes sir; I guess; my mother was.
Q How could he be an Indian? A Well, you know how that was in slavery time.
Q I don't know how an Indian could be a slave? A I am talking about my mother.
Q I am talking about Ned? A He was not a slave.
Q He was an Indian? A Yes sir.
Q Full blood? A Yes sir, that's what they told me.
Q Is he living or dead? A He has been dead a long time.
Q Is your mother dead? A Yes sir.
Q What was her name? A Dinah Vaughn.
Q Through which one of these parents do you claim Choctaw blood?
Q My father and my mother both; my mother was half Indian; I lived with her until she died.
Q How much Choctaw blood do you claim to have? A I reckon, about half, I reckon.
Q You don't really know? A No sir, I don't know.
Q You might be a quarter? A Yes sir; well, that's what they tell me; I am telling you what they say.
Q You say your father was a full blood? A Yes sir.
Q You claim your mother was a half blood Choctaw? A Yes sir; she was; I know she was; I think she was negro; she had right smart more Indian than I have got.
Q Do you claim more than a half? A That's the way it is; I wouldn't lie about it.
Q You can't tell just how much? A No sir, I can't.
Q Did I understand you to say your father was not a slave? A No sir.
Q Are you sure about that? A I can't tell you sure.
Q Was your mother a slave? A Yes sir.

Handy Jones, et al., §2.

- Q What was her master's name? A Anderson Vaughn.
- Q She was a slave in Mississippi? A Yes sir.
- Q You were a slave? A Yes sir.
- Q What was your master's name? A After his daughter Maryied, he give me to his daughter, and that's how come Friday Bunch; you know they change names after they get married.
- Q And your name of Bunch came from the marriage of your master's daughter? A Yes sir.
- Q When were you liberated? A Oh! Lord, I couldn't tell you that.
- Q During the war? A Yes sir, after the war.
- Q After the surrender? A Yes sir, in June.
- Q Have your parents, through who you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians, or been enrolled on the tribal rolls in the Choctaw Nation, in Indian Territory, by either the Choctaw tribal authorities or the United States authorities? A No sir.
- Q You say you are married? A Yes sir.
- Q Is your husband living? A Yes sir.
- Q Is this his child you are making application for? A Yes sir.
- Q What is your husband's name? A Joe Jones.
- Q Is he a negro? A Yes sir.
- Q Full blood negro? A Yes sir; that's what he is.
- 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 Only one.
- Q What is the name? A Cammie.
- Q How old is Cammie? A She was seventeen years old the nineteenth of January last.
- Q Is Joe Jones the father of Cammie? A Yes sir.
- Q Are you the mother? A Yes sir.
- Q Is Cammie living with you at your home? A Yes sir.
- Q Is your name or the name of your child on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for the enrollment of yourself or your child as members of the Choctaw tribe? A No sir.
- Q Did you or any one for you, or for your daughter, in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever made application before this time either to the Choctaw tribal authorities or to the authorities of the United States for yourself or daughter to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.
- Q Do you now make application for the identification of yourself and daughter as Mississippi Choctaws? A Yes sir.
- Q Do you claim your right as beneficiaries under the provisions of the Fourteenth Article of the Treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir, never have.
- Q Can you give me the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No sir they all claim kin with me; they always did claim kin to me.
- Q I mean your grand father or grand mother? A No sir.

Handy Jones, et al., #3.

Q You say Ned was your father, but you don't know his other name?

A No sir.

Q Was he owned by anybody? A No sir.

Q Didn't he work on a farm? A No sir.

Q Did he work with your mother? A No sir.

Q Have you any evidence of any kind showing that any of your kin folks, your ancestors, were members of the Choctaw tribe of Indians in Mississippi? A No sir.

Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A No sir, not as I know of.

Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, tell the United States Indian Agent living in Mississippi that they wanted to stay in Mississippi, and didn't want to go to the Indian Territory, and become citizens of the United States? A No sir.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir.

Q Did you ever associate with the Choctaw Indians? A I have been with the Indians ever since I knowed anything.

Q Lived right with them, among them? A Yes sir.

Q Are there any additional statements you want to make in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors were in 1830, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that article of that treaty? A No sir, I have not.

Q Would you like time in which to file those papers with the Commission? A Yes sir.

(Thirty days time is allowed this applicant in which to file any proper documentary evidence in support of the application which she makes at this time for the identification of herself and minor child as Mississippi Choctaws.

(This applicant has the appearance and general characteristics of a negro; she has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of her ancestors with any of the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek.)

The decision of the Commission as to the application you make at this time for the identification of yourself and one minor child as Mississippi Choctaws, will be

Handy Jones, et al., #4.

determined at the earliest possible date, and a report of the same made to the Secretary of the Interior conformable to the provisions of the Twenty First section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Street, 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 5th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Street

Subscribed and sworn to before me at Meridian, Mississippi,
this 19th day of July, 1901.

[Signature]
Notary Public.

J.W.L.
Coll.

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

-----0-----

In the matter of the application of Handy Jones, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of:

Handy Jones, et al.,	M.C.R. 2579
Friday Bunch, et al.,	M.C.R. 2578

- - - 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 Handy Jones for herself and her minor child, Cannie Jones and by
Friday Bunch for himself and his minor children, Aquilla, Hattie and
Bertha Bunch, 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 ad-
minister oaths, examine witnesses and perform all other acts
necessary thereto and make report to the Secretary of the
Interior."

It also appears that the applicants, Handy Jones and her

minor child, Cassie Jones, 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 Ned, who is alleged to have been a full blood Choctaw Indian, and Dinah Vaughn, who is alleged to have been an one-half blood Choctaw Indian, and that all the other applicants herein claim rights in the Choctaw lands by reason of being descendants of the said Ned and Dinah Vaughn, and one Lifus White, who is alleged to have been an one-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 none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said 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 Ned, or Dinah Vaughn, or Lifus

White, 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 (6 Stats., 513).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Handy Jones, Gennie Jones, Friday Bunch, Aquilla Bunch, Hattie Bunch and Bertha Bunch 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)

James Dixby.
Acting Chairman.

(SIGNED)

T. B. Needles.
Commissioner.

(SIGNED)

J. R. Brockinridge.
Commissioner.

Muskogee, Indian Territory,
OCT 27 1902

M.C.R. 2579

Muskogee, Indian Territory, October 27, 1902.

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

Gentlemen:

You are hereby advised that on the 27th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Handy Jones, et al., embracing the following applications for identification as Mississippi Choctaws:

Handy Jones, et al.,	M.C.R. 2579
Friday Bunch, et al.,	M.C.R. 2578

These applications were made under the provision of the act of Congress of June 22, 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 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 Handy Jones, Gannie Jones, Friday Bunch, Aquilla Bunch, Hattie Bunch and Bertha Bunch 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

M. M. & C. ---2.

POOR ORIGINAL -
BEST AVAILABLE COPY

the applications for their identifications as such should be refused, and it is so ordered.

You are further advised that the principal 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)

C. H. Brechinridge.
Commissioner in charge.

COPY.

POOR ORIGINAL -
BEST AVAILABLE COPY

D.C.R. 2579

Muskogee, Indian Territory, October, 27, 1902.

Nandy Jones,

Heidelberg, Mississippi.

Dear Sir:-

You are hereby advised that on the 27th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Nandy Jones, et al., embracing the following applications for identification as Mississippi Choctaws:

Nandy Jones, et al., D.C.R. 2579
Friday Bunch, et al., D.C.R. 2578

These applications were made under the provision of the act of Congress of June 22, 1898, (30 Stat., 495) which is as follows:

"Said Commission shall have the 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 Nandy Jones, Nannie Jones, Friday Bunch, Aquilla Bunch, Mattie Bunch and Martha Bunch 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 identifications as should be refused and it is so ordered.

POOR ORIGINAL -
BEST AVAILABLE COPY

H. J. — 2

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)

C. R. Breckinridge.
Commissioner in charge.

Registered.

POOR ORIGINAL -
BEST AVAILABLE COPY

COPY?

Muskogee, Indian Territory, November 12, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the consolidated case of Handy Jones, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 27, 1902.

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

Handy Jones, et al., M.C.R. 2579
Friday Funch, et al., M.C.R. 2578

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,

Through the

Commissioner of Indian Affairs.
1 inclosure. M.C.R. 2579

Tams Bixby.
Acting Chairman.

D.C. 5463

(COPY)
DEPARTMENT OF THE INTERIOR.
WASHINGTON.

EAF.

ITD. 1290-1903.

February 20, 1903.

L R S

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

Gentlemen:

November 12, 1902, you transmitted the record in the matter of the applications for identification as Mississippi Choctaws of Handy Jones and her minor child, Cannie Jones, and of Friday ~~Bunch~~ and his minor children, Aquilla, Hattie and Bertha Bunch, including your decision of October 27, 1902, adverse to the applicants.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Ned, alleged to have been a full blood Choctaw Indian or of one Dinbah Vaughn, who is said to have been a half blood Choctaw Nation, or of one Lifus White, alleged to have been a half blood Choctaw Indian.

The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that any one of their alleged ancestors complied or attempted to comply with said article 14 or with either of the acts of March 3, 1837 (5 Stat., 180) and August 23, 1842 (5 Stat., 513).

Reporting February 5, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

The Department has carefully reviewed the record in the case and hereby affirms the decision rendered.
1 inclosure.

Respectfully,
THOS. RYAN, Acting Secretary.

Land.
68316-1902.

(COPY.
Department of the Interior,
Office of Indian Affairs,
Washington, February 5, 1903.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to submit, herewith for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the consolidated application of the following parties: Handy Jones, for herself and her minor child, Cannie Jones; and by Friday Bunch, for himself and his three minor children, Aquilla, Hattie and Bertha Bunch for identification as Mississippi Choctaws, wherein a decision adverse to the applicants was rendered by the Commission on October 27, 1902.

The testimony in this case shows that the applicants base their claims to identification as Mississippi Choctaws under this application, because of their descent, from Ned, Dinah Vaughn and Lifus White. They claim that their ancestors were Choctaw Indians, and residents of the Choctaw Nation, in Mississippi at the time of the making of the Choctaw treaty of 1830.

The Commission rejected the applicants because the names of the parties through whom they claim do not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and for the additional reason that the applicants themselves had never been enrolled as citizens of the Choctaw Nation.

An examination has been made of the records of this office with

:---2---

reference to Ned, Dinah Vaughn and Lifus White, and it is discovered that their names do not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

This being the case it is evident that the decision of the Commission rejecting the applicants was correct, and I concur in that finding and recommend that it be approved.

Very respectfully,

A.C. TONNER.

Acting Commissioner.

E.B.H. (N).

COPY.

M.C.R. 2576.

Muskogee, Indian Territory, March 5, 1903.

Handy Jones,
Heidelberg, Mississippi.

Dear Madam:

You are hereby notified that on the 20th 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 Handy Jones, et al., of which decision you were advised by registered mail on the 27th day of October, 1902.

Respectfully,

Tame Bixby
Chairman.

M.C.R. 2579.

COPY.

Muskogee, Indian Territory, March 5, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 20th 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 Handy Jones, et al., of which decision you were advised by mail on the 27th day of October, 1902.

Respectfully,

James Duxbury
Chairman.

mcr
2579
Cammie Jones 17

Med — (fb)
dead
↓
Dinah Vaughn's
slave (dead)

mcr
2579
Hardy ~~Bunch~~ ^{Jones} 65½
-slave-
↓
① Lirus White ½
slave (dead)
② Joe Jones
(negro)

mcr
2578
Friday Bunch 52½
slave
wife
Susie Bunch
(negro)

mcr
2578
Aquilla Bunch 18
" Hattie Bunch 16
" Bertha Bunch 13

A. Jones et al.

REFUSED

DECISION FILED OCT 27 1902

NO. 115 579

OCT 27 1902

NOTICE OF DEPARTMENTAL ACTION
FOR THE DEPARTMENT OF THE INTERIOR
FOR THE CHICKASAW NATION

OCT 27 1902

RECEIVED DEPARTMENT

NOV 12 1902

NOTICE OF DEPARTMENTAL ACTION
FOR THE DEPARTMENT OF THE INTERIOR

FEB 20 1903

NOTICE OF DEPARTMENTAL ACTION
FOR THE DEPARTMENT OF THE INTERIOR

MAR 5 1903

NOTICE OF DEPARTMENTAL ACTION
FOR THE DEPARTMENT OF THE INTERIOR
AND CHICKASAW NATIONS.

MAR 5 1903

REFER TO M. C. R. 2578

#904

No

For Identification as a Mississippi Choctaw.

Date JUN 5 1901

Name Handy Jones

Age 65 - Blood $\frac{1}{2}$

Post Office, Heidelberg, Miss,

Father: Ned, - d

Mother: Winah Vaughn, d

Claims through both parents -

Husband
Joe Jones, negro.

No claim for husband.

Children:

Carnie - 17-

Claims for self
and child -

Stenographer R. J. Strix.

Choctaw MCR 2580

Clint Vaughn

MCR 2580

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

In the matter of the application of Clint Vaughn, et al.,
for identification as Mississippi Choctaws, M C R 2580.

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 Clint Vaughn, et al., for identification as Mississippi Choctaws.	1
Final decision of the Commission in the case of Clint Vaughn, et al., applicants for identifi- cation as Mississippi Choctaws, refusing said application.	4

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 5, 1901.

In the matter of the application of Clint Vaughn for the identification of himself and six minor children as Mississippi Choctaws.

Clint Vaughn, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Clint Vaughn.
Q What is your age? A I will be forty years old the 21st of July. I was born in 1861 - July 21st.
Q What is your post office address? A Heidelberg, Mississippi.
Q How long have you lived at Heidelberg? A I have been living there nearly all my life.
Q Born there? A Yes sir.
Q What is your father's name? A Peter Vaughn.
Q Is he living? A No sir.
Q What is your mother's name? A Caroline.
Q Is she living? A No sir, she's dead.
Q Through which one of these parents do you claim Choctaw blood?
A My father.
Q How much do you claim? A Well, I don't know sir; he was 3/4; I don't know what that would put me.
Q Half of that would be 3/8, wouldn't it? A Yes sir.
Q You claim half of 3/4? A I reckon that's the way it will have to go.
Q What was your father's blood? A Choctaw/
Q What was the other blood? How do you know he was three quarters Choctaw if you don't know his other blood? A He was negro, I reckon.
Q Was he a slave during the war? A Not that I know of.
Q Never was a slave? A Not that I know of.
Q What was your mother's blood? A Negro.
Q Was she a slave? A Yes sir, I know she was.
Q Were you a slave before the war? A I don't know sir; I was about four years old.
Q Were you born in 1861? A Yes sir.
Q Were you a slave then? A Yes sir, I know I was.
Q What was your master's name? A Billy McCormick.
Q Where did he live? A About a mile and a half from Vossburg.
Q In the State of Mississippi? A Yes sir.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Fannie Vaughn.
Q What is her blood? A Negro too.
Q Do you make any claim for her? A No sir.

Clint Vaughn, et al., #2.

Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Well, I have got anary one twenty one.

Q I mean under twenty one? A Yes sir.

Q What is the name of the oldest? A Will Vaughn.

Q How old is Will? A Eighteen years old.

Q What is the name of the next? A Jesse.

Q How old is Jesse? A 17 the last day of May.

Q The next? A pearlle.

Q How old? A Thirteen

Q The next? A Toy Vaughn.

Q How old is Toy? A Twelve.

Q The next? A George.

Q How old? A Eleven.

Q The next? A Oclic Vaughn.

Q How old? A Nine.

Q Is that all? A Yes sir.

Q Is ~~Exa~~ Fannie Vaughn the mother of these children? A Yes sir.

Q Are you the father? A Yes sir.

Q Are they living with you at your home? A Yes sir.

Q Have you your marriage license and certificate with you, that you would like to present? A No sir.

Q You were married under a license by an ordained minister? A Yes sir.

Q Is your name, or the names of your children on the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Q Have you ever made application for yourself and children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of the tribe? A No sir.

Q Did you or any one for you dn for your children in 1896, make application to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, for citizenship in the Choctaw Nation? A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.

Q Have you ever made application before this time for yourself and children to any authorities whatever for citizenship in the Choctaw Nation? A No sir.

Q Is this the first application ~~afax~~ you have made of any kind? A Yes sir.

Q Do you now make application for identification as a Mississippi Choctaw? A Yes sir.

Q Do you claim this right as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Darning Rabbit Creek was made? A No sir.

Q Did any of your ancestors go from Mississippi or Alabama to the present Choctaw Nation in Indian Territory with the other Indians between the years 1833 and 1839? A No sir.

Clint Vaughn, et al., #1.

Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent living in Mississippi their intention to remain in Mississippi and become citizens of the United States? A No sir, I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi under Article Fourteen of the Treaty of 1830? A No sir.

Q Is there anything further you would like to state in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that any of your ancestors were in 1830, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No sir.

Q Would you like time in which to introduce evidence? A Yes sir.

Thirty days time allowed applicant in which to file documentary evidence in support of this application.

(This applicant has the appearance and general characteristics of a full blood negro. He claims to be possessed of Choctaw blood, but in his general appearance the negro blood predominates. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself and minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 5th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

R.S. Streit
Notary Public.

C. W.

COPY.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

) --- (

In the matter of the application of Clint Vaughn, et al.,
for identification as Mississippi Choctaws-----M.C.R. 2580

-----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 Clint Vaughn for himself and his six other children, Will, James, Pearl, Roy, George and Cole Vaughn, under the following provision of the act of Congress approved June 22, 1898 (30 Stat. 493):

"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 from the testimony that the principal applicant was born of a slave mother prior to the Emancipation Proclamation and was himself a slave, and that the other applicants are his blood descendants, and it does not appear from the records in the possession of the Commission that any one of said applicants

has ever been enrolled by the Choctaw tribal authority 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, 1898 (30 Stats. 321).

It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the application of Clint Vaughn, Will Vaughn, Jesse Vaughn, Pearlis Vaughn, Toy Vaughn, George Vaughn and Cole Vaughn as such should therefore be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

(SIGNED) James Bixby.
Acting Chairman

(SIGNED) I. B. Huddlestone.
Commissioner

(SIGNED) C. R. Brockinnage.
Commissioner

Muskogee, Indian Territory
DEC 5 1905

COPY

M.C.R. 2580

Muskogee, Indian Territory, December 5, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Clint Vaughn, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provision of the act of Congress of June 28, 1896 (30 Stats., 495).

Said decision concludes as follows:

"It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the application of Clint Vaughn, Will Vaughn, Jesse Vaughn, Pearlis Vaughn, Toy Vaughn, George Vaughn and Ocie Vaughn as such should therefore 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

SIGNED

James Dixby

Acting Chairman

COPY

M.C.R. 2580

Muskogee, Indian Territory, December 5, 1902.

Clint Vaughn,
Heidelberg, Mississippi.

Dear Sir:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Clint Vaughn, 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., 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 the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the applications of Clint Vaughn, Will Vaughn, Jesse Vaughn, Pearlie Vaughn, Tex Vaughn, George Vaughn and Cole Vaughn as such 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

Office of the Secretary

Also, together with the Commission, will be forwarded for advice
to the Secretary of the Interior, through the Commissioner of Indian
Affairs.

Respectfully,

Very truly,

James Birby

Acting Chairman

Respectfully,

COPY.

Muskogee, Indian Territory, December 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Clint Vaughn, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 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 letters being attached to the record.

Respectfully,

Through the
Commissioner of Indian Affairs.

Tame B. Jones
Acting Chairman.

Enc.: M.C.R.2580.

D.C. 7219-1903.
I.T.D. 1200-1903.
L.R.S.

C O P Y.

MAP.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

March 17, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

December 22, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Clint Vaughn and his minor children, Will, Jesse, Pearlle, Toy, George and Ocie Vaughn, including your decision of December 8, 1902, refusing the application.

You found that the principal applicant was born of a slave mother and was himself a slave, and you held that no freedman is entitled to identification as a Mississippi Choctaw.

The applicants claim to be descendants of one Peter Vaughn, alleged to have been a Choctaw Indian. The Acting Commissioner of Indian Affairs reporting February 16, 1903, states that the records of the Indian Office fail to show that Peter Vaughn complied or attempted to comply with article 14 of the treaty of September 27, 1830, and he recommends that your decision be approved. A copy of his letter is inclosed.

-2-

Finding no reason to modify your decision, the
Department affirms the same.

Respectfully,

(Signed)

THOS. RYAN,

Acting Secretary.

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Land.
76254-1902.

C O P Y.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs,

Washington, February 16, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the application of Clint Vaughn, for himself and his six minor children, Will, Jesse, Pearlle, Toy, George and Cole Vaughn, for identification as Mississippi Choctaws, claiming rights as such under the provisions of the 14th article of the Choctaw treaty of 1830.

The testimony in this case shows that the applicants base their claim to identification under this application on their descent from Peter Vaughn, the principal applicant's father, who it is alleged was a Choctaw Indian, but who it is, ^{not} claimed positively lived in the Choctaw Nation, in Mississippi in 1830.

The Commission rejected the applicants December 5, 1902, because it "appears from the testimony that the principal applicant was born of a slave mother prior to the Emancipation Proclamation and was himself a slave and that the other applicants

are his lineal descendants"; and for the additional reason that the applicants had never been enrolled as citizens of the Choctaw Nation.

An examination has been made of the records of this office with reference to the principal applicant's father Peter Vaughn, and it is discovered that his name does not appear among those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830. As the applicants were unable to give the name of an ancestor more remote than the father of the principal applicant, the office has been unable to make an examination in reference to such ancestors as they may have had residents of the Choctaw Nation in Mississippi in 1830.

These being the facts it is evident that the decision of the Commission rejecting the parties hereto is correct, and I concur in that finding and recommend that it be approved.

Very respectfully,

(Signed)

A. C. TONNER,
Acting Commissioner.

C.T.C.(E).

M.C.R. 2580

COPY.

Muskogee, Indian Territory, March 26, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 17th 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 case of Clint Vaughn, et al., of which decision you were advised by mail on the 5th day of December, 1902.

Respectfully,

(SIGNED)

James Bixby.
Chairman.

M.C.R. 2580

COPY.

Muskogee, Indian Territory, March 26, 1903.

Clint Vaughn,

Heidelberg, Mississippi.

Dear Sir:

You are hereby notified that on the 17th day of March, 1903, 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 Clint Vaughn, et al., of which decision you were advised by registered mail on the 5th day of December, 1902.

Respectfully,

(SIGNED)

Jane Bixby.
Chairman.

#905

No. 2580

For Identification as a Mississippi Choctaw.

Date JUN 5 1901

Name Clint Vaughn.

Age 40 - Blood 3/8

Post Office, Heidelberg, Miss.

Father: Peter Vaughn, d

Mother: Carolina ^{Negro} d

Claims through father - - -

wife ^{Fannie} Negro.

No claim for wife -

Children:	Will,	-	18
	Jesse,	-	16
	Pearlie (girl)		13
	Joy (boy)		12
	George	-	11
	Ocie	-	9

Claims for self and children

Stenographer R. S. Strait.

~~REFUSED~~
Clint Vaughn et al.

DECISION RENDERED, DEC 5 1902

NOTICE OF DECISION MAILED APPLICANT.

DEC 5 - 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

DEC 5 1902

RECORD FORWARDED DEPARTMENT.

DEC 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAR 17 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAR 26 1903

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

MAR 25 1903

Choctaw MCR 2581

Tom Gross

MCR 2581

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 6, 1901.

In the matter of the application of Tom Cross Jr., for
identification as a Mississippi Choctaw.

Tom Cross Jr., having been first duly sworn, upon his
oath states as follows:

Examination by the Commission.

- Q What is your name? A Tom Cross Jr.
Q What is your age? A I don't know exactly; about twenty three.
Q What is your post office address? A Meridian, Mississippi.
Q How long have you lived in Meridian? A I don't know exactly how
long. I guess I was born here.
Q Always lived in this county? A Yes sir.
Q What is your father's name? A Tom Cross.
Q Is he living? A Yes sir.
Q What is your mother's name? A Ann Cross.
Q Is your mother living? A Yes sir.
Q Through which one of your parents do you claim Choctaw blood? A
My father.
Q How much do you claim? A I don't know exactly how much he got in
his; I know I aint got as much in me as him.
Q How much do you think? A I don't know exactly how much to claim;
I'll tell the truth.
Q About how much? A I guess about 1/4.
Q What was his blood? A He is Indian blood; his father was
whole Indian.
Q His father was a whole Indian? A Yes sir.
Q Then, he would be one half? A Yes sir.
Q And you would be 1/4? A Yes sir.
Q What was the other blood that your father had besides Choctaw?
A He had some blood in him like I have got in me, colored blood.
Q Then, was he one half Indian and one half colored? A Yes sir.
Q Your mother, what was her blood? A She was just straight out
African.
Q Was your father a slave before the war? A I believe he was.
Q Was your mother a slave? A Yes sir.
Q Did they have the same master? A I don't know, if they did; I
know their master; I know my father's master, I believe his name was
Major Cross.
Q Has your father, through whom you claim your right to identifica-
tion as a Mississippi Choctaw ever been recognized in any manner or
enrolled as a member of the Choctaw tribe of Indians by either the
Choctaw tribal authorities or the United States authorities? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Willie Cross.
Q Is she a negro? A Yes sir.
Q You don't make any claim for her? A No sir.
Q Have you any children? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation in
Indian Territory? A No sir.

Tom Cross, Jr. #2.

Q Did you, or any one for you in 1896, make application to the Commission to the Five Civilized Tribes for 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 by either the Choctaw authorities, the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No sir.

Q Have you ever made application before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No sir.

Q Is this the first application you have made of any description? A Yes sir.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.

Q Do you claim your right as a beneficiary under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No sir.

Q Did any of your ancestors remove from the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory with the other Indians between the years 1833 and 1838? A No sir.

Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent of the Choctaws in Mississippi at that time, that they intended to stay in Mississippi and become citizens of the States? A I don't know.

Q Do you speak the Choctaw language? A No sir.

Q You never associated much with the Indians? A No sir.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir.

Q Are there any additional statements you want to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830, or that they ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or that they have ever received any benefits under that article of that treaty? A No sir.

Q Would you like time in which to introduce documentary evidence? A Yes sir.

Thirty days time from the date hereof is allowed this applicant in which to file any proper documentary evidence he may have in support of this application.

(This applicant has the appearance and general characteristics of a full blood negro; he has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of his ancestors with any of the provisions of article Fourteen of the Treaty of 1830.)

Ten Cross Jr., #3.

The decision of the Commission as to the application you make at this time for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of same made to the Secretary of the Interior conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, 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 6th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi,
July this 19th day of July, 1901.

J. M. [Signature]
Notary Public.

(SIGNED)

M C R 2581

Mustogee, Indian Territory, July 14, 1902.

Tom Cross, Jr.,
Meridian, Mississippi.

Dear Sir:

You are hereby advised that on the 14th day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Thomas Cross, et al., embracing the following applications for identification as Mississippi Choctaws:

Thomas Cross,
Tom Cross, Jr.,

M C R 2553
M C R 2581

These applications were made under the provisions of the act of Congress of June 28, 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 herein is insufficient to determine the identity of Thomas Cross and Tom Cross, Jr., 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

Y C Jr., ___ 2.

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.

(SIGNED

James Bixby

Acting Chairman.

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

ALLISON L. AYLSWORTH
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2581.

Muskogee, Indian Territory, February 3, 1903.

Tom Cross, Jr.,
Meridian, Mississippi.

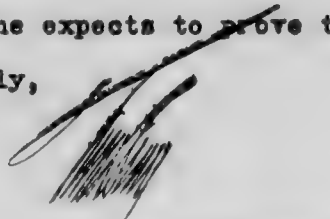
Dear Sir:

You are hereby notified that on the 23rd day of January, 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 Thomas Cross, et al., of which decision you were advised on the 14th day of July, 1902, by registered mail.

By direction of the Secretary of the Interior, the principal applicant in this case has this day been furnished a copy of his decision herein, and informed that he would be permitted to petition the Department for a rehearing, if he desires to do so.

His petition must be accompanied by his affidavit setting forth what facts he expects to establish in support of his claim, and also give the names of the witnesses by whom he expects to prove the same.

Respectfully,



Acting Chairman.

6906

No. 2581

For Identification as a Mississippi Choctaw.

Date JUN 6 1901

Name Tom Cross - Jr.

Age 23

Blood

~~1/2~~ 1/4

Post Office, Meridian, Miss.

Father: Tom Cross ^{1/2 choct} ^{1/2 neg.}

Mother: Ann Cross ^{negro}

Claims through father.

~~wife Willie - negro.~~

No claim for wife -

~~claim~~

Claim for self alone -

Stenographer R. A. Strick

Tom Cross Jr.

REFUSED

DECISION RENDERED JUL 14 1902

NOTICE OF DECISION MAILED APPLICANT.

K. 255 JUL 14 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS

JUL 14 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

JUL 14 1902

RECORD FORWARDED DEPARTMENT

JUL 14 1902

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

JUL 14 1902

RECORD FORWARDED DEPARTMENT OCT 1 1902

ACTION FILED

JAN 29 1903

FORWARDED APPLICANT.

FEB - 1903

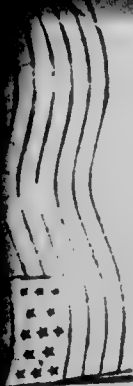
NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

FEB -3 1903

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

FEB -3 1903

REFER TO M. C. R. 2553



INDIAN
FEB 6
3-PM
14. MISS

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

MAR 9 1903

[Handwritten signature]
ACTING CHAIRMAN.

MUSKOGEE
MAR 7
7:30 PM
1903

13-2

AS

Department of the Interior.
Commission to the ~~the~~ Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, \$300.

MERIDIAN, MISSISSIPPI
MAR 6
1903



WICK
FEB
2 P M
1903

Tom Cross, Jr.,
Meridian, Mississippi

18000000

Choctaw MCR 2582

Dibbin Marris

See MCR 2933, 5155, 5101

5163, 2724, 5082, 5113, 2027

5032, 5033, 2003, 5162, 2025

5164, 5118, 5114, 1888, 1889

MCR 2582

MISSISSIPPI CHOCTAW R. 2582

Dublin, Maris, et al.

Decision Rendered 9-27-04

IDENTIFIED 9-27-04

Copy of Decision Forwarded Applicant
9-27-04

Notice of Decision Forwarded
Attorney for applicants. 9-27-04

Copy of Decision Forwarded Attorney
for Choctaw and Chickasaw Nations
9-27-04

REFER TO M.C.R.

2933, 5155, 5101, 5163,
2724, 5082, 5113, 2027,
5032, 5033, 2003, 5162,
2025, 5164, 5718, 5114,
1888, 1889.

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

-oOo-

In the matter of the application of Dibbin Marris, et al.,
for identification as Mississippi Choctaws, consolidating the ap-
plications of:

Dibbin Marris, et al.,	M.C.R. 2582
Coleman Marris, et al.,	M.C.R. 2933
Marris Marris,	M.C.R. 5155
Sanderson Marris, et al.,	M.C.R. 5101
Jack Beaks, et al.,	M.C.R. 5163
Tom H. Marris, et al.,	M.C.R. 2724
Bobo Marris, et al.,	M.C.R. 5082
Asa Elmon Bull, et al.,	M.C.R. 5113
Jim Marris, et al.,	M.C.R. 2027
Watson Marris, et al.,	M.C.R. 5032
Albert Kelley, et al.,	M.C.R. 5033
Mosely Morris, et al.,	M.C.R. 2003
John Sockey, et al.,	M.C.R. 5162
William Morris, et al.,	M.C.R. 2025
George Marris, et al.,	M.C.R. 5164.

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

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Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 6, 1901.

In the matter of the application of Dibbin Marris for the identification of himself and six minor children as Mississippi Choctaws.

Dibbin Marris, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Dibbin Marris.
Q What is your age? A About sixty.
Q What is your post office address? A North Bend, Mississippi.
Q What county? A Neshoba.
Q How long have you lived in Neshoba County? A I was born and right there where I stay now.
Q Is your father living? A No he been died. Don't know where he been died; I aint seen him.
Q What was his name? A Jim Marris.
Q Did he have any Indian blood? A No sir, whiteman.
Q Is your mother living? A No sir, been dead.
Q What was her name? A He named Sallie.
Q Did your mother have any Indian blood? A Whole Indian.
Q What kind of an Indian? A Choctaw.
Q How much Indian blood do you claim to have? A Just about half, I reckon.
Q Was your mother ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw authorities or the United States authorities? A We never went there; went about half way and come back; I never had went there at all; just about half way and come back; that's all she been telling me.
Q She was never enrolled or recognized out there? A No, I reckon not. If she did, I don't know it; she been dead long time ago.
Q Are you married? A Yes.
Q What is your wife's name? A Jinnie.
Q Is she living? A Dead.
Q When did she die? A Died last March year ago.
Q Were you ever married more than once? A No, just once.
Q Was your wife, Jinnie, a full blood Choctaw Indian? A A full Choctaw.
Q Did she speak the English language? A No.
Q You speak and understand the Choctaw language? A Yes.
Q Were you married to Jinnie under a license or according to the Choctaw custom? A Yes, Choctaw custom.
Q How long did you live together as man and wife? A Live always before he died.
Q Have you any children who are under twenty one years of age and unmarried? A Yes, six.
Q What are their names and a sex? A Wench.
Q Is that a boy or girl? A Boy.
Q How old is Wench? A She's about, I think she about 19, I believe.
Q The next one? A Steve.

Dibbin Harris, et al., #2.

- Q How old is Steve? A About 17.
Q That's a boy? A Yes.
Q The next? A Nancy, a twin of Steve, about 17.
Q The next one? A Missey.
Q How old is Missey? A 11 now, I believe.
Q The next one? A Mat.
Q How old is Mat? A About ten now.
Q The next? A Lisa.
Q How old is Lisa? A About six going on seven now, I believe.
Q Is that all? A Yes.
Q Are these children all living with you now? A Yes.
Q You are the father of all six of these children? A Yes.
Q What was their mother's name? A Jimmie.
Q Who is the mother of all six of them? A Yes.
Q Is your name, or the name of any one of these children on any of the Choctaw tribal rolls out in Indian Territory? A No.
Q Was your wife, or your wife's mother or father, ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians out in Indian Territory? A I don't know; my daddy went and died there that's what I been hearing.
Q You don't know whether they were recognized or not? I am talking about your wife's people now, you know? Yes, I don't know.
Q Did you ever make application to the Choctaw tribal authorities out in Indian Territory for yourself or any of these children to be enrolled as members of the tribe out there? A No.
Q Did you or any one for you, in the year 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation for yourself or any of these six children? A No.
Q Have you or any of these children ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No.
Q Have you ever made any application before to-day for yourself or any of these children to be admitted or enrolled as citizens of the Choctaw Nation, to either the Choctaw tribal authorities in Indian Territory or to this Commission? A Yes, two years ago at Philadelphia.

The records of the Commission show that on January 31st, 1899, this applicant appeared before the Commission at Philadelphia, Mississippi, and made application for the identification of himself, his wife, Jimmie, and his minor children, Harris, Wench, Steve, Nancy, Nancy, Matt and Lisa, as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field Number 215; also, upon page 63 of the Schedule of Mississippi Choctaws, which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the identity of Choctaw Indians, residing in Mississippi claiming rights in the Choctaw lands under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, being Numbers 744, 745, 746, 747, 748, 749, 750, 751 and 752, respectively, thereon.

- Q At the time you appeared before the Commission two years ago, you made application for the identification of your wife, Jimmie, is she

Dibbin Harris, et al. 1., #2.

living now? A No, dead.

Q When did she die? A Last March year ago.

Q Where did she die? A In my home.

Q You were present when she died? A Yes.

Q You applied at that time for a son, Harris Harris? A Yes.

Q How old is he now? A About thirty two, now, I reckon.

Q Is this boy an invalid? A Sick always; just can't do nothing; I have to feed him most all the time.

Q What is the matter with him? A Rheumatism. He has been in bed all the time, and can't walk at all; some time have to help him up; it come on in about nine years ago, and it got worse and about seven years ago, it got worse.

Q At the time you appeared before the Commission, two years ago, the name of one of your children, was understood to be Percy; to-day you give the name of the child as Miss; is that the same child?

A Yes.

Q And not Percy? A Yes, mistaken in putting name down.

Q Under the rules of the Commission it will be necessary for you to procure a power of attorney from your son, Harris Harris, who is of age, to make application for his identification as a Mississippi Choctaw.

Q You now desire to make application for the identification of your self and six minor children as Mississippi Choctaws? A Yes.

Q Do you claim your rights under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, between the United States Government and the Choctaw tribe of Indians? A I don't know.

Q I will read this Fourteenth Article to you; it 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 privileges of a Choctaw citizen, but if they ever remove are not entitled to any portion of the Choctaw annuity."

Did you ever receive any benefits as a Choctaw Indian? A No.

Q Did your wife ever receive any benefits as a Choctaw Indian?

A No, I reckon not.

Q Did any of your ancestors, or your wife's ancestors, ever receive any benefits as Choctaw citizens? A No, I reckon not.

Q Were any of your ancestors, or any of your wife's ancestors living in the old Choctaw Nation here in Mississippi and Alabama in the year 1830, when the Treaty of Dancing Rabbit Creek was made? A I don't know.

Dibbin Harris, et al., #47

Q You don't know whether any of them were recognized members of the Choctaw tribe of Indians here at that time? A No.

Q You have no evidence that they were? A No.

Q Did any of your ancestors or any of your wife's ancestors who remove from the old Choctaw Nation here in Mississippi and Alabama out west to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians between the years 1833 and 1838? A No sir, I don't believe that they went there.

Q Did any of your ancestors or any of your wife's ancestors within six months after this treaty ~~was~~ of Dancing Rabbit Creek was ratified, signify to the United States Indian Agent for the Choctaws here in Mississippi, their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors or any of your wife's ancestors ever claim or receive any land in Mississippi under the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek? A No.

Q Are there any additional statements you desire to make in support of your application? A No.


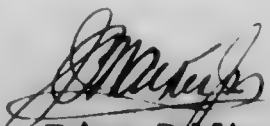
Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that any of your ancestors or any of your wife's ancestors were in 1830, when this Treaty of Dancing Rabbit Creek was ratified, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that article? A No.

(This applicant has every appearance of being possessed of fully as much Indian blood as is claimed by him; he speaks and understands the Choctaw language and speaks broken English, being able to give intelligent answers to the questions propounded to him.)

The decision of the Commission as to the application you make at this time for the identification of yourself and minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same mailed to you to your post office address as given in your testimony.

R. S. Streib, 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 6th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.



Notary Public.

COPY.

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

-00-

In the matter of the application of Dibbin Marris, et al., for identification as Mississippi Choctaws, consolidating the applications of:

Dibbin Marris, et al.,	M.C.R. 2582
Coleman Marris, et al.,	M.C.R. 2933
Marris Marris,	M.C.R. 3188
Sanderson Marris, et al.,	M.C.R. 3101
Jack Beaks, et al.,	M.C.R. 3163
Tom H. Marris, et al.,	M.C.R. 2724
Bebe Marris, et al.,	M.C.R. 3082
Ass Elmon Bull, et al.,	M.C.R. 3113
Jim Marris, et al.,	M.C.R. 3027
Watson Marris, et al.,	M.C.R. 3032
Albert Kelley, et al.,	M.C.R. 3033
Messely Marris, et al.,	M.C.R. 3003
John Seckey, et al.,	M.C.R. 3162
William Marris, et al.,	M.C.R. 3025
George Marris, et al.,	M.C.R. 3164.

---: 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 Dibbin Marris for himself and his six minor children, Wench, Steve, Nancy, Missy, Mat and Liss Marris; by Coleman Marris for himself and his four minor children, Wannie, Jane, Lillie and Tennis Marris; by Dibbin Marris for his son, Marris Marris; by Sanderson Marris for himself and his minor child, Lula Marris; by

Dibbin Marris for Jack Beaks and his minor ward, Sam Marris; by Tom H. Marris for himself, his wife, Sealy Marris, and his two minor children, Christian and Winner Marris; by Bobe Marris for himself and his minor child, Otis Marris; by Asa Elmon Bull for himself and his wife, Susan Bull; by Jim Marris for himself, his wife, Minerva Marris, and his two minor children, Arch and Annie Marris; by Watson Marris for himself and his three minor children, Nellie, Seward and Boston Marris; by Albert Kelley for himself, his wife, Sealy Kelley, and his three minor children, Presley, Lloyd and Eula Kelley; by Mosely Morris for himself, his wife, Ida Morris, and his three minor children, Lillie, Dempsey and Missie Morris; by John Seekey for himself, his wife, Bettie Seekey, and his three minor children, Maggie, Rafe and Ned Seekey; by William Morris for himself, his wife Ib Morris, and his four minor children, Nan, Foreman, Bowman and Brecksie Morris; and by Dibbin Marris for George Marris and his wife, Fergy Marris, under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 495):

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

From the records of the Commission it appears that Jack Beaks, principal applicant in M.C.R. 5163, Sealy Marris, wife of principal applicant in M.C.R. 2724, Asa Elmon Bull, principal applicant in M.C.R. 5113, Minerva Marris, wife of principal applicant in M.C.R. 2027, Ida Morris, wife of principal applicant in M.C.R. 2003, John Seekey, principal applicant in M.C.R. 5162 and Fergy

Morris, wife of principal applicant in M.C.R. 5164, who are full-blood Mississippi Choctaw Indians, have been by this Commission duly identified as Mississippi Choctaws under the provisions of section forty-one of the act of Congress approved July 1, 1902, (32 Stats., 641). The evidence herein shows that all the other applicants are mixed blood Choctaws, and as such do not come within the purview of said section.

It also appears that all of the applicants herein except the principal applicant in M.C.R. 5163, the wife of the principal applicant in M.C.R. 2724, the principal applicant in M.C.R. 5113, the wife of the principal applicant in M.C.R. 2027, the principal applicant in M.C.R. 2003, the principal applicant in M.C.R. 5162, the wife of the principal applicant in M.C.R. 2025, and the wife of the principal applicant in M.C.R. 5164, 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 Ah-to-ble-cha, who is alleged to have been a full-blood Choctaw Indian, and to have resided in Mississippi in eighteen hundred and thirty; that Albert Kelley, principal applicant in M.C.R. 5033 claims said rights by reason of being a descendant of Ailsey (or Il-lah-he-nah), who is alleged to have been a Choctaw Indian, degree of blood not stated; that Ib Morris, wife of the principal applicant in M.C.R. 2025, claims said rights by reason of being a descendant of Venus Anderson, who is alleged to have been an one-half blood Choctaw Indian; and that all the other applicants herein, except those heretofore identified, and Albert Kelley and Ib Morris also claim said rights by reason of being descendants either of Robert (or Bob) Bell, or Venus Anderson, who are alleged

to have been one-half blood Choctaw Indians, or Rosie Marris, or Teekole, or Perbus Frazier, or Mary Frazier (Indian name Ma-han-to-nah), or John Hull, or John Frazier (Indian name Non-a-na-tubbee), or Susie Bell, or Charley Wilson, or Margaret Wilson, all of whom are alleged to have been full-blood Choctaw Indians, or Haffie Marris, or Ailsey (Indian name Il-lah-ho-nah), both of whom are alleged to have been Choctaw Indians, degree of blood not stated.

It further appears from the evidence submitted in support of said applications, and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321), nor are any of the applicants herein parties litigant before the Choctaw-Chickasaw Citizenship Court created under the act of Congress approved July 1, 1902, (32 Stats., 641).

From the evidence submitted in support of said applications it appears that Dibbia Marris, the principal applicant in M.C.R. 2582, and Walton Marris, principal applicant in M.C.R. 8032, who are respectively 60 and 63 years of age, are more conversant with their family history than any of the other applicants and from their testimony it appears that they are the children of Jim Marris, a white man, and Sallie Marris, a full-blood Choctaw Indian woman whose Indian name is given as Fil-e-tah-ho-nah; that Sallie Marris (Fil-e-tah-ho-nah) was the daughter of Ah-to-ble-cha, a full-blood Choctaw Indian who resided in Neshoba county, Mississippi until his death, which occurred shortly after the Civil War, and was buried

near Seale, Mississippi; that Ah-to-ble-cha was the head of a Choctaw family in eighteen hundred and thirty, and signified his intention to remain for the five years' stay and take land under article fourteen of said treaty; that Ah-to-ble-cha had, at the date of the treaty, four children whose names are given as: Sallie Morris (Filg-tah-ho-nah), the mother of two of the applicants herein, and Ok-le-mo-nah, Gun-ne-ah-he-mah and Ah-ne-sa-cha, the three former being girls and the latter a boy. It further appears from the record in said case that all the applicants herein, except the persons heretofore identified, and Albert Kelley and Ib Morris are lineal descendants of the said Ah-to-ble-cha, through whom they claim.

The name Ah-to-ble-cha is found on page 566 of Volume I, Claimant's Brief and Evidence in the case of the Choctaw Nation vs. the United States before the Court of Claims No. 12742 in a list of cases favorably adjudicated by the Commissioners appointed under the act of Congress approved August 23, 1842, wherein it appears that Ah-to-ble-cha was the head of a Choctaw family in eighteen hundred and thirty, and signified his intention to Colonel Ward to take land under article fourteen of the treaty of eighteen hundred and thirty and remain for the five years' stay; that he at the date of the treaty resided on the Southwest quarter of Section 26, Township 12, Range 13 East, and had, at said time, four children over ten years of age whose names are given as, Gun-e-ah-he-mah, Ok-le-mo-nah, Ne-sa-kah and Fil-e-tah-ho-nah.

The evidence as above set forth is corroborated by the record above cited, and it clearly shows that the Ah-to-ble-cha whose name appears in said record, is the identical Ah-to-ble-cha through whom these applicants claim.

It is also found that the name Illa-hona appears on page 395 of Volume I, Claimant's Brief and Evidence in the case of the Choctaw Nation vs. the United States before the Court of Claims No. 12742, in a list of cases adjudicated by the commission appointed under the act of Congress approved August 23, 1842, as a child under ten years of age, but it does not appear from the evidence that the Il-lah-ho-nah, through whom the principal applicant in M.C.R. 5033 claims, is identical with the Illa-hona whose name appears in the record above cited.

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 Ailsey (or Il-lah-ho-nah), through whom the principal applicant in M.C.R. 5033 claims, or Venus Anderson, 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 sufficient to determine the identity of Dibbin Marris, Wench Marris, Steve Marris, Nancy Marris, Missy Marris, Mat Marris, Lise Marris, Coleman Marris, Nannie Marris, Jane Marris, Lillie Marris, Tennie Marris, Marris Marris, Sanderson Marris, Lula Marris, Sag Marris, Tom H. Marris, Christian Marris, Winner Marris, Bobo Marris, Otis Marris, Susan Bull, Jim Marris, Arch Marris, Annie

Marris, Watson Marris, Nellie Marris, Seward Marris, Boston Marris,
Sealy Kelley, Presley Kelley, Lloyd Kelley, Eula Kelley, Mesely
Morris, Lillie Morris, Deapsy Morris, Missie Morris, Bettie Soeky,
Maggie Soeky, Rafe Soeky, Ned Soeky, William Morris, Nan Morris,
Fereman Morris, Bowman Morris, Brooksie Morris and George Marris,
as Choctaw Indians entitled to rights in the Choctaw lands under the
provisions of said article fourteen of the treaty of eighteen hun-
dred and thirty, and that the applications for their identification
as such should be granted, and it is so ordered.

It is the further opinion of this Commission that the
evidence herein is insufficient to determine the identity of Albert
Kelley and Ib Morris, 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.

1894

James Bixby.
Chairman.

1894

T. B. Needles.
Commissioner.

Muskogee, Indian Territory,

SEP 27 1904

Commissioner.

Ardmore, I. T. February 16, 1903.

To the Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of records in my case, that under the rule of law the Commission may give out to Attorneys, as I have employed him to assist me in this case.

WITNESSES:

Leura Tippitt

Dibber ^{his} Morris
mark

Leibin Morris also applied for his five children, to-wit, Alene, Nancy, Mike, Nat and Lee.

Ardmore, I. T. April 16, 1903.

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

You will please deliver to J. G. Ralls, of Atoka, Indian Territory, any copies of the records in my case that, under the rule of law, the Commission may give out to attorneys, as I have employed him to assist in my case.

Wanch ^{his} Morris No 2382
mark

M C R 2582
M C R 1881
M C R 1879

Muskogee, Indian Territory, July 21, 1903.

Sinkins Lewis,

McMillan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, in which you ask to be advised the status of the Mississippi Choctaw cases of Deben Marris, et al., Jane McCormick, J. B. Thomas and Matty Johnson, wife of Lewey Johnson.

In reply you are informed that it appears from our records that Dibbin Marris and Sarah Jane McCormick made application to this Commission for the identification of themselves and families as Mississippi Choctaws. Up to the present time the Commission has not rendered any opinion relative to their rights to such identification. As soon as a decision is rendered they will be duly notified of the action of the Commission.

It further appears from our records that on April 11, 1903, the Commission rendered its decision identifying John B. Thomas, his wife, and minor children, as Mississippi Choctaws entitled to allotment in the lands of the Choctaw and Chickasaw Nations of which action he was duly advised on April 27, 1903.

It does not appear from our records that any person by

S L 2

the name of Matty Johnson, wife of Lewey Johnson, is an applicant
to this Commission for identification as a Mississippi Choctaw.

Respectfully,

(Signed) T. B. Needles,

Commissioner in Charge.

M C R 2582

Muskogee, Indian Territory, July 25, 1903.

Thompson Peter,
Durwood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 21st instant, wherein you ask "Will you kindly tell me if my family are approved as Miss. Chootaws Thee Peters, Suckey Peters Richmond Peters Mary Peters Stella Peters also Dibbin Morris & Wina Morris?"

In reply you are informed that it appears from our records that on July 21, 1903, the Commission rendered its decision identifying Thompson Peter, his wife Sucky Peter, and minor children, Richardson Peter and Mary Peter, as Mississippi Chootaws entitled to allotment in the lands of the Chootaw and Chickasaw Nations.

It further appears from our records that Dibbin Marris made application to this Commission for the identification of himself and six minor children, Wench, Steve, Nancy, Missy, Mat and Liss Marris, as Mississippi Chootaws. Up to the present time the Commission has not rendered any decision relative to the right of these persons to such identification. As soon as a decision is rendered they will be duly notified of the action of the Commission.

T P 2

Our records do not show that any person by the name of Stella Peters is an applicant to this Commission for identification as a Mississippi Choctaw.

Respectfully,

Commissioner in Charge.

M C R 2582

Muskogee, Indian Territory, August 7, 1903.

Allen & Von Weise,
Attorneys at Law,

Tishomingo, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 4th instant, wherein you ask to be advised the status of the Mississippi Choctaw case of Dibbin Morris, et al.

In reply you are informed that it appears from our records that Dibbin Marris made application to this Commission for the identification of himself and six minor children as Mississippi Choctaws. Up to the present the Commission has not rendered any decision relative to their right to such identification. As soon as a decision is rendered they will be duly notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

M C R 2582

Muskogee, Indian Territory, September 23, 1903.

Thompson Peter,
Tishomingo, Indian Territory.

Remailed. Dec 22 1903

Dear Sir:

Receipt is hereby acknowledged of your letter of the 18th instant, in which you ask if Dibbin Marris and family have been identified as Mississippi Choctaws.

In reply you are informed that it appears from our records that Dibbin Marris made application to this Commission for the identification of himself, his wife, Jinnie, and six minor children as Mississippi Choctaws. No decision has yet been rendered relative to the rights of these applicants to such identification.

Respectfully,

Chairman.

M.C.R. 2522
" " " 2933
" " " 8028
" " " 8155

Muskogee, Indian Territory, October 14, 1903.

Dibbin Marris,
Armore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter without date, asking the status of your application and the application of Coleman Morris, Morris Morris and Edmund Bell.

In reply to your letter, you are informed it appears from our records that Dibbin Marris and Coleman Marris are applicants to this Commission for the identification of themselves and their families as Mississippi Choctaws, and Elan Bell and Morris Marris are applicants for identification as Mississippi Choctaws. The Commission has not yet passed upon these applications for identification as Mississippi Choctaws. As soon as decisions are reached the applicants will be notified of the action of the Commission.

Respectfully,

Commissioner in Charge.

M C R 2602
M C R 3027
M C R 1933
M C R 5156

Muskogee, Indian Territory, January 16, 1904.

Dibbin Marris,

In care of W. P. Poland,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you ask the status of the Mississippi Choctaw applications of the following named persons:

Dibbin Marris	Coleman Marris
Jas. Marris	Edleman Bole
Marris Marris	Fannie Reed

In reply you are informed that it appears from our records that Dibbin Marris, Coleman Marris, Jim Marris and Marris Marris are applicants to this Commission for the identification of themselves and families as Mississippi Choctaws, but as yet their rights to such identification have not been passed upon. When decisions are rendered in these cases the applicants will be duly notified of the action of the Commission.

It does not appear from our records that any persons by the name of Edleman Bole and Fannie Reed are applicants to this Commission for identification as Mississippi Choctaws.

Respectfully,

Chairman.

M.C.R.2933
M.C.R.2582

Muskogee, Indian Territory, April 30, 1904.

Coleman Marris,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant, in which you state that you do not know whether or not you are required to furnish more proof in support of the consolidated Mississippi Choctaw case of Dibbin Marris, et al.

In reply to your letter you are informed that it appears from our records that you made application to this Commission for the identification of yourself and minor children as Mississippi Choctaws, said application being consolidated with and made a part of the consolidated Mississippi Choctaw case of Dibbin Marris, et al. Up to the present time no decision has been rendered relative to your rights to such identification. When this case is passed upon by the Commission, you will be duly notified of the action taken.

The Commission requires of applicants for identification as Mississippi Choctaws, who are not full-bloods, that they not only show that they are possessed of Choctaw blood, but that they must also show that they are descendants of Choctaw ancestors who re-

C. H., 2.

sided in the old Choctaw Nation, in the States of Mississippi and Alabama, in 1830, and that such ancestors complied or attempted to comply with the provisions of the 14th article of the treaty of 1830, or subsequently had their claims arising thereunder adjudicated by either of the two commissions authorized for this purpose by the Acts of Congress of March 3, 1837 and August 23, 1842. No proof of this character has been submitted in support of the consolidated Mississippi Choctaw case of Dibbin Marris, et al.

Respectfully,

Chairman.

Muskogee, Indian Territory, May 31, 1904.

Dibbin Marris,

Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th instant, in which you ask to be advised the status of your application for identification as a Mississippi Choctaw. You also ask to be advised by return mail if your presence is required at Muskogee.

In reply to your letter you are advised that no decision has yet been rendered relative to the rights of yourself and children for identification as Mississippi Choctaws. When a decision has been rendered, you will be notified of such action as may be taken by the Commission.

It is not necessary that you make personal appearance before this Commission at this time.

Respectfully,

Chairman.

M. G. R. 2582

Muskogee, Indian Territory, July 6, 1904.

Thompson Peter,

Mannville, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th ultimo, in which you ask to be advised the status of the application of Dibbin Harris for identification as a Mississippi Choctaw.

In reply to your letter you are advised that it appears from our records that Dibbin Harris is an applicant to this Commission for identification as a Mississippi Choctaw, but up to the present time no decision has been rendered in his case. However, it is probable that his rights to such identification will be passed upon in the near future, when he will be promptly notified of such action as may be taken by the Commission.

respectfully,

Commissioner in Charge.

M C R 2582
M C R 5164

Muskogee, Indian Territory, July 28, 1904.

T. M. Deavours,
McMillan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant, in which you ask to be advised if Wince and George Morris are on the Mississippi Choctaw roll and entitled to file.

In reply you are informed that it appears from our records that George and Wench Harris are applicants to this Commission for identification as Mississippi Choctaws, but up to the present time no decision has been rendered relative to their rights to such identification. When the Commission passes upon the applications of these persons they will be duly notified of such action as may be taken.

Respectfully,

Commissioner in Charge.

M C R 2562

Muskogee, Indian Territory, September 9, 1904.

Dibbin Harris,

Armore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 24th ultimo, by reference from the Secretary of the Interior. Therein you enclose the affidavit of yourself and that of Joe Jemmersen which you ask be filed in support of your application for identification as a Mississippi Choctaw. The same have been filed with the records of this office.

Respectfully,

Chairman.

COPY.

H.C.R. 2582

Muskogee, Indian Territory, September 27, 1904.

Dibbin Harris,

Ardmore, Indian Territory,

Dear Sir:

Enclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying you, Wench Harris, Steve Harris, Nancy Harris, Miszy Harris, Nat Harris and Liss Harris, as Mississippi Choctaws.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), in order for you to avail yourselves of the benefits thereof you must remove to and make settlement within the Choctaw-Chickasaw country, Indian Territory, on or before March 27, 1905. The Act above referred to also provides that proof of such settlement shall be made to this Commission within one year after the date of the identification of the persons herein named, as Mississippi Choctaws.

By the Act of Congress approved April 21, 1904, (Public No. 125), it is provided that the Commission shall close its work and terminate on or before the first day of July, 1905. It is, therefore, suggested that you appear before the Commission at the Choctaw Land Office, at Atoka, Indian Territory, or the Chickasaw Land Office, at Tishomingo, Indian Territory, for the purpose of mak

D. N. 2

ing proof of your removal to and settlement within the Choctaw-Chickasaw country, at the earliest practicable date.

Respectfully,

(SIGNED) *James Bixby*
Chairman.

Registered,

Incl. M.C.R. 2582.

COPY.

M.C.R. 2582

Muskogee, Indian Territory, September 27, 1904.

Allen & Von Weise,
Attorney at Law,
Tishomingo, Indian Territory,

Gentlemen:

Inclosed you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying Dibbin Marris, Wench Marris, Steve Marris, Nancy Marris, Missy Marris, Mat Marris, Liss Marris, Coleman Marris, Nannie Marris, Jane Marris, Lillie Marris, Tennis Marris, Marris Marris, Sanderson Marris, Lula Marris, Sam Marris, Tom F. Marris, Christian Marris, Winner Marris, Bobo Marris, Otis Marris, Susan Bull, Jim Marris, Arch Marris, Annie Marris, Watson Marris, Nellie Marris, Seward Marris, Boston Marris, Sealy Kelley, Presley Kelley, Lloyd Kelley, Eula Kelley, Mosely Marris, Lillie Morris, Dempsey Morris, Missie Morris, Bettie Sockey, Maggie Sockey, Rafe Sockey, Ned Sockey, William Morris, Nan Morris, Foreman Morris, Bowman Morris, Brooksie Morris and George Marris, as Mississippi Choctaws.

Under the provisions of the Act of Congress approved July 1, 1902 (32 Stat., 641), in order for the persons so identified to avail themselves of the benefits thereof they must remove to and make settlement within the Choctaw-Chickasaw country, Indian Territory, on or before March 27, 1905. The Act above referred to also pro-

A. & V-W. 2

vides that proof of such settlement shall be made to this Commission within one year after the date of the identification of the persons herein named, as Mississippi Choctaws.

By the Act of Congress approved April 21, 1904 (Public No. 125) it is provided that the Commission shall close its work and terminate on or before the first day of July, 1905. It is, therefore, suggested that the applicants herein named appear before the Commission, at the Choctaw Land Office at Atoka, Indian Territory, or the Chickasaw Land Office, at Tishomingo, Indian Territory, for the purpose of making proof of their removal to and settlement within the Choctaw-Chickasaw country, at the earliest practicable date.

The attorneys for the Choctaw and Chickasaw Nations have been furnished a copy of said decision and have been allowed fifteen days from the date thereof within which to file protest against the action of the Commission in enrolling said applicants as Mississippi Choctaws. If at the expiration of said time no protest has been filed, their names will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Incl. M.C.R. 2582
Registered.

(SIGNED)

Tamc Birby.

Chairman.

COPY.

M.C.R. 2562.

Muskogee, Indian Territory, September 27, 1904

Allen & Von Weise,
Attorneys at Law,

Tishomingo, Indian Territory,

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 27, 1904, rendered its decision, refusing the applications for identification as Mississippi Choctaws of Albert Kelley and Ib Williams, included in the consolidated case of Dibbin Marris, 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 that 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) *Jame Bibby.*
Chairman.

Registered.

COPY.

M.C.R. 2582

Muskogee, Indian Territory, September 27, 1904.

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

Gentlemen:

You are hereby notified that the Commission to the Five Civilized Tribes, on September 27, 1904, rendered its decision, refusing the applications for identification of Albert Kelley and Ib Williams, as Mississippi Choctaws, included in the consolidated case of Dibbin Harris, et al.

You are further notified 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 that 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 *James Bixby.*
Chairman.

COPY.

M. C. R. 2582

Muskogee, Indian Territory, September 27, 1904.

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

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered September 27, 1904, identifying as Mississippi Choctaws the several persons included in the consolidated Mississippi Choctaw case of Dibbin Marris et al.

You are further advised that you will be allowed fifteen days from the date of this notice within which to file with this Commission such protest as you desire to make against the action of the Commission in enrolling said applicants as Mississippi Choctaws. If at the expiration of that time no protest has been filed, their names will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

SIGNED
[Signature]

Tame Bixby.
Chairman.

Registered.

Incl. M.C.R. 2582.

COPY.

Muskogee, Indian Territory, October 18, 1904.

The Honorable,
The Secretary of the Interior,

Sir:

There is transmitted herewith the record in the consolidated case of Dibbin Marris et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of September 27, 1904.

The above consolidated case embraces the following original applications heard by the Commission:

Dibbin Marris et al.,	M.C.R. 2582 ✓✓
Coleman Marris et al.,	M.C.R. 2933 ✓
Marris Marris,	M.C.R. 5155 ✓
Sanderson Marris et al.,	M.C.R. 5101 ✓
Jack Beaks et al.,	M.C.R. 5163 ✓
Tom H. Marris et al.,	M.C.R. 2724 ✓
Bobo Marris et al.,	M.C.R. 5082 ✓
Asa Elmon Bull et al.,	M.C.R. 5113 ✓
Jim Marris et al.,	M.C.R. 2027 ✓
Watson Marris et al.,	M.C.R. 5032 ✓
Albert Kelley et al.,	M.C.R. 5033 ✓
Mossely Morris et al.,	M.C.R. 2003 ✓
John Sockey et al.,	M.C.R. 5162 ✓
William Morris et al.,	M.C.R. 2025 ✓
George Marris et al.,	M.C.R. 5164 ✓

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

Secretary,-2-

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

There are also transmitted the affidavits of Ned Sockey, Jefferson D. Welch, Cornelius H. Hickman, Joe Jemerson and Dibbin Marris, in relation to this case, filed with the Commission subsequent to the preparation of the decision.

Respectfully,

(SIGNED)

Tamo Dixby

Chairman.

Through the Commissioner
of Indian Affairs.

2 Incl. MCR 2582.

Land.
74367-1904.

DEPARTMENT OF THE INTERIOR, (COPY).
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, December 9, 1904.

The Honorable,

The Secretary of the Interior.

Sirs:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated October 18, 1904, transmitting the record of the consolidated applications for identification as Mississippi Choctaws by Dibbin Marris for himself and his six minor children, Wench, Steve, Nancy, Missy, Mat and Liss Marris; by Coleman Marris for himself and his four minor children, Fannie, Jane, Lillie and Tennis Marris; by Dibbin Marris for his son, Marris Marris; by Sanderson Marris for himself and his minor child, Lula Marris; by Dibbin Marris for Jack Beaks and his minor ward, Sam Marris; by Tom H. Marris for himself, his wife, Sealy Marris, and his two minor children, Christian and Winner Marris; by Bobo Marris for himself and his minor child, Otis Marris; by Asa Elmon Bell for himself and his wife, Susan Bell; by Jim Marris for himself, his wife, Minerva Marris, and his two minor children, Arch and Annie Marris; by Watson Marris for himself and his three minor children, Nellie, Seward and Boston Marris; by Albert Kelley for himself, his wife, Sealy Kelley, and his three minor children, Presley, Lloyd and Eula Kelley; by Mosely Marris for himself, his wife, Ida Marris, and his three minor children, Lillie, Dempsey and Missie Marris; by John Sockey for himself, his wife, Bettie Sockey, and his three minor children, Maggie Rafe and Ned Sockey; by William Marris for himself, his wife, Ib

Morris, and his four minor children, Nan, Foreman, Bowman and Brooksie Morris; and by Dibbin Marris for George Marris and his wife, Fergy Marris.

The Commission has heretofore duly identified as full-blood Mississippi Choctaws, Jack Beaks, Bealy Marris, Asa Elmon Bull, Minerva Marris, Ida Marris, John Sockey and Fergy Marris.

September 27, 1904, the Commission decided favorably to all the other applicants except Albert Kelley and Ib Morris and adversely to them.

The record shows that all of the applicants, except those heretofore identified and Albert Kelley and Ib Morris, claim rights in the Choctaw lands under article 14 of the treaty of Dancing Rabbit Creek by reason of being descendants of Ah-to-ble-cha, who is alleged to have been a full-blood Choctaw Indian and to have resided in Mississippi in 1830; that Albert Kelly claims said rights by reason of being a descendant of Ailsey (or Il-lah-ho-nah), who is alleged to have been a Choctaw Indian, degree or blood not shown; that Ib Morris claims said rights by reason of being a descendant of Venus Anderson, who is alleged to have been an one-half blood Choctaw Indian, and that all the other applicants, except those heretofore identified, and Albert Kelley and Ib Morris also claim said rights by reason of being descendants either of Robert (or Bob) Bell or Venus Anderson, who are alleged to have been one-half blood Choctaw Indians, or Rosie Marris, or Tookolo, or Forbus Frazier, or Mary Frazier (Indian name Ma-han-to-nah), or John Bull, or John Frazier (Indian name Non-a-na-tubbe), or Susie Bell, or Charley Wilson, or Margaret Wilson, all

of whom are alleged to have been full-blood Choctaw Indians, or Naf-fie Marris, or Ailsey (Indian name Il-lah-ho-nah), both of whom are alleged to have been Choctaw Indians, degree of blood not shown.

It further appears from the record, and from the records of this office, that none of the applicants has ever been recognized enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal nor are they parties litigant before the Choctaw-Chickasaw Citizenship Court.

It is further shown that Dibbin Marris and Walton Marris are the children of Jim Marris, a white man, and Sallie Marris a full-blood Choctaw Indian woman whose Indian name is given as Fil-e-tah-honah, and that she was the daughter of Ah-to-ble-cha, a full-blood Choctaw Indian who resided in Neshoba County, Mississippi, until his death, which occurred shortly after the civil war, and was buried near Seale, Mississippi; that Ah-to-ble-cha was the head of a Choctaw family in 1830, and signified his intention to remain for the five years stay and take land under article 14 of said treaty; that he had at the date of the treaty, four children whose names are given as Sallie Marris (Fil-e-tah-ho-nah), the mother of two of the applicants, and Ok-le-mo-nah, Cus-ne-ah-he-mah and Ah-no-sa-ches, the three former being girls and the latter a boy.

It further appears that all of the applicants except the persons heretofore identified, and Albert Kelley and Ib Marris are lineal descendants of the said Ah-to-ble-cha, through whom they claim. The evidence as above set forth is corroborated by the records of this office.

It does not appear from the record, or from the records of this

office, relating to persons who complied or attempted to comply with the provisions of article 14 of the treaty of 1830, and to persons who were heretofore claimants thereunder, that Ailsey (or Il-lah-he-nah), through whom Albert Kelley claims, or Venus Anderson, or an ancestor less remote, signified in person or by proxy to any person an intention to comply with the provisions of said article 14, or presented a claim to rights under the same or subsequent legislation.

In view of the record, the approval of the Commission's decision favorable to all of the applicants except Albert Kelley and Ib Morris, and unfavorably to them, is recommended.

Very respectfully,

(Signed) A. C. Tomner,

Acting Commissioner.

M.M.M.
V.

DC. 4076-1905.
ITD. 7377-1904.
12446- "
294-1905.
L.R.S.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, January 21, 1905.

(COPY).

GR. LLB.

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

Gentlemen:

October 18, 1904, you transmitted the record of the consolidated applications of Dibbin Marris et al., M.C.R. 2582 et al., for identification as Mississippi Choctaws, including your decision of September 27, 1904, granting the applications for identification of the following-named mixed-blood Choctaws: Dibbin Marris, Wench Marris, Steve Marris, Nancy Marris, Missy Marris, Mat Marris, Liss Marris, Coleman Marris, Nannie Marris, Jane Marris, Lillie Marris, Tennis Marris, Marris Marris, Sanderson Marris, Lula Marris, Sam Marris, Tom H. Marris, Christian Marris, Winner Marris, Bobe Marris, Otis Marris, Susan Bull, Jim Marris, Arch Marris, Annie Marris, Watson Marris, Nellie Marris, Seward Marris, Boston Marris, Sealy Kelley, Presley Kelley, Lloyd Kelley, Rula Kelley, Mosely Morris, Lillie Morris, Dempsey Morris, Missie Morris, Bettie Sockey, Maggie Sockey, Rafe Sockey, Ned Sockey, William Morris, Nan Morris, Foreman Morris, Bowman Morris, Brooksie Morris and George Marris as Mississippi Choctaw Indians entitled to rights in the Choctaw lands under the provisions of Article 14 of the Treaty of 1830, and denying the applications of Albert Kelley and Ib Morris to be identified as such.

It appears from the records of the Commission that Jack

Beaks, principal applicant in M.C.R. 5163, Sealy Marris, wife of principal applicant in M.C.R. 2724, Asa Elmon Bull, principal applicant in M.C.R. 5113, Minerva Marris, wife of principal applicant in M.C.R. 2002, Ida Morris, wife of principal applicant in M.C.R. 2003, John Sockey, principal applicant in M.C.R. 5162 and Fergy Marris, wife of principal applicant in M.C.R. 5164, who are full-blood Mississippi Choctaw Indians, have been by the Commission duly identified as Mississippi Choctaws under the provisions of section forty-one of the act of Congress approved July 1, 1902 (32 Stat., 641), and the Department notes that the names of Jack Beaks, Fergy Marris, John Sockey and Asa Elmon Bull are to be found on the partial rolls of the Mississippi Choctaws approved by the Acting Secretary of the Interior January 13, 1905, opposite Nos., respectively, 1159, 1160, 1225, and 1228 thereon.

December 9, 1904, the Acting Commissioner of Indian Affairs reporting in the matter recommended that your decision of September 27, 1904, be affirmed. Copy of his letter is inclosed.

The Department concurs in the recommendation made and your decision is hereby affirmed.

Respectfully,

(Signed) THOS. RYAN,

Acting Secretary.

1 inclosure.

M.C.R. 2592

COPY.

Muskogee, Indian Territory, February 1, 1905.

Allen & Von Weise,
Attorneys at Law,
Tishomingo, Indian Territory,

Gentlemen:

You are hereby notified that on the 21st day of January 1905, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of Albert Kelley and Ib Morris, included in the consolidated case of Dibbin Morris et al., of which decision you were advised by registered mail on the 27th day of September, 1904.

Respectfully,

(SIGNED),

James Dwyer

Chairman.

M.C.R. 2582

COPY.

Muskogee, Indian Territory, February 1, 1905.

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

Gentlemen:

You are hereby notified that on the 21st day of January 1905, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of Albert Kelley and Ib Morris, included in the consolidated case of Dibbin Morris, et al., a copy of which decision was mailed you on the 27th day of September, 1904.

Respectfully,

(SIGNED)

James Dixby

Chairman.

Affidavits not here.
Must be in Ind. Office
with original records.

REFER TO M. C. R. ~~File~~
2582

Dibbin Morris et al

Consolidated Case

Abto-ble-cha, dead

Oklemonah, full

Betsy

married

Bill or William Thompson
full

mck
5118

Amy Thompson, 50
married

x Allen Ellis, 16.50

x Included in consolidated
Case of (see 5118)

mck
1888

Anderson or
Allison Thompson, 40
full
married

x Martha Bell, 55

Included in consolidated
Case of (see 1888)

mck
5114

Sudie Ellis, 24. full
married

x Bill Cotton, full
x Separated

mck
5118

Ann Ellis, 16

Jane Ellis, 15

Steve Ellis, 8

Richmond Ellis, 4

Josie Ellis, 3

mck
1889

Simmons Thompson, 22
full
married

x Callie Bell

Included in consolidated Case of (see 1889)

mck
1888

Hortense Thompson, 16

Stewart Austin, (mck 5092) since the date of application
Lena Thompson, 4

mck
5114

Linnie Cotton, 21
Leman Cotton, 1

Ah-to-ble-cha, Dead

Sallie or
Fil-eta-ho-nah, full

married
Jim Marris, W.D.

mck 2582
Dibbin Marris, 60

married
Jimmie or Jennie Bell, 3/4 D

and
Belay Toohalo, full

Coleman Marris, 40 3/4
 wife
 Rosie Marris, ft. Dead
 Marris Marris, 30, 5/8
 Sanderson Marris, 29 1/2
 wife
 x Annie Marris ft.
 x Now wife of L.A. Patton
 Cheatham Marris, Dead
 Minnie Bell, Dead
 Tom H Marris, 27 3/4
 wife
 x Sealy Marris, 26 full
 x Includes in consolidated case of John Bull mck 2574
 Babo Marris, 26, 3/4
 wife
 Margaret Marris, ft. D
 Elizabeth Marris, Living
 Susan Marris, 25, 3/4
 married
 x Asa Edmon Bell,
 x Includes in consolidated case of John Bull mck 2574
 Jim Marris, 23 1/8
 married
 Minerva Frazer, full
 (all 20-2)
 Wench Marris, 19
 Steve Marris, 17
 Nancy Marris, 11
 Missy Marris, 11
 Mat Marris, 10
 Liss Marris, 6

Nannie Marris 10
 Jane Marris, 8
 Lillie Marris, 7
 Jennie Marris, 4
 Lula Marris, 5
 Sam Marris, 11
 Christian Marris, 11
 Winner Marris 1
 Otis Marris 7
 Arch Marris 9

Ah-to-blecha, dead

Sallie or
Fih-e-tah-honah, full 2
married
Jim Morris, w. d.

McK
5032
Watson Morris, 1/2

married

① Rozanna Bell, dead
or Roseanna

② Sallie, white L.

McK
5031
Sealy Morris, 35 3/4

married

* Albert Kelley, 37 1/2

x Father - Brown Kelley, w. d.
Mother - Jane Kelley, full 2

McK
20047
Mosely Morris, 33 full

married

" Ida Wilson, full 2

Father - Charley Wilson, full 2
Mother - Margaret Wilson, full 2

McK
5162
Bettie Morris, 26 5/8

married

* John Sockey, full 28
(see 5162)

McK
20057
William Morris, 25 5/8

married

" St. Anderson, 21 1/2

Father - Sam Anderson, ^{white}
Mother - Venus Anderson, 1/2

McK
5164
George Morris, 25 7/8

married

* Forgy Sockey, 25, full
(see 5164)

McK
5032
Nellie Morris, 17

Edward Morris, 3

Boston Morris, 13 mos

McK
5033

Presley Kelley, 12

" Lloyd Kelley, 10

" Paula Kelley, 8

McK
20058
Lillie Morris, 4

Dempsey Morris, 1

McK
5163
Maggie Sockey, 6

" Rafe Sockey, 5

" Ned Sockey, 4

McK
20055
Nan Morris, 5

Foreman Morris, 3

Bowman Morris, 2

Brookie Morris, 1

#907

No

For Identification as a Mississippi Choctaw.

Date JUN 6 1901

Name *Dibbin Marris*

Age *60* Blood *1/2*

Post Office, *North Bend, Miss.*

Father: *Jim Marris (w) (dead)*

Mother: *Sallie " "*

Claims through *mother*

~~wife *Jimmie Marris (full) (dead)*~~

*(Claims for self and
6 minor children)*

Children:

Wench Marris (M) 19

Steve " " 17

Nancy " (F) 17

Missy " " 18

Mat " " 10

Liss " (M) 6

*(See Miss. Choct. card field No 215
Appearance 10/1/99)*

Stenographer

R. S. Steet.

Choctaw MCR 2583

John Tims

MCR 2583

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 7, 1901.

In the matter of the application of John Tims for the identification of himself and his one minor child as Mississippi Choctaws.

John Tims, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A John Tims.
Q What is your age? A Thirty two.
Q What is your post office address? A Siding, Mississippi.
Q How long have you lived there? A About seven years.
Q Where were you born? A In Newton County.
Q Always lived there? A Yes sir.
Q What is your father's name? A Handy Tims.
Q Is he living? A Yes sir.
Q What is your mother's name? A Violet Tims.
Q Is she living? A Yes 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 1/4.
Q What is your mother's blood? negro? A Yes sir, she was raised in South Carolina.
Q Was she a slave before the war? A Yes sir.
Q Was your father? A I think he was.
Q What was your father's master's name? A Tims.
Q Was your father, through whom you claim your right to be identified as a Mississippi Choctaw, ever recognized in any way or enrolled as a member of the Choctaw tribe of Indians by the Choctaw authorities or the United States authorities? A I don't know.
Q Are you married? A Yes sir.
Q What is your wife's name? A Alice Tims.
Q What is her blood? A She don't claim any Choctaw.
Q What does she claim? A She never said what she claims.
Q Is she a negro? A I suppose she is.
Q Don't you know? A I don't know whether she is mixed with other nations or not.
Q Do you know? A No sir.
Q What do you think? A I think she is a colored person.
Q You know she is don't you? A I wouldn't really say.
Q Have you any children under twenty one years of age and unmarried that you want to make application for? A One child.
Q What is the name of that one? A Handy.
Q A boy? A Yes sir.
Q How old is Handy? A Two years old.
Q You make no application for your wife, do you? A No sir.
Q When were you married to your wife? A It will be four years the 5th of December.

John Sims, et al., #2.

- Q Have you your marriage license and certificate? A Yes sir.
Q Would you like to present them now in support of your application for your boy, Handy? A I haven't got them here now.
Q Have you any documentary evidence that you want to introduce now? A No sir.

Thirty days time from the date hereof is allowed the applicant in which to file proper documentary evidence in support of this application, including marriage license and certificate or certified copies of the same.

- Q Is your name or the name of your son on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Did you ever make application to the Choctaw tribal authorities for yourself or son for citizenship in the Choctaw Nation? A No sir.
Q Did you, or any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Is this the first application of any kind you have ever made for yourself or son to either the Choctaw tribal authorities or the United States authorities for citizenship in the Choctaw Nation? A Yes sir.
Q You now seek to be identified as Mississippi Choctaws? A Yes sir.
Q Do you claim this right for yourself and son as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.
Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No sir.
Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A No sir.
Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent here in Mississippi, their intention to remain in Mississippi and become citizens of the States? A No sir.
Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under the provisions of Article Fourteen of the Treaty of 1830? A No sir.
Q Do you speak the Choctaw language? A No sir.

(This applicant has the appearance and general characteristics of a full blood negro. He claims 1/4 Choctaw Indian blood; this claim is not substantiated in his appearance and manner, all of his characteristics being that of a negro. He has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

John Tins, et al., vs.

The decision of the Commission as to the application you make at this time for the identification of yourself and one ~~name~~ child as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 23, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, having been first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full, said proceedings had in the above entitled cause on the 7th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

R. S. Streit

[Signature]
Notary Public.

K.C.R. 8583

Muskogee, Indian Territory October 17, 1902.

John Tins,
Siding, Mississippi.

Dear Sir:-

You are hereby advised that on the 17th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Handy Tins, et al., embracing the following applications for identification as Mississippi Choctaws:

Handy Tins, et al.,	M.C.R. 2309
John Tins, et al.,	M.C.R. 2583
Lela Goodman, et al.,	M.C.R. 2451
Christina Smith,	M.C.R. 2448
Mattie Hunter,	M.C.R. 2447
Andrew Tins, et al.,	M.C.R. 8638.

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 the 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 Handy Tins, Wiley Tins, Charley Tins, John Tins, Handy Tins (S), Lela Goodman, William J. C. Goodman, Christina Smith, Mattie Hunter, Andrew Tins, Annie Tins, Evalina Tins, Ped Tins, Alice Tins, Joe Tins and Sarah Tins as Choctaw Indians entitled to rights in the Choctaw lands

J T -2

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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNATURE)

Wm. D. Dancy

Acting Chairman.

Registered.

M.C.R. 2583

COPY.

Muskogee, Indian Territory, March 11, 1903.

John Tims,
Siding, Mississippi.

Dear Sir:

You are hereby notified that on the 24th 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 Handy Tims, et al., of which decision you were advised by registered mail on the 17th day of October, 1902.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

#908

No. 3583

For Identification as a Mississippi Choctaw.

Date JUN 7 - 1901

Name John Sims

Age 32 - Blood $\frac{1}{4}$

Post Office. Siding, Miss.

Father: Wandy Sims l

Mother: Violet "negro" l

Claims through father
wife Alice - negro -

No claim for wife -

Children:

Wandy - 2.

Claims for self
and child.

Stenographer R. A. Stutz

John Sims et al

REFUSED

DECISION RENDERED **OCT 17 1902**

NOTICE OF DECISION MAILED APPLICANT.

OCT 17 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

OCT 17 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

OCT 17 1902

RECORD FORWARDED DEPARTMENT.

NOV -3 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

FEB 24 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAR 11 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

MAR 11 1903

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

MAR 11 1903

REFER TO M. C. R. 2309

Choctaw MCR 2584

Sam Lewis

MCR 2584

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

In the Matter of the Application of Sam Lewis, et al., for
Identification as Mississippi Choctaws.

M. C. R. 2584.

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

In the Matter of the Application of Sam Lewis et al.,
for Identification as Mississippi Choctaws.
M. C. R. 2584.

- - I N D E X . - -

Original application of Sam Lewis et al., for identification as Mississippi Choctaws -----	1
Decision of the Commission identifying said applicant-----	4.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 7th, 1901.

In the matter of the application of Sam Lewis for the identification of himself, his wife and four minor children as Mississippi Choctaws.

Said Sam Lewis, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Sam Lewis.
- Q What is your age? A About thirty.
- Q What is your postoffice address? A Melon, Newton County, Mississippi.
- Q How long have you lived in Newton County? A Been living there ever since I was little boy.
- Q Born there? A Yes.
- Q What is your father's name? A John Lewis.
- Q Is he living or dead? A Dead.
- Q Was he a full blood? A Yes sir.
- Q Is your mother living or dead? A Dead, last year.
- Q Did anybody make application for your mother two years ago? A Yes sir.
- Q What was her name? A Melissa Lewis.
- Q Was she a full blood Choctaw Indian? A Yes sir.
- Q Are you a full blood Choctaw Indian? A Yes sir.
- Q Do you claim your Choctaw blood through both your father and mother? A Yes sir.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any way or enrolled as members of the Choctaw Tribe of Indians by either the Choctaw Tribal Authorities or the United States authorities in the Indian Territory? A No.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Pollie.
- Q Do you make a claim for her? A Yes sir.
- Q What is she, a full blood Choctaw Indian? A Yes sir.
- Q How old is Pollie? A I don't know how old.
- Q Is she older than you? A No sir.
- Q About how old do you think she is? A About twenty-seven.
- Q What is your wife's father's name? A Isaac Johnson.
- Q What is your wife's mother's name? A I don't know, she has been dead long time.
- Q Is Isaac Johnson dead? A Yes sir.
- Q Is her mother dead too? A Yes sir.
- Q Were both full blood Indians? A Yes sir.
- Q Have your wife's father and mother, through whom you claim for her the right to identification as a Mississippi Choctaw ever been recognized in any way or enrolled as members of the Choctaw Tribe of Indians by the Choctaw Tribal authorities or the United States authorities in the Indian Territory? A No sir.
- Q How were you married to your wife Pollie? A Were you married under a license or according to Choctaw Custom? A Choctaw custom.
- Q Have you any children under 21 years of age and unmarried that you want to make application for? A Yes sir, four.
- Q Give me the name of the oldest child? A Jim Lewis.
- Q How old is he? A Eleven years old.

Sam Lewis et al---2

- Q What is the name of the next? A Dorano.
Q How old is Dorano? A About seven.
Q The next? A Ump.
Q How old is Ump? A A Five years old.
Q Have you any other children? A Yes sir, one named Claire.
Q A girl? A Yes sir.
Q When was she born? A Born the second day of May, 1901.
Q About a month old? A Yes sir.
Q Is your son Tom dead? A Yes sir.
Q You made application for Tom two years ago? A Yes sir.
Q Is Pollie the mother of these children? A Yes sir.
Q And you are the father, are you? A Yes sir.
Q Are they living with you at your home? A Yes sir.
Q Is your name or the names of your wife and children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application to the Choctaw Tribal authorities in Indian Territory for your own enrollment or the enrollment of your wife and children as members of the Choctaw Tribe? A No sir.
Did you or did anyone for you or for your wife or children in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted, or your wife or children, to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Have you ever made application before this time for either yourself, your wife or children, to either the Choctaw Tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A Yes sir, two years ago.

The records of the Commission show that on February 7th, 1899, this applicant appeared before the Commission at Decatur, Mississippi, and made application for the identification of himself, his wife Pollie and his minor children, Jim, Ump, Dorano and Tom as Mississippi Choctaws, their names appearing on Mississippi Choctaw card, field No. 439. The names of these applicants also appear on page 95 of the schedule of Mississippi Choctaws which accompanied the report of ~~the~~ March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in Choctaw lands under the provisions of the 14th article of the treaty of 1830, being numbers 1582, 1583, 1584, 1585 and 1586, respectively thereon.

- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself, your wife and children? A Yes sir.
Q Do you claim this right for yourself and them as beneficiaries under article 14 of the treaty of 1830? A Yes sir.
Q Have you or your ancestors ever received any benefits as Choctaw Indians, in money or land? A No sir.
Can you give me the name of any of your ancestors who were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was ratified between the United States and the Choctaw Indians? A No, I don't know.

Q Did any of your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi or Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other Choctaw Indians between the years 1833 and 1838? A No.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A I don't know.

Q Did any of your ancestors receive or claim any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A No, I don't know.

Q Do you speak the Choctaw language? A Yes sir.

Q And you can speak English also, can you? A Yes sir.

Q You live among the Choctaws? A Yes sir.

Q Are there any additional statements you want to make now in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in Mississippi in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir.

This applicant appears to be a full blood Choctaw Indian, having all of the characteristics of a member of the Choctaw Tribe. He speaks both the Choctaw and the English languages, his testimony being given without the assistance of a sworn Choctaw interpreter. He has no knowledge of the compliance on the part of his ancestors with any of the provisions of article 14 of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your wife and four minor children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your post office address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 7, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.



Subscribed and sworn to before me this the 8th day of July, 1901, at Meridian, Mississippi.



Notary Public.

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

Cow
In the Matter of the Application of Sam Lewis et al.,
for Identification as Mississippi Choctaws.

N. C. R. 2584.

) - 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 on June 7, 1901 by Sam Lewis, for himself, his wife Pollie, and his four minor children, Jim Lewis, Dorano Lewis, Ump Lewis and Claire Lewis, under the following provision of the Act of Congress approved June 28, 1898, (30 Stats., 495):

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

From the evidence submitted in support of said application it appears that the applicants are full-blood Mississippi Choctaw Indians.

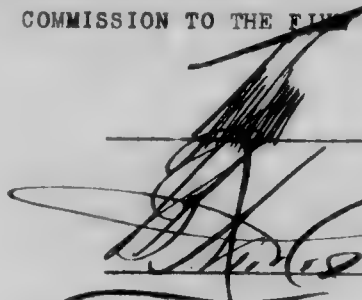
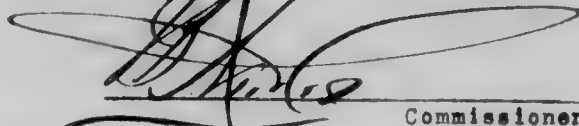
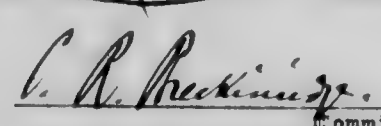
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes," approved July 1, 1902 (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi

Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Sam Lewis, Pollie Lewis, Jim Lewis, Dorano Lewis, Ump Lewis and Claire Lewis should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

APR 27 1903

M.C.R. 2584.

COPY.

Muskogee, Indian Territory, April 27, 1903.

Mansfield, McMurray & Gornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 27, 1903, identifying Sam Lewis, his wife, Follie Lewis, and four minor children, Jim Lewis, Dorano Lewis, Ump Lewis and Claire Lewis, as Mississippi Choctaw Indians, under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Sam Lewis, his wife and children as Mississippi Choctaws and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tams Dixby.
Chairman.

Registered.
Enc.: 2584

COPY,

M.C.R. 2584

Muskogee, Indian Territory, May 8, 1903.

Sam Lewis,

Melen, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 27, 1903, identifying yourself, your wife Pollie Lewis, and minor children, Jim Lewis, Derame Lewis, Ump Lewis and Claire Lewis as Mississippi Choctaw Indians under the provisions of section 41 of the Act of Congress approved July 1, 1902 (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory before October 27, 1903, you will have six months from that date, or until April 27, 1904, within which to make proof of such removal and settlement at the office of the Commission, at Ateka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED),

Tame Bixby.

Chairman.

Registered

Enc. 2584.

K.O.R.2584

Muskogee, Indian Territory, April 20, 1904.

Thompson Peter,

Reagan, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant, in which you ask if the name of Sam Lewis has been approved by the Secretary of the Interior as a Mississippi Choctaw.

In reply to your letter you are informed that it appears from our records that on April 27, 1903, the Commission rendered a decision identifying Sam Lewis, his wife, Pollie Lewis, and his four minor children, Jim, Dorano, Ump and Claire Lewis, as full-blood Mississippi Choctaws. Their names appear upon a schedule of duly identified Mississippi Choctaws approved by the Secretary of the Interior June 1, 1903.

Respectfully,

Chairman.

M C N 2568

Muskogee, Indian Territory, April 7, 1903.

Sam E. Lewis,

Kiana, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the application for enrollment as a citizen of the Cherokee Nation of Oother Lewis, infant son of Sam E. and Pollie Lewis, born October 19, 1903.

Respectfully,

Commissioner in Charge.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

Application for Enrollment of

INFANT CHILD

Claire Lewis

as a citizen of

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW. Nation.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW. 190
App. Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.

[Signature]
Acting Chairman

2584

MISSISSIPPI CHOCTAW. *Cars Field No. 439.*

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

FILED
JUN 12 1901

[Signature]
ACTING CHAIRMAN

See Miss Choc Card Field No 439

BIRTH AFFIDAVIT.

20

FOR IDENTIFICATION AS
DEPARTMENT OF THE INTERIOR,
A MISSISSIPPI CHOCTAW
COMMISSION TO THE FIVE CIVILIZED TRIBES.

I.V. REF. Application for Enrollment, as a citizen of the Choctaw Nation.
of Claire Lewis, born on the 2nd day of May, 1901.
(Here insert name of child)
Name of Father: Sam Lewis, a citizen of the Choctaw Indian Nation.
Name of Mother: Pollie Lewis, a citizen of the Choctaw Indian Nation.
Post-office, Melton, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

State of Mississippi
Newton County

I, Pollie Lewis, on oath state that I am 27
years of age and a citizen, by birth, of the Choctaw Indian Nation;
that I am the lawful wife of Sam Lewis, who is a citizen, by
birth, of the Choctaw Indian Nation, that a girl child was
(male or female)
born to me on the 2nd day of May, 1901; that said child has been
named Claire Lewis, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

L. E. Reynolds
J. P. Collier

Pollie Lewis
her mark

Subscribed and sworn to before me this 10 day of June, 1901.

L. E. Reynolds
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

State of Mississippi

I, Julia Lewis, a Midwife, on oath state that I
attended on Mrs. Pollie Lewis, wife of Sam Lewis,
on the 2nd day of May, 1901; that there was born to her on
said date a female child; that said child is now living and is said to have been
(male or female)
named Claire Lewis.

WITNESSES TO MARK:

(Must be Two Witnesses)

L. E. Reynolds
J. P. Collier

Julia Lewis
her mark

Subscribed and sworn to before me this 10 day of June, 1901.

L. E. Reynolds
NOTARY PUBLIC

409

No. 351

For Identification as a Mississippi Choctaw.

Date JUN 7 1901

Name Sam Lewis

Age 30 Blood full.

Post Office, Melon, Miss.

Father: John Lewis, f. b. d.

Mother: Melissa " f. b. d.

Claims through both parents, wife

Pollie f. b. 27
Father Isaac Johnson, f. b. d.
Mother - dont know f. b. d.

See M. C. Case filed No. 439

Children: Jim - 11

Lorano, 7

Ump 5

Claire - 1 month

Claim for self
wife and children

Stenographer D. S. Miles

IDENTIFICATION
MISSISSIPPI CHOCTAW

R.

Sam Lewis Esq.

IDENTIFIED

DECISION RENDERED AT 27 1903

COPY OF DECISION
AT COURT OF
CHICKASAW

COPY OF DECISION

LICENS

MAY

1903

18/03. P.O. Lic. S.J.

Choctaw MCR 2585

Corinna C Bernd

MCR 2585

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA: June 10, 1901. I/ T/

2585

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

Corinna C. Bernd having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Corinna C. Bernd.
Q What is your age? A Forty.
Q What is your post-office address? A Oak Cliff, Dallas County, Texas.
Q How long have you lived there? A Sixteen years.
Q Where did you live before that? A Hopkins County, Texas.
Q How long have you lived in Texas? A All my life.
Q Born in Texas? A Yes.
Q Never lived anywhere else? A No.
Q What is your father's name? A Tom Eldridge.
Q Is he living? A Yes.
Q What is your mother's name? A Chelissa Eldridge.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Was your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Jules R. Bernd.
Q He is living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application at this time? A Yes, I have three.
Q Give their names and ages. A Walter B., fourteen; Royal F., eleven, and Jules R., eight.
Q These are all boys? A Yes.
Q These are all your children? A Yes.
Q What is the name of their father? A Jules R. Bernd.
Q Is your name or are the names of these children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to have yourself or children enrolled as members of the Choctaw tribe of Indians? A No.
Q Did you or did any one for or for your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A I don't know.
Q That would be about five years ago; did you make application then to the Dawes Commission? A No.
Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the authorities of the United States for yourself or your children to be admitted or enrolled as citizens of the Choctaw Nation? A No.

- Q Is this the first application of any description you have ever made
Q Yes.
Q Is it now your purpose to make application for identification as a
Mississippi Choctaw? A Yes.
Q Do you claim your rights as a beneficiary under the provisions of
the fourteenth article of the treaty of 1830? A Yes.
Q Are you familiar with the provisions of that article of that treaty
A I am not very familiar.
Q Article fourteen of the treaty of 1830 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 land intending to become citizens of the States for five years from 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 claiming 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."

- Do you claim under this article? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I don't know.
Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Great-grandfather, Trueman Smith.
Q Was he full-blood? A I think so.
Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe of Indians at that time? A I don't know.
Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw tribe in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A That's farther back than I know.
Q Did you ever hear anything about it? A No, I don't know anything about it.
Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
Q Are there any additional statements your desire to make in support of this application? A No.
Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors ever were recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty?

Hudson & Arnold, attorneys for applicant ask for thirty days in which to file any evidence applicant may be able to secure in support of her application for identification as Mississippi Choctaw.

Gov. C. Beard---

Thirty days time is allowed applicant in which to file any additional evidence in support of her application.

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined at the earliest possible date and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. section of the Act of Congress of June 20, 1900, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July, 1901.

R. H. B. Baugh
Notary Public.

M. C. R. 2585.

COPY

Muskogee, Indian Territory, December 5, 1902.

Corinna C. Bernd,

Oak Cliff, Texas.

Dear Madam:

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Thomas M. Eldridge, et al., embracing the following applications for identification as Mississippi Choctaws:

Thomas M. Eldridge, M. C. R. 2440;
Corinna C. Bernd, et al., M. C. R. 2585;
Jessie May McLaughlin, M. C. R. 2972.

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 Thomas M. Eldridge, Corinna C. Bernd, Walter E. Bernd, Royal F. Bernd, Jules R. Bernd and Jessie May McLaughlin 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

C. C. B., 2.

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)

(SIGNED)

Tame 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.

H. O. R. 2525.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 31, 1903.

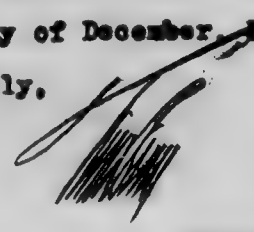
Corinna C. Bernd,

Oak Cliff, Texas.

Dear Madam:

You are hereby notified that on the 24th 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 Thomas M. Eldridge, et al., of which decision you were advised by registered mail on the 5th day of December, 1902.

Respectfully,



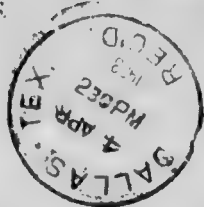
Chairman.

2585

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 8 1903



CHAIRMAN.



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Department of the Interior.

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

OFFICIAL BUSINESS.

Penalty for private use \$3000.

Corinna C. Beard,
Oak Cliff, Texas.

DALLAS TEX
MAY 1



REFUSED

Corinna C. Bernd, et al.

DECISION RENDERED. DEC 5 1902

NOTICE OF DECISION MAILED APPLICANT. DEC 5 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS. DEC 5 1902

RECORD FORWARDED DEPARTMENT. DEC 22 1902

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 24 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS. MAR 31 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. MAR 31 1903

REFER TO M. C. R.

No. 2585

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Corinna C. Bernd

Age 40 Blood 1/16

Post Office, Oak Cliff, Texas

Father: Tom Eldridge

Mother: Chelmissa Eldridge

Claims through father

Husband: Julius R. Bernd
(no claim for him)

Children:

Halter C. Bernd	14
Royal F. "	11
Julius R. " Jr.	8

Claims for herself and
three minor children.

Stenographer

Henry G. Hains

Choctaw MCR 2586

Ira Gee

MCR 2586

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 10, 1901.

#2586

In the matter of the application of Ira Gee for the identification of himself and his minor children as Mississippi Choctaws and for the identification of his wife, Ressa Gee, as an inter-married Mississippi Choctaw.

Ira Gee having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Ira Gee.
Q What is your age? A Thirty.
Q What is your post-office address? A Prescott, Arkansas.
Q How long have you lived there? A Thirty years there or the vicinity.
Q All your life? A Yes.
Q Never lived anywhere else? A No.
Q What is your father's name? A Samuel B. Gee.
Q Is he living? A Yes.
Q What is your mother's name? A Klizabeth Gee.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No, he has not been enrolled; he has his application.
Q He made application for identification as a Mississippi Choctaw?
A Yes.
Q Are you married? A Yes.
Q What is your wife's name? A Ressa Gee.
Q Do you make application for her? A Her and the children, four minor children.
Q How do you claim for her; has she Choctaw blood? A No.
Q Claim for her by inter-marriage? A Yes.
Q What is the name of her father? A Her father was Aleck Evans.
Q Is he living? A No, he is dead.
Q What is your wife's mother's name? A My wife's mother was Lula Evans.
Q Is she living? A No.
Q What is your wife's age? A My wife's age is twenty-six.
Q When were you married? A On the 1st. October, 1898.
Q Your wife's parents are both white people and made no claim to Indian blood? A No, they made no claim to Indian blood.
Q Give the names and ages of your children. A Cecil (Boy), six; Alverne (Girl), five; Cleo (Girl), three; Elizabeth (Girl), five months.
Q These are all your children? A Yes.
Q What is the name of their mother? A Ressa Gee.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes.
Q Is your name or the name of your wife or children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to have yourself or wife or children enrolled as members of that tribe? A No.

- Q Did you or did any one for you or your wife or children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for either yourself or your wife or children to either the Choctaw tribal authorities or to authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Do you understand the provisions of that article of that treaty? A I think I do; I am not sure.
- Q Would you like to have it read? A Yes.
- Q Article fourteen of the treaty of 1830 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 may be 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 land 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 claiming 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." Do you claim under that article? A I think so; yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Why, its my great-grandfather on my grandmother's side, Wilson Cobb.
- Q Have you any evidence shewing that such ancestor was a recognized member of the Choctaw tribe of Indians at that time? A Yes.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838?
- Q I think that he moved here in about '35- '36 or '38- somewhere there, and probably moved back to Mississippi and died there.
- Q He did not then, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Nation in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Ira Gee---3

- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any other proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty.

Application of Ira Gee offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; joint affidavit of A. Harris and W.W. Rice offered in evidence by applicant marked Exhibit "B", filed and made a part of the record in this case; marriage license and certificate between Ira Gee and Miss Ressa Evans offered in evidence by applicant, marked Exhibit "C", filed, and made a part of the record; certified copy of the application of George S. Cobb for himself and his family, offered in evidence by applicant, marked Exhibit "D", filed and made a part of the record in this case; certified copy of the record in the case of W.P. Cobb et al., #140, filed, marked Exhibit "E" and made a part of the record; certified copy of the testimony of George S. Cobb taken before the Commission at Atoka, Indian Territory, May 24, 1901, offered in evidence by applicant, filed, marked Exhibit "F", and made a part of the record in this case.

Q Would you like time in which to file any additional evidence in support of this application? A I suppose would; yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws and for your wife as an inter-married Mississippi Choctaw will be determined at the earliest possible date and report of the same be made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently is a white man.

Henry G. Hains being duly sworn on his oath states that as a stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linebrough
Notary Public.

COPY.

Muskegee, Indian Territory, February 14, 1903.

Ira Gee,
Prescott, Arkansas.

Dear Sir:

You are hereby advised that on the 14th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel B. Gee, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel B. Gee, et al.,	M.C.R. 2277
William Gee, et al.,	M.C.R. 2278
Edwin F. Gee, et al.,	M.C.R. 2279
Ira Gee, et al.,	M.C.R. 2586
Ida Gee Hamilton, et al.,	M.C.R. 2587
Lee Gee,	M.C.R. 2588
D. Inez White, et al.,	M.C.R. 2589
Ada Gee Rice, et al.,	M.C.R. 2590

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 Samuel B. Gee, Samuel Gee, William Gee, William Imon Gee, Jewel T. Gee, Edwin F. Gee, Edwin Waitus Gee, Mattie B. Gee, Charley R. Gee, Thomas S. Gee, Ira Gee, Cecil Gee, Alverne Gee, Cleo Gee, Elizabeth Gee, Ida Gee Hamilton, Hazel H. Hamilton, Samuel Clark, Hamilton, Lee Gee, D. Inez White and Ada Gee Rice 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 Samuel B. Gee for his wife Elizabeth Gee; by William Gee for his wife, Nancy T. Gee; by Edwin F. Gee for his wife, Rena D. Gee; by Ira Gee for his wife, Ressa Gee; by Ida Gee Hamilton for her husband, R. Brad Hamilton; by D. Inez White for her husband, John C. White and by Ada Gee Rice for her husband, William W. Rice 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)

Tame Dixie

Acting Chairman.

Registered.

Muskogee, Indian Territory, June 7, 1904.

Ira Geo.

Prescott, Arkansas.

Dear Sir:

You are hereby advised that the Secretary of the Interior, on May 25, 1904, rescinded Departmental decision of July 30, 1903, reversing the decision of the Commission to the Five Civilized Tribes of February 14, 1903, refusing the application of Samuel B. Geo, et al, for identification as Mississippi Choctaws.

The Secretary of the Interior, in his letter of May 25, 1904, advised the Commission that the Department had granted the petition of Messrs. Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, for a rehearing in this case, upon the grounds that if such rehearing is granted they will be able to demonstrate that the testimony offered by the applicants is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb, who complied with the provisions of the 14th article of the treaty of 1830.

The Department also transmitted to the Commission, with the return of the record in this case, copies of the testimony of certain witnesses taken from the records of the Indian Office relative to the wives, children and immediate neighbors of Col.

I. G., 2.

Sam Cobb. These records are subject to your inspection at any time at the General Office of the Commission at Muskogee, Indian Territory.

In accordance with Departmental instructions of May 26, 1904, you are advised that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, on Monday July 11, 1904, at 9 o'clock a. m., hear the testimony of such witnesses as may be presented by the attorneys for the Choctaw and Chickasaw Nations in support of their contention that the testimony offered by the applicants in this case is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830. The Commission will also, at the same time and place, hear the testimony of such witnesses as may be presented by the applicants.

It is most earnestly desired that in this rehearing all witnesses whose testimony is desired be present in person.

Respectfully,

Registered

Chairman.

MCR-2586

Muskogee, Indian Territory, February 9, 1907.

Ira Gee,
Prescott, Arkansas.

Dear Sir:-

You are hereby notified that on January 25, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of February 14, 1903, adverse to the applicants in the consolidated Mississippi Choctaw case of Samuel B. Gee et al.

Respectfully,

Commissioner.

No. 2586

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name *Lra Gee*

Age 30 Blood 1/16

Post Office, *Prescott, Ark.*

Father: *Samuel B. Gee* ✓

Mother: *Elizabeth Gee* ✓

Claims through *father*

Wife: *Rebecca Gee* 26 ✓

Father: *Abert Evans* (dead)

Mother: *Lila Evans* ✓

Children:

Cecil Gee M 6

Alverne F 5

Cles " F 3

Elizabeth 3 ms.

Claims for himself and 4 children, and for wife as intermarried.

Stenographer

Henry G. Hains.

REFUSED

Ira Gue, et al

DECISION RENDERED. FEB 14 1903

NOTICE OF DECISION. FEB 14 1903

FOR CHICKASAW AND CHOCOTAW. FEB 14 1903

RECORD FORWARDED DEPARTMENT. MAR 9 - 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

Com

JUL 30 1903

Depts

and

MAY 25 1904

RECORD FORWARDED DEPARTMENT. SEP - 2 1904

OCT - 7 1904

*Depts. & courts are given to allow
Attys. for applicant 30 days to file testimony
and 15 days to file...*

RECORD FORWARDED DEPARTMENT. DEC 28 1904

ACTION APPROVED BY SECRETARY OF INTERIOR. JAN 25 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. FEB

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

FORWARDED ATTORNEYS FOR CHOCOTAW
AND CHICKASAW NATIONS.

REFER TO W. C. R. 2277

2277

Choctaw MCR 2587

Ida Gee Hamilton

MCR 2587

Department of the Interior/
Commission to the Five Civilized Tribes.
Atoka, I. T. June 10, 1901.

#2587

In the matter of the application of Ida Gee Hamilton for the identification of herself and her minor children as Mississippi Choctaws and for her husband as an intermarried Mississippi Choctaw. Ida Gee Hamilton having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Ida Gee Hamilton.
Q What is your age? A Twenty-eight.
Q What is your post-office address? A Prescott, Arkansas.
Q How long have you lived there? A All my life.
Q What is your father's name? A Samuel Gee.
Q Is he living? A Yes.
Q What is your mother's name? A Elizabeth Gee.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood?
A Through my father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the authorities of the United States or the Choctaw tribal authorities? No.
Q Are you married? A Yes.
Q What is your husband's name? A R. Brad Hamilton.
Q Do you make application for him? Yes.
Q When were you married? A June 12, 1895.
Q What is your husband's age? A Twenty-nine- will be in July.
Q What is his father's name? A P.C. Hamilton.
Q Is he living? A Yes.
Q What is his mother's name? A Martha Hamilton.
Q Is she living? A No.
Q Your husband's father and mother are both white people and make no claim to Indian blood? A Yes; no Indian blood.
Q You claim for your husband by inter-marriage? A Yes.
Q Have you any children? A I have two. Hazel H. Hamilton, five; and Samuel Clark Hamilton, three months.
Q These are both your children? A Yes.
Q What is the name of their father? A R. Brad Hamilton.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw nation in the Indian Territory? X Or are the names of any of your children?
A No.
Q Or is the name of your husband--? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself, your husband or your children to be enrolled as members of that tribe? A No.
Q Did you or did any one for you or your husband or children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A No.
Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes, or by judgment of the United States Court, in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or them to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as members citizens of the Choctaw tribe? A No.
Q Is this the first application of any description you have ever made? A Yes.

Ida G. Hamilton---2

- Q Is it now your purpose to make application for identification as Mississippi Choctaw? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of the fourteenth article of that treaty? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I don't know; I don't believe they have.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Well, Cobb.
- Q What was the Christian name? A Wilson Cobb.
- Q What relation was he to you? A My grandmother's grandfather; my great-great-grandfather- no he was my great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe of Indians at that time? A Yes, I think so.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Indians in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the tribe from 1835 to 1838? A Yes, I think so.
- Q He did not, then, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make at this time in support of your application? A No, I believe not.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of that article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A

Application of Ida Gee Hamilton offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; joint affidavit of W.W. Rice and R.S. Stevens offered in evidence by applicant, marked Exhibit "B", filed, and made a part of the record in this case; marriage license and certificate between R.B. Hamilton and Miss Ida Gee offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record; certified copy of the application of George S. Cobb for himself and his family offered in evidence by applicant, marked Exhibit "D", filed and made a part of the record; certified copy of the record in case of W.P. Cobb et al. v. Choctaw Nation #140 marked Exhibit "E", offered in evidence by applicant, filed and made a part of the record in this case; certified copy of the testimony of George S. Cobb taken at Atoka, I.T. May 24, 1901, marked Exhibit "F", filed and made a part of the record in this case.

- Q Do you wish time in which to file evidence in support of your claim? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of your application.

The decision of the Commission as to your application for the identification of yourself and your children as Mississippi Choctaws and of your husband as an intermarried Mississippi Choctaw will be determined at the earliest possible date and report of same made to the Secretary of the Interior, conformable to the provisions of the twenty-third section of the Act of Congress of June 20, 1900, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 proceedings had in the above entitled cause on June 10, 1901 and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

W. H. L. Baugh
Notary Public

COPY.

M.C.R. 2387

Muskogee, Indian Territory, February 14, 1903.

Ida Gee Hamilton,
Prescott, Arkansas.

Dear Madam:

You are hereby advised that on the 14th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel B. Gee, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel B. Gee, et al.,	M.C.R. 2277
William Gee, et al.,	M.C.R. 2278
Edwin F. Gee, et al.,	M.C.R. 2279
Ira Gee, et al.,	M.C.R. 2586
Ida Gee Hamilton, et al.,	M.C.R. 2587
Lee Gee,	M.C.R. 2588
D. Inez White, et al.,	M.C.R. 2589
Ada Gee White, et al.,	M.C.R. 2590.

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 herein is insufficient to determine the identity of Samuel B. Gee, Samuel Gee, William Gee, William Imon Gee, Jewel T. Gee, Edwin F. Gee, Edwin Waitus Gee, Mattie B. Gee, Charley R. Gee, Thomas S. Gee, Ira Gee, Cecil Gee, Alverne Gee, Cleo Gee, Elizabeth Gee, Ida Gee Hamilton, Hazel H. Hamilton, Samuel Clark Hamilton, Lee Gee, D. Inez White and Ada Gee Rice 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 Samuel B. Gee for his wife Elizabeth Gee; by William Gee for his wife, Nancy T. Gee; by Edwin F. Gee for his wife, Rena D. Gee; by Ira Gee for his wife, Ressa Gee; by Ida Gee Hamilton for her husband, R. Brad Hamilton; by D. Inez White for her husband, John C. White and by Ada Gee Rice for her husband, William W. Rice 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,

Tames D. ...
Acting Chairman.

Registered.

Muskogee, Indian Territory, June 7, 1904.

Ida Gee Hamilton,
Prescott, Arkansas.

Dear Madam:

You are hereby advised that the Secretary of the Interior, on May 25, 1904, rescinded Departmental decision of July 30, 1903, reversing the decision of the Commission to the Five Civilized Tribes of February 14, 1903, refusing the application of Samuel B. Gee, et al. for identification as Mississippi Choctaws.

The Secretary of the Interior, in his letter of May 25, 1904, advised the Commission that the Department had granted the petition of Messrs. Mansfield, McKurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, for a rehearing in this case, upon the grounds that if such a rehearing is granted they will be able to demonstrate that the testimony offered by the applicants is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830.

The Department also transmitted to the Commission, with the return of the record in this case, copies of the testimony of certain witnesses taken from the records of the Indian Office relative to the wives, children and immediate neighbors of Col.

I. G. H., 2.

Sam Cobb. These records are subject to your inspection at any time at the General Office of the Commission at Muskogee, Indian Territory.

~~In accordance with Departmental instructions of May 25, 1904,~~
you are advised that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, on Monday, July 11, 1904, at 9 o'clock a. m., hear the testimony of such witnesses as may be presented by the attorneys for the Choctaw and Chickasaw Nations in support of their contention that the testimony offered by the applicants in this case is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830. The Commission will also, at the same time and place, hear the testimony of such witnesses as may be presented by the applicants.

It is most earnestly desired that in this rehearing all witnesses whose testimony is desired be present in person.

Respectfully,

Registered

Chairman.

MCR-2587

Muskogee, Indian Territory, February 9, 1907.

Ida Gee Hamilton,
Prescott, Arkansas.

Dear Madam:-

You are hereby notified that on January 25, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of February 14, 1903, adverse to the applicants in the consolidated Mississippi Checotaw case of Samuel B. Gee et al.

Respectfully,

Commissioner.

No. 357

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name *Ida Gee Hamilton*

Age *28*

Blood *Free*

Post Office, *Prescott, Ark.*

Father: *Samuel Gee*

Mother: *Elizabeth*

Claims through *father*

Husband: *R. Brad Hamilton* ²⁹

Father: *P. C. Hamilton*

Mother: *Martha*

dead

Children:

Hazel Hamilton *5*

Samuel Clark *3 mos*

Claims for herself and two children and for husband as intermarried

Stenographer

Henry S. Hains

REFUSED

Ida Lee Hamilton, et al

DECISION RENDERED. FEB 14 1903

NOTICE OF DECISION MAILED APPLICANT. FEB 11 1903

NOTICE FOR CREDIT AND DEBIT. FEB 14 1903

RECORD FORWARDED DEPARTMENT. MAR -2 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.
Com. JUL 30 1903

MAY 25 1904

RECORD FORWARDED DEPARTMENT. SEP -2 1904

OCT -7 1904

*Department instructs us to file our attys
for applicants 30 days to file rebuttal
testimony a 1000...*

RECORD FORWARDED DEPARTMENT. DEC 28 1904

ACTION APPROVED BY SECRETARY OF INTERIOR. JAN 25 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT. FEB 1907

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

NOTICE OF DEPARTMENTAL ACTION
FORWARDED AT
AND CHIEF

REFER TO M. C. B. 2277.

taken on M.C.B. 2277

Choctaw MCR 2588

Lee Gee

MCR 2588

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 10th, 1901.

#2588

In the matter of the application of Lee Gee for identification as a Mississippi Choctaw.

Lee Gee having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Lee Gee.
Q What is your age? A Twenty-three
Q What is your post-office address? A Prescott, Arkansas.
Q How long have you lived there? A Been living there or near there all my life.
Q What is your father's name? A Samuel B. Gee.
Q Is he living? A Yes.
Q What is your mother's name? A Elizabeth Gee.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A Not that I knew of.
Q Are you married? A No.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A I have not.
Q Did you or any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A I have not.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation?
A No, I have not.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your right as a beneficiary under the fourteenth article of the treaty of 1830? A I do.
Q You understand the provisions of that article? A Yes; I do.
Q Have you ever received any benefits as a Choctaw Indian? A None.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I knew of.
Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Wilson Cebb, my great-grandfather.
Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A I don't know.

2---Lee Gee

- Q Did this ancestor, if a Choctaw Indian, remove from the territory occupied by the Old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I think he did.
- Q If he removed with the other members of the tribe, he did not, then, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any benefits any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A None.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Yes.

Application of Lee Gee offered in evidence by applicant, marked Exhibit "A", filed and made a part of the records in this case; certified copy of the application of George S. Cobb for himself and family, offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case; certified copy of the court records in case of W.P. Cobb et al. v. Choctaw Nation, #140, offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record in this case; certified copy of the testimony of George S. Cobb taken before the Commission at Atoka, I.T., May 24, 1901, offered in evidence by applicant, marked Exhibit "D", filed and made a part of the records in this case.

- Q Would you like time in which to file additional evidence in support of this application? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence in support of this case.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same be made to the secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

(Applicant apparently white.)

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Subscribed and sworn to before me this 15 day of July 1901.

Henry G. Hains

R. H. Linebaugh
Notary Public

COPY.

Muskegee, Indian Territory, February 14, 1903.

Lee Gee,
 Prescott, Arkansas.

Dear Sir:

You are hereby advised that on the 14th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel B. Gee, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel B. Gee, et al.,	M.C.R. 2277
William Gee, et al.,	M.C.R. 2278
Edwin F. Gee, et al.,	M.C.R. 2279
Ira Gee, et al.,	M.C.R. 2586
Ida Gee Hamilton, et al.,	M.C.R. 2587
Lee Gee,	M.C.R. 2588
D. Inez White, et al.,	M.C.R. 2589
Ada Gee Rice, et al.,	M.C.R. 2590.

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 Samuel B. Gee, Samuel Gee, William Gee, William Imon Gee, Jewel T. Gee, Edwin F. Gee, Edwin Waitus Gee, Mattie B. Gee, Charley R. Gee, Thomas S. Gee, Ira Gee, Cecil Gee, Alverne Gee, Cleo Gee, Elizabeth Gee, Ida Gee Hamilton, Hazel H. Hamilton, Samuel Clark Hamilton, Lee Gee, D. Inez White and Ada Gee Rice 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 Samuel B. Gee for his wife Elizabeth Gee; by William Gee for his wife, Nancy T. Gee; by Edwin F. Gee for his wife, Rena D. Gee; by Ira Gee for his wife, Ressa Gee; by Ida Gee Hamilton for her husband, R. Brad Hamilton; by D. Inez White for her husband John C. White and by Ada Gee Rice for her husband, William W. Rice 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,

Tamm D. ...
Acting Chairman.

Registered.

Muskogee, Indian Territory, June 7, 1904.

Lee Geo.

Prascott, Arkansas.

Dear Sir:

You are hereby advised that the Secretary of the Interior, on May 25, 1904, rescinded Departmental decision of July 30, 1903, reversing the decision of the Commission to the Five Civilized Tribes of February 14, 1903, refusing the application of Samuel B. Gee, et al. for identification as Mississippi Choctaws.

The Secretary of the Interior, in his letter of May 25, 1904, advised the Commission that the Department had granted the petition of Messrs. Mansfield, Mcurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, for a rehearing in this case, upon the grounds that if such rehearing is granted they will be able to demonstrate that the testimony offered by the applicants is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830.

The Department also transmitted to the Commission, with the return of the record in this case, copies of the testimony of certain witnesses taken from the records of the Indian Office relative to the wives, children and immediate neighbors of Col.

L. G., 2.

Sam Cobb. These records are subject to your inspection at any time at the General Office of the Commission at Muskogee, Indian Territory.

In accordance with Departmental instructions of May 25, 1904, you are advised that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, on Monday, July 11, 1904, at 9 o'clock a. m., hear the testimony of such witnesses as may be presented by the attorneys for the Choctaw and Chickasaw Nations in support of their contention that the testimony offered by the applicants in this case is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830. The Commission will also, at the same time and place, hear the testimony of such witnesses as may be presented by the applicants.

It is most earnestly desired that in this rehearing all witnesses whose testimony is desired be present in person.

Respectfully,

Registered

Chairman.

MCR-2588

Muskogee, Indian Territory, February 9, 1907.

Lee Gee,
Prescott, Arkansas.

Dear Sir:-

You are hereby notified that on January 25, 1907,
the Secretary of the Interior affirmed the decision of the Com-
mission to the Five Civilized Tribes of February 14, 1903,
adverse to the applicants in the consolidated Mississippi Chooc-
tau case of Samuel B. Gee et al.

Respectfully,

Commissioner.

No. 2588

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Lee Gee

Age 23 Blood 1/16

Post Office, Prescott Ark.

Father: Samuel B Gee

Mother: Elizabeth ..

Claims through father

~~Children:~~

Claims for himself only.

Stenographer

Henry G. Hains.

REFUSED

Lee Gee

DECISION RENDERED FEB 11 1903

NOTICE OF DECISION TO THE DEPARTMENT FEB 11 1903

NOTICE OF DECISION TO THE ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS FEB 11 1903

RECORD FORWARDED DEPARTMENT FEB 11 1903

JUL 30 1903

MAY 25 1904

RECORD FORWARDED DEPARTMENT. SEP - 2 1904

OCT - 7 1904

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RECORD FORWARDED DEPARTMENT. DEC 28 1904

ACTION APPROVED BY SECRETARY OF INTERIOR. J 25 1904

NOTICE OF DEPARTMENTAL ACTION FORWARDED APPLICANT. FEB - 9

NOTICE OF DEPARTMENTAL ACTION FOR APPLICANT.

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

REFER TO M. C. R. 2277.

See application on file M. C. R. 2277

Choctaw MCR 2589

D Inez White

MCR 2589

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA , I.T. June 10, 1901.

#2589

In the matter of the application of D. Inez White for the identification of herself as a Mississippi Choctaw and for her husband as an inter-married Mississippi Choctaw.

D. Inez White, having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A D. Inez White.
Q What is your age? A Twenty-four.
Q What is your post-office address? A Prescott, Arkansas.
Q How long have you lived there? A All my life.
Q What is your father's name? A William Gee.
Q Is he living? A Yes.
Q What is your mother's name? A N.T.Gee.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A He has not; no.
Q Are you married? A Yes.
Q What is your husband's name? A John C. White.
Q Do you make application on behalf of your husband? A Yes.
Q How do you claim for him? A By marriage.
Q When were you married? A January 4, 1899.
Q What is your husband's age? A Twenty-six.
Q What is his father's name? A William R. White.
Q Is he living? A Yes.
Q What is his mother's name? A Sarah J. White.
Q Is she living? A Yes.
Q The father and mother of your husband are both white people are both white people and make no claim to Indian blood? A Yes.
Q Have you any children for whom you wish to make application? A No.
Q Have you your marriage license and do you desire to offer same in evidence? A Yes.
Q Is your name or your husband's on any of the tribal rolls of the Choctaw Nation in Indian Territory? A It is not.
Q Have you ever made application to the Choctaw tribal authorities to have yourself or husband enrolled as members of that tribe? A No.
Q Did you or anyone for you or your husband, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896?
A No.
Q Have you or your husband ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A We have not.
Q Have you ever made application prior to this time for yourself or for him to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
Q Is this the first application of any description that you have ever made? A Yes.
Q Is it now your purpose to make application for identification as Mississippi Choctaw? A Yes.
Q Do you claim your rights as beneficiaries under the provisions

D. Inez White---2

- the fourteenth article of the treaty of 1830? A I do.
- Q Are you familiar with the provisions of that article? A Yes, I heard you read it.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Wilson Cobb, my great-grandfather.
- Q Have you any evidence showing that he was a recognized member of the Choctaw tribe of Indians at that time? A None that I know of.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw nation in Mississippi or Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A Yes.
- Q If he removed with the other members of the tribe, he did not, then, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No.
- Q Have any of your ancestors ever received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know of.
- Q Are there any additional statements you desire to make in support of this application? A None that I know of.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Yes.

Application of D. Inez Gee offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; marriage license between John C. White and D. Inez Gee offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record; certified copy of the application of George S. Cobb for himself and family offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record in this case; certified copy of the court record in the case of W.F. Cobb et al. v. Choctaw Nation, court No. 140, offered in evidence by applicant, marked Exhibit "D", filed and made a part of the record in this case; certified copy of the testimony of George S. Cobb taken before the Commission at Atoka, May 24, 1901, offered in evidence by applicant marked Exhibit "E", filed and made a part of the record in this case.

- Q Would you like time in which to file additional evidence in support of this case? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this case.

The decision of the Commission as to your application for identification as a Mississippi Choctaw and for the identification of your husband as an inter-married Mississippi Choctaw will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the twenty-first section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

Henry G. Haine being duly sworn on his oath states that as stenographer to the Commission in the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Haine

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linsbaugh
Notary Public.

COPY.

Muskogee, Indian Territory, February 14, 1903

D. Inez White,
Prescott, Arkansas.

Dear Madam:

You are hereby advised that on the 14th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel B. Gee, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel B. Gee, et al.,	M.C.R. 2277
William Gee, et al.,	M.C.R. 2278
Edwin F. Gee, et al.,	M.C.R. 2279
Ira Gee, et al.,	M.C.R. 2586
Ida Gee Hamilton, et al.,	M.C.R. 2587
Lee Gee,	M.C.R. 2588
D. Inez White, et al.,	M.C.R. 2589
Ada Gee Rice, et al.,	M.C.R. 2590.

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 Samuel B. Gee, Samuel Gee, William Gee, William Imon Gee, Jewel T. Gee, Edwin F. Gee, Edwin Waisus Gee, Mattie B. Gee, Charley R. Gee, Thomas S. Gee, Ira Gee, Cecil Gee, Alverne Gee, Cleo Gee, Elizabeth Gee, Ida Gee, Hamilton, Hazel H. Hamilton, Samuel Clark Hamilton, Lee Gee, D. Inez White and Ada Gee Rice 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 Samuel B. Gee for his wife Elizabeth Gee; by William Gee for his wife, Nancy T. Gee; by Edwin F. Gee for his wife, Rena D. Gee; by Ira Gee for his wife, Ressa Gee; by Ida Gee Hamilton for her husband R. Brad Hamilton; by D. Inez White for her husband, John C. White and by Ada Gee Rice for her husband, William W. Rice 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,

Tamo Dickey
Acting Chairman.

Registered.

Muskogee, Indian Territory, June 7, 1904.

D. Inez White,
Prescott, Arkansas.

Dear Madam:

You are hereby advised that the Secretary of the Interior, on May 26, 1904, rescinded Departmental decision of July 30, 1903, reversing the decision of the Commission to the Five Civilized Tribes of February 14, 1903, refusing the application of Samuel B. Gee, et al. for identification as Mississippi Choctaws.

The Secretary of the Interior, in his letter of May 26, 1904, advised the Commission that the Department had granted the petition of Messrs. Mansfield, Makurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, for a rehearing in this case, upon the grounds that if such rehearing is granted they will be able to demonstrate that the testimony offered by the applicants is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830.

The Department also transmitted to the Commission, with the return of the record in this case, copies of the testimony of certain witnesses taken from the records of the Indian Office relative to the wives, children and immediate neighbors of Col.

D. I. W., 2.

Sam Cobb. These records are subject to your inspection at any time at the General Office of the Commission at Muskogee, Indian Territory.

In accordance with Departmental instructions of May 25, 1904, you are advised that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, on Monday, July 11, 1904, at 9 o'clock a. m., hear the testimony of such witnesses as may be presented by the attorneys for the Choctaw and Chickasaw Nations in support of their contention that the testimony offered by the applicants in this case is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830. The Commission will also, at the same time and place, hear the testimony of such witnesses as may be presented by the applicants.

It is most earnestly desired that in this rehearing all witnesses whose testimony is desired be present in person.

Respectfully,

Chairman.

Registered

MCR-2589

Muskogee, Indian Territory, February 9, 1907.

D. Inas White,
Prescott, Arkansas.

Dear Madam:-

You are hereby notified that on January 25, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of February 14, 1903, adverse to the applicants in the consolidated Mississippi Choctaw case of Samuel B. Gee et al.

Respectfully,

Commissioner.

No. 2589

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name D. Inez White

Age 24 Blood 1/6

Post Office, Prescott, Ark

Father: William Gee

Mother: N. T. Gee

Claims through father

Husband: John C White 26

Father: Wm R White

Mother: Sarah J White (decd)

Children:

Claims for herself and for
husband as intermarried

Stenographer

Henry G. Hains.

REFUSED

D. Inez White, et al.

DECISION REFUSED

NOTICE OF DECISION BY ALL APPLICANT, FEB 14 1903

NOTICE OF DECISION BY ALL APPLICANTS, FEB 14 1903

RECORD FORWARDED TO DEPARTMENT, MAR - 9 1903

ACTION APPROVED BY SECRETARY OF INTERIOR, JUL 30 1903
Com.

Del.

MAY 25 1904

RECORD FORWARDED DEPARTMENT, SEP 1904

OCT - 7 1904

*Depart with ...
applicant ...
letter and 15 days for filing
of argu...*

RECORD FORWARDED DEPARTMENT, DEC 28 1904

ACTION APPROVED BY SECRETARY OF INTERIOR, JAN 25 1907

NOTICE OF DEPARTMENTAL ACTION FEB 9 1907
FORWARDED APPLICANT.

NOTICE OF DEPARTMENTAL ACTION FEB 9 1907
FORWARDED ATTORNEYS APPLICANT.

NOTICE OF DEPARTMENTAL ACTION FEB 25 1907
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

REFER TO H.C.R. 2277

Choctaw MCR 2590

Ada Gee Rice

MCR 2590

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 10, 1901.

42590

In the matter of the application of Ada Gee Rice for identification as a Mississippi Choctaw and for her husband as an inter-married Mississippi Choctaw.

Ada Gee Rice having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Ada Gee Rice.
Q What is your age? A Twenty-six in August.
Q What is your post-office address? A Prescott, Arkansas.
Q How long have you lived there? A All my life.
Q What is your father's name? A Samuel B. Gee.
Q Is he living? A Yes.
Q What is your mother's name? A Elizabeth Gee.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My father, Samuel B. Gee.
Q How much Choctaw blood do you claim? A I believe they count 1/16.
Q Has your father through, whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A William W. Rice.
Q Do you make application on behalf of your husband? A Yes, thorough marriage.
Q When were you married? A March 15, 1899.
Q What is your husband's age? A Thirty-two.
Q What was his father's name? A I don't know.
Q Is he living? A No.
Q What is his mother's name? A Sarah Walten Rice.
Q Is she living? A Yes.
Q Your husband's parents are both white people-? A Yes.
Q Have you any children-? A No.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes.
Q Is your name or is the name of your husband on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to have yourself or your husband enrolled as members of that tribe? A No.
Q Did you or any one for you or for him, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896?
A No.
Q Have you or your husband ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or him to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.

Ada GEE Rice---2

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q You are familiar with the provisions of that article? A You read it; yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Wilson Cobb, my great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A I don't know.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1836? A I don't understand that? A
- Q Did he come from the Old Choctaw Nation to the present Indian Territory when the other Indians did? A Yes.
- Q If he removed with the other members of the tribe, he did not, then, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements that you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Yes.

Application of Ada Gee Rice offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; marriage license and certificate between William W. Rice and Ada Gee Rice offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case; certified copy of the application of George S. Cobb for himself and family offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record in this case; certified copy of the court record in the case of W.P. Cobb et al. v. Choctaw Nation, Court No. 140, offered in evidence by applicant, marked Exhibit "D", filed and made a part of the record; certified copy of the testimony of George S. Cobb taken before the Commission at Atoka, May 24, 1901, offered in evidence by applicant, marked Exhibit "E", filed and made a part of the record in this case.

- Q Do you wish any additional time in which to file evidence in support of this case? A No.

The decision of the Commission as to your application for identification as a Mississippi Choctaw and for your husband as an intermarried Mississippi Choctaw will be determined at the earliest possible date, and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1896, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

(Witness apparently a child victim)

It is stated that the witness, who states that as shown
in the enclosed to the [unclear] he reported
the [unclear] in the [unclear] on June 24,
[unclear] [unclear] [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]
of his [unclear] [unclear] [unclear] [unclear] [unclear] [unclear] [unclear] [unclear]

Henry G. Hains

Witness was sworn to before on this 17th of July, 1901.

Arthur L. [unclear]
Notary Public.

17
JULY
1901

COPY,

M.C.R. 2590

Muskogee, Indian Territory, February 14, 1903.

Ada Gee Rice,

Prescott, Arkansas.

Dear Madam:

You are hereby advised that on the 14th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Samuel B. Gee, et al., embracing the following applications for identification as Mississippi Choctaws:

Samuel B. Gee, et al.,	M.C.R. 2277
William Gee, et al.,	M.C.R. 2278
Edwin F. Gee, et al.,	M.C.R. 2279
Ira Gee, et al.,	M.C.R. 2586
Ida Gee Hamilton, et al.,	M.C.R. 2587
Lee Gee,	M.C.R. 2588
D. Inez White, et al.,	M.C.R. 2589
Ada Gee Rice, et al.,	M.C.R. 2590.

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:

A. G. R. #2

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Samuel B. Gee, Samuel Gee, William Gee, William Imon Gee, Jewel T. Gee, Edwin F. Gee, Edwin Waitus Gee, Mattie B. Gee, Charley R. Gee, Thomas S. Gee, Ira Gee, Cecil Gee, Alverne Gee, Cleo Gee, Elizabeth Gee, Ida Gee Hamilton, Hazel H. Hamilton, Samuel Clark, Hamilton, Lee Gee, D. Inez White and Ada Gee Rice 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 Samuel B. Gee for his wife, Elizabeth Gee; by William Gee for his wife, Nancy T. Gee; by Edwin F. Gee for his wife, Rena D. Gee; by Ira Gee for his wife, Resse Gee; by Ida Gee Hamilton for her husband, R. Brad Hamilton; by D. Inez White for her husband, John C. White and by Ada Gee Rice for her husband, William W. Rice 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,

Tamie Dickey

Acting Chairman.

Registered.

K.O.R.2590

Muskogee, Indian Territory, June 7, 1904.

Ada Geo Rice,
Prescott, Arkansas.

Dear Madam:

You are hereby advised that the Secretary of the Interior, on May 25, 1904, rescinded Departmental decision of July 30, 1903, reversing the decision of the Commission to the Five Civilized Tribes of February 14, 1903, refusing the application of Samuel S. Cobb, et al. for identification as Mississippi Choctaws.

The Secretary of the Interior, in his letter of May 25, 1904, advised the Commission that the Department had granted the petition of Messrs. Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, for a rehearing in this case, upon the grounds that if such rehearing is granted they will be able to demonstrate that the testimony offered by the applicants is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830.

The Department also transmitted to the Commission, with the return of the record in this case, copies of the testimony of certain witnesses taken from the records of the Indian Office relative to the wives, children and immediate neighbors of Col.

A. G. R., 2.

Sam Cobb. These records are subject to your inspection at any time at the General Office of the Commission at Muskogee, Indian Territory.

In accordance with Departmental instructions of May 25, 1904, you are advised that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, on Monday, July 11, 1904, at 9 o'clock a. m., hear the testimony of such witnesses as may be presented by the attorneys for the Choctaw and Chickasaw Nations in support of their contention that the testimony offered by the applicants in this case is fraudulent and untrue in so far as they claim that their ancestor, Wilson Cobb, was a son of the Captain Samuel Cobb who complied with the provisions of the 14th article of the treaty of 1830. The Commission will also, at the same time and place, hear the testimony of such witnesses as may be presented by the applicants.

It is most earnestly desired that in this rehearing all witnesses whose testimony is desired be present in person.

Respectfully,

Registered

Chairman.

MCR-2590

Muskogee, Indian Territory, February 9, 1907.

Ada Gee Rice,
Prescott, Arkansas.

Dear Madam:-

You are hereby notified that on January 25, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes of February 14, 1903, adverse to the applicants in the consolidated Mississippi Choctaw case of Samuel B. Gee et al.

Respectfully,

Commissioner.

No. 576

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Ada Gee Rice

Age 26 Blood 7/16

Post Office, Prescott, Ark.

Father: Samuel B. Gee

Mother: Elizabeth Gee

(Claims through father)

Husband: William H. Rice

Father: _____ (dead)

Mother: Sarah Walton Rice

~~Children:~~

Claims for herself and for husband as intermarried.

Stenographer

Henry L. ...

REFUSED

Ada Lee Rice et al

DECISION HERE

NOTICE OF DECISION NAMED APPLICANT, FEB 14 1903

NOTICE OF DECISION NAMED APPLICANT, FEB 14 1903

RECORD FORWARDED DEPARTMENT, MAR 29 1903

ACTION APPROVED BY SECRETARY OF INTERIOR, *Com* JUL 30 1903

Def MAY 25 1904

RECORD FORWARDED DEPARTMENT, SEP 13

Department OCT -7 1904
applies to
line

RECORD FORWARDED DEPARTMENT, DEC 28 1904

ACTION APPROVED BY SECRETARY OF INTERIOR, JAN 25 1905

NOTICE OF DEPARTMENTAL ACTION FOR APPELL APPLICANT, FEB 9 1907

NOTICE OF DEPARTMENTAL ACTION FOR APPELL APPLICANT, FEB 9 1907
FORWARD ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS

REFER TO L. C. N. 2277.

See notation on NCA 2277

Choctaw MCR 2591

George Smith

MCR 2591

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. June 10, 1901.

#2591

In the matter of the application of George Smith for the identification of himself and his two minor children as Mississippi Choctaws. George Smith having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A George Smith.
Q What is your age? A Twenty-seven.
Q What is your post-office address? A Waco, Texas.
Q How long have you lived there? A About twenty years about 18 years, off and on round there; lived just around Waco and in Waco, altogether about 20 years.
Q Where did you live before you lived there? A I lived in Chicago.
Q How long did you live in Chicago? A About two years.
Q Where did you live before you lived there? A I was raised in Boston, Massachusetts.
Q Born in Boston were you? A Yes.
Q And lived there until you moved to Chicago? A I was a child when I came to Chicago- yes of course I was born in Boston.
Q and then you lived two years in Chicago and then came to Texas?
A Yes.
Q And have lived there ever since? A Yes.
Q What is your father's name? A Lewis Smith.
Q Is he living? A Yes.
Q What is your mother's name? A Rosa Smith.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Rosa Smith.
Q Your mother? A Yes.
Q How much do you claim? A She claims one quarter and I claim 1/8.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Queenie Smith; Waters was her name before I married.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A Yes.
Q How do you apply for her? A Two children-
Q How do you apply for your wife? A I aint speaking of her.
Q Do you apply for your wife? A No, just for the children-
Q You have children for whom you wish to make application? A Two; yes.
Q Give the names and ages of your children? A Clem Smith (BOY), five; and Earl Smith (BOY), thirteen months.
Q You are the father of these children? A Yes.
Q What is the name of their mother? A Queenie Smith.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A I can get them.

Q
It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of your application on behalf of your wife.

- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No, I don't think they are.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe?
- A No; yes, my mother has my name-
- Q Did you ever-? A No, not before this time.
- Q This is the authorities of the United States; I asked you about to the authorities of the Choctaw tribes? A No.
- Q Did you or did anyone for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A I don't understand that?
- Q Do you know anything about that article? A No.
- Q Article fourteen of the treaty of 1830 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 that may be 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 land 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 claiming 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." Do you claim under this article? A Yes.

- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A
- A Freezie something--I can't tell the other.
- Q How is that spelled? A I don't know how you spell it; its some-
- Q Was that the first name or the last name? A The first name.
- Q You don't know-? A I can't remember the surname.
- Q What relation was she to you? A My mother's sisters and brothers.
- Q What? What was the name of your mother's mother? A Freezie.
- Q Is asked you what relation it was and you said it was her brothers and sisters and ~~brothers~~ A Well, it was--
- Q What was the name of your ancestor, your grandfather or great-grandfather, your grandmother or great-grandmother who was a resident of the old Choctaw nation in Mississippi and Alabama when the treaty of Dancing Rabbit Creek was entered into between the Choctaw Nation and the United States? A Well, that's all I can tell you- Freezie.

- Q What relation was Frecsie to you? A Well, its my grand-mother's-
my mother's grandmother, my great-grandmother.
- Q And you don't know what the other name is? A No.
- Q Have you any evidence showing that such ancestor was a recognized
member of the Choctaw tribe at that time? A No, I don't remember
I was too young at that time.
- Q Did she, if a Choctaw Indian, remove from the territory occupied
by the old Choctaw nation in Mississippi or Alabama to the present
Choctaw nation in Indian Territory at the time of the removal of
the other members of the Choctaw tribe of Indians from 1833 to 1838
- A I don't know.
- Q Did this ancestor, this Frecsie, if a Choctaw Indian come from the
old Choctaw nation in Mississippi and Alabama to the present Choc-
taw nation in Indian Territory at the time the other Indians did,
from 1833 to 1838? A Yes.
- Q How do you know? A I said yes; I am mistaken in that; I don't
know about that.
- Q If she did not remove with the other members of the tribe did she
within six months after the ratification of the treaty of 1830
signify to the United States Indian Agent to the Choctaw Nation in
Mississippi her intention to remain in Mississippi and become a
citizen of the United States? A Not as I know of.
- Q Have any of your ancestors ever claimed or received any benefits
any lands in Mississippi as beneficiares under the provisions of
the fourteenth article of the treaty of 1830? A No none as I know
of.
- Q Are there any additional statements you desire to make in support
of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence,
of any description, copies of records, deeds or patents or any
proper papers showing that your ancestors were ever recognized
members of the Choctaw tribe of Indians in Mississippi in 1830
or complied or attempted to comply with the provisions of the
fourteenth article of the treaty of 1830, or that they ever re-
ceived any benefits under that article of that treaty? A No.
- Q You have no papers that you want to file now? A Yes, I have got
a paper here in my pocket.

Certified copy of affidavit of Leus Smith offered in evi-
dence by applicant, filed marked Exhibit "A", and made a
part of the record in this case; certified copy of the af-
fidavit of Tobias Edwards offered in evidence by applicant
marked Exhibit "B", filed and made a part of the record;
certified copy of the affidavits of John Lewis and Henry
Byington offered in evidence by applicant, marked Exhibit
"C", filed and made a part of the record; certified copy
of the affidavit of A.D. Starling offered in evidence by
applicant, marked Exhibit "D", filed and made a part of the
record in this case; certified copy of the affidavit of
Henry Byington offered in evidence by applicant, marked
Exhibit "E", filed and made a part of the record in this case

- Q Do you want time in which to file additional evidence? A Yes.

Thirty days time is allowed applicant in which to file ad-
ditional evidence in support of his application.

The decision of the Commission as to your application for identi-
fication for yourself and your minor children as Mississippi Choctaws
will be determined at the earliest possible date and report of the sa-
me will be made to the Secretary of the Interior, conformable to the
provisions of the twenty-first section of the Act of Congress of June
28, 1898, and a copy of the same will be mailed to you at your post-
office address as given by you in your testimony.

Applicant apparently a white man.

George Smith having been recalled and sworn after his brother's
testimony testified as follows:

- Q Have you been able to recall the name of the ancestor under whom
you claim?

A I heard my brother call it a minute ago, but I just can't pro-
duce it.

Q You claim under the same ancestor your brother does? A Yes.

Witness excused.

Note: Gregory Smith, brother of this applicant, claims under
Charles Frasier, his grand-father.

Henry S. Hains being duly sworn on his oath states that as sten-
ographer to the Commission to the Five Civilized Tribes he reported
in said all proceedings had in the above entitled cause on June 9,
1901, and that the above and foregoing is a full, true and correct
transcript of his stenographic notes in said cause on said date.

Henry S. Hains

Subscribed and sworn to before me this 11 day of July 1901.

D. H. Linsbaugh

Notary Public.

H.C.R. 2001.

Reliance, Indian Territory, September 4, 1900.

George Smith,

Sadeo, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 29th ultimo, advising change of your post office address in Sadeo, Indian Territory.

A proper record has been made of the same.

Yours truly,

Acting Chairman.

COPY.

Muskogee, Indian Territory, February 13, 1903.

George Smith,

Caddo, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rosie Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Rosie Smith, et al.	M.C.R. 1988
Louis Smith, et al.	M.C.R. 3022
Gregory Smith, et al.	M.C.R. 2592
George Smith, et al.	M.C.R. 2591

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 Rosie Smith, Rosie Smith (3), Mary Smith, Joseph, Smith,

George Smith, --2

Louis Smith, Walter Smith, Lizzie Smith, Gregory Smith, Maggie M. Smith, Charley Smith, Henry Smith, Kate Smith, George Smith, Clem Smith and Earl Smith, 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,

J. J. ...
Acting Chairman.

Registered.

M.C.R. 2591
M.C.R. 2592
M.C.R. 3022

Muskogee, Indian Territory, April 1, 1904.

Mansfield, McKurray & Cernish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 26, 1904, in which you ask that the Commission furnish you with copies of the testimony of Louis Smith, M.C.R. 3022; Gregory Smith, M.C.R. 2592 and George Smith, M.C.R. 2591.

In compliance with your request, copies of such testimony are herewith enclosed.

Respectfully,

Commissioner in Charge,

JYM-1

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES. M.C.R. 2891


Muskogee, Indian Territory, July 15, 1905.

George Smith,
Caddo, Indian Territory,

Dear Sir:

You are hereby notified that on the 1st day of July, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rosie Smith et al., of which decision you were advised by registered mail on the 13th day of February, 1903.

Respectfully,



Commissioner.

REPLY IN REPLY TO THE FOLLOWING:
MCR 2591

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

Muskogee, Indian Territory, November 15, 1906.

George Smith,

Caddo, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 2, 1906, denied a motion filed in this office under the Act of Congress approved April 26, 1906, (34 Stats., 137) by Rosie Smith for a re-hearing in the consolidated Mississippi Choctaw case of Rosie Smith, et al.

Respectfully,



Commissioner.

No. 2591

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name George Smith

Age 27 Blood 1/8

Post Office, Haco, Texas

Father: Lewis Smith

Mother: Rosa Smith

Claims through mother

Wife: Luverne Smith
(no claim for her)

Children:

Clem Smith M 5

Earl .. M 13^{mo}

Claims for himself and
2 minor children

Stenographer

Henry G. Hains

George Smith, et al

DECISION RENDERED.

FEB 15 1903

NOTICE OF DECISION MAILED APPLICANT

FEB 15 1903

NOTICE OF DECISION MAILED APPLICANT
FOR CHOCTAW AND CHICKASAW NATIONS

FEB 15 1903

RECORD FORWARDED DEPARTMENT

MAR 27 1903

**ACTION APPROVED BY
SECRETARY OF INTERIOR.**

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

JUL 1 1905

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT

JUL 15 1905

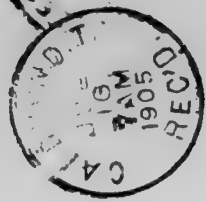
NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.

JUL 15 1905

JUL 15 1905

REFER TO M.C. 1905

DECISION RENDERED



AUG 25 1905

Department of the Interior.

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



16-52

*Open this address
to J. J. Smith*

George Smith,

Caddo, Indian Territory.

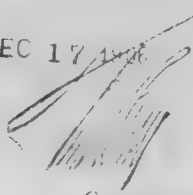
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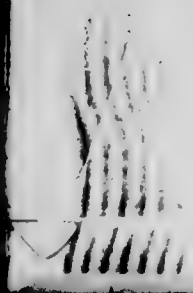
Commissioner to the ...

FILED

DEC 17 1886



Commissioner.



Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.



UNCLAIMED

2591

George Smith,

Oado, Indian Territory.

Choctaw MCR 2592

Gregory Smith

MCR 2592

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I T. June 10, 1901.

#2592

In the matter of the application of Gregory Smith for the identification of himself and his four minor children as Mississippi Choctaws.

Gregory Smith having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Gregory Smith.
Q What is your age? A Thirty-one.
Q What is your post-office address? A Waco, Texas.
Q Have you no street number? A No.
Q How long have you lived there? A About eighteen years.
Q Where did you live before you lived there? A Corsicana, Texas, a while.
Q How long did you live in Texas? A Altogether about 20 years.
Q Where did you live before you lived in Texas? A Chicago, Ill.
Q How long did you live in Chicago? A About three years.
Q Where did you live before you moved to Chicago? A Detroit, Mich.
Q How long did you live in Detroit? A I was born there and that is about as far back as I can remember.
Q You were born there and lived there until you moved to Chicago? A Yes.
Q What is your father's name? A Louis Smith.
Q Is he living? A Yes.
Q What is your mother's name? A Rosa Smith.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A One fourth.
Q Is your mother one half? A Mother is one fourth.
Q How much do you claim? A One eighth.
Q Was your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No, not as I have ever knowed o f.
Q Are you married? Yes.
Q What is your wife's name? A Melvina Smith.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q Have you any children for whom you wish to make application? A Yes, four.
Q Give their names and ages. A Maggie M. Smith, ten; Charley Smith, nine; Henry Smith, seven; and Kate Smith eight months.
Q These are all your children? A Yes.
Q What is the name of their mother? A Melvina Smith.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes.
Q Have you them with you? A No; not with me but I will send for them later.

It will be necessary for the Commission to be supplied with

Gregory Smith--2

evidence of your marriage to your wife in support of the application made in behalf of your minor children.

- Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application for yourself or them to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No.
- Q Did you or any one for you or your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or your minor children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A No--yes.
- Q You have heard that article read? A No, I never--yes I have just a few minutes ago.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Charles Frazier.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe of Indians in 1830? A Yes.
- Q What relation was he to you? A My great-grandfather.
- Q Did this ancestor, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I can't answer that case; that's too far back.
- Q You never heard in your family whether he came or not? A No.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Never heard anything about it.
- Q Have any of your ancestors ever claimed or received any benefitax land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No, they never claimed any.
- Q Did they ever receive any? A No.
- Q Are there any additional statements you desire to make in support of this application? A Yes; I have these papers.
- Q You have documentary evidence that you want to file? A Yes.

Affidavit of Louis Smith offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; affidavit of Nebelus Edwards offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record; affidavit of A. D. Starling offered in evidence by applicant, marked Exhibit "C", filed and made a part of the record in this case;

affidavits of John Lewis and Henry Byington offered in evidence by applicant, marked Exhibit "D", filed and made a part of the record; affidavit of Henry Byington offered in evidence by applicant, marked Exhibit "E", filed and made a part of the record in this case.

Q Do you want time in which to file your marriage license and certificate? A Yes, I would like to have till after the 1st. of January-yes, I want to file them right away.

Thirty days time is allowed applicant in which to file his marriage license and certificate or certified copies of same in support of his application.

Q Now what was that about the 1st. January? A I thought I would have to move here by then.

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined, (as Mississippi Choctaws), at the earliest possible date, and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

~~Applicant apparently white.~~

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linsbaugh

N.C. 2. 1902.

Neahogue, Indian Territory, August 20, 1902.

Gregory Smith,

Gado, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 18th
inst., advising the change of your post office address to Gado,
Indian Territory.

A proper record of the same has been made.

Yours truly,

Acting Postmaster.

COPY.

M.C.R. 2592

Muskogee, Indian Territory, February 13, 1903.

Gregory Smith,

Gaddo, Indian Territory.

Dear Sir:

You are hereby advised that on the 13th day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Rosie Smith, et al., embracing the following applications for identification as Mississippi Choctaws:

Rosie Smith, et al.	M.C.R. 1923
Louis Smith, et al.	M.C.R. 3022
Gregory Smith, et al.	M.C.R. 2592
George Smith, et al.	M.C.R. 2591

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 Rosie Smith, Rosie Smith (3), Mary Smith, Joseph Smith,

Gregory Smith,--2

Louis Smith, Walter Smith, Lizzie Smith, Gregory Smith, Maggie M. Smith, Charley Smith, Henry Smith, Kate Smith, George Smith, Clem Smith and Earl Smith, 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,

Tammie T. ...
Acting Chairman.

Registered.

M.C.R. 2591
M.C.R. 2592
M.C.R. 3022

Muskogee, Indian Territory, April 1, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of March 25, 1904, in which you ask that the Commission furnish you with copies of the testimony of Louis Smith, M.C.R. 3022; Gregory Smith, M.C.R. 2592 and George Smith, M.C.R. 2591.

In compliance with your request, copies of such testimony are herewith enclosed.

Respectfully,

JYM-1

Commissioner in Charge.

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

M.C.R. 2592

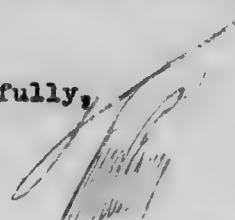
Muskogee, Indian Territory, July 15, 1905.

Gregory Smith,
Caney, Indian Territory,

Dear Sir:

You are hereby notified that on the 1st day of July, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Rosie Smith et al., of which decision you were advised by registered mail on the 13th day of February 1903.

Respectfully,



Commissioner.

mm

REFER IN REPLY TO THE FOLLOWING:

MCR 2592

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

Muskogee, Indian Territory, November 15, 1906.

Gregory Smith,
Caddo, Indian Territory.

Dear Sir :--

You are hereby notified that the Secretary of the Interior on November 2, 1906, denied a motion filed in this office under the Act of Congress approved April 26, 1906, (34 Stats., 137) by Rosie Smith for a re-hearing in the consolidated Mississippi Choctaw case of Rosie Smith, et al.

Respectfully,



Commissioner.

No. 2515

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Gregory Smith

Age 31 Blood 1/8

Post Office, Maco, Texas

Father: Lewis Smith

Mother: Rosa

Claims through mother

Wife: Melvina Smith
(no claim for her)

Children:

Maggie M. Smith 10

Charley " 9

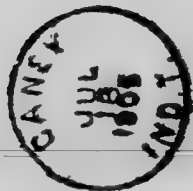
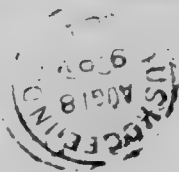
Henry " 7

Kate " 8 mo.

Claims for himself and
four minor children.

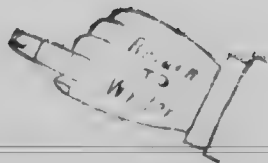
Stenographer

Henry G. Hains.



Aug 21 07
L. Williams

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



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~~Gregory Smith,~~ **UNCLAIMED**
~~Caney, Indian Territory.~~

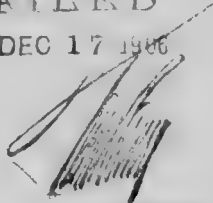
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Commissioner to the L. v. C.

FILED

DEC 17 1906



Commissioner,

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOCOE, IND. TER.

Mrs. Choctaw Ave.

2592



UNCLAIMED

~~Gregory Smith,~~

~~Caddo, Indian Territory.~~

Gregory Smith et al.

**ACTION APPROVED BY
SECRETARY OF INTERIOR.**

JUL 1 1905

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

JUL 15 1905

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.**

JUL 15 1905

**NOTICE OF DEPARTMENTAL
ACTION MAILED APPLICANT.**

RECEIVED M. C. F. JUL 15 1905

RECEIVED M. C. F. JUL 15 1905

Choctaw MCR 2593

Richard M Scott

MCR 2593

Department of the Interior/
Commission to the Five Civilized Tribes.
Atoka, I. T. June 10, 1901.

#2593

In the matter of the application of Richard M. Scott for the identification of himself and his minor child as Mississippi Choctaws. Richard M. Scott having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Richard M. Scott.
Q What is your age? A Twenty-four.
Q What is your post-office address? A Pelican, Louisiana.
Q How long have you lived there? A About three years.
Q Where did you live before you lived there? A Grandcane, Louisiana, was my home, I lived-
Q How long did you live in Louisiana? A All my life; you might say I was born and raised there-, I worked around.
Q What is your father's name? A Thomas W. Scott.
Q Is he living? A Yes.
Q What is your mother's name? A Harriet A Scott.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A Mother.
Q How much Choctaw blood? A One sixteenth.
Q Has your mother through whom you claim your Choctaw blood, your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Blanche Scott.
Q Is she living? A Yes.
Q Do make application for her? A No.
Q Have you any children for whom you wish to make application at this time? A I have one; Maymee Scott, sixteen months.
Q This is your child? A Yes.
Q What is the name of its mother? A Blanche Scott.
Q When and where were you married to Blanche Scott? A At Cawthorn, Louisiana, December 28, 1898.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes.

Marriage ~~license~~ certificate between Richard M. Scott and Blanche E. Martin offered in evidence by applicant, marked Exhibit A², filed and made a part of the record in this case.

- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No
Q Did you or did any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 20, 1898? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court

Richard M. Scott---2

- in Indian Territory? A No.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A I think I am; yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I don't know.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Moses Duke. He was my great-grandfather.
- Q Have you any evidence showing that he was a recognized member of the Choctaw tribe at that time? A Yes.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I don't know.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I think so.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make? A None at present.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?
- A None now.

Hudson & Arnold, attorneys for applicant, make motion asking for thirty days in which to file any evidence he may be able to secure in support of his application.

On motion of counsel thirty days time is allowed applicant in which to file additional evidence in this case.

The decision of the Commission as to your application for the identification of yourself and your minor child as Mississippi Choctaw will be determined at the earliest possible date and report of same be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently White.

...that in case of ...
...the ...
...the ...

Henry G. Haines

Subscribed and sworn to before me this 10th day of July 1902.

Wm. H. H. H.
Notary Public

Muskogee, Indian Territory, July 26, 1901.

Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of June 22nd, enclosing affidavits of Moses D. Boucher, M. H. Duke, and certified copy of the affidavit of Elizabeth Jones and certified copy of certified copy of affidavit of Felix W. Sparks, offered by you for filing in support of the application of Richard H. Scott et al. for identification as Mississippi Choctaws.

The same has been duly filed with the other records in this case and will receive the consideration of the Commission in the disposition of this application.

Yours truly,

2593

Commissioner in charge.

Muskogee, Indian Territory, January 3, 1902.

Richard M. Scott,
Pelican, Louisiana.

Dear Sir:

In the matter of the application for identification as a Mississippi Choctaw of Berge Duke, you are informed that under date of July 27, 1901, the Commissioner of Indian Affairs 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 June 10, 1901, you made personal application to this Commission for the identification of Mississippi Choctaws of yourself and minor child, 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 Meridian, Mississippi, on Thursday, February 3, 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,

M. C. 2222

Commissioner in charge.

COMMISSIONERS
HENRY L. DAWES,
TAMS 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 2593

ALLISON I. AVIERSWORTH
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 27, 1902.

Richard M. Scott,
Pelican, Louisiana.

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 Joseph L. Mixon, et al., embracing the following applications for identification as Mississippi Choctaws:

Joseph L. Mixon, et al.,	M C R	788
Martin H. Duke, et al.,	M C R	332
Berge Duke,	M C R	333
Ruth Ada Duke,	M C R	334
Andrew J. Duke, et al.,	M C R	449
Mary Keziah Moore, et al.,	M C R	450
Jasper Weldon Allen, et al.,	M C R	452
Sallie A. Roberts et al.,	M C R	453
Edward E. Foster, et al.,	M C R	700
Ella C. Foster,	M C R	701
Dera F. Smith, et al.,	M C R	702
Elizabeth Sparks, et al.,	M C R	706
Turah Hughs, et al.,	M C R	708
William M. Foster et al.,	M C R	713
Thomas I. Sparks, et al.,	M C R	715
William W. Boucher, et al.,	M C R	718
Henry Tilden Smith,	M C R	753
Sidney B. Smith, et al.,	M C R	754
Rebecca Ellen Smith, et al.,	M C R	756
Sarah J. Foster, et al.,	M C R	757
Elizabeth Jones,	M C R	761
Thomas Smith,	M C R	763
M. D. Boucher, et al.,	M C R	766
Sarah White, et al.,	M C R	769
Lizzie White, et al.,	M C R	770
Artie F. Perry, et al.,	M C R	772
Mary K. Luther, et al.,	M C R	774
Sarah L. Cooper, et al.,	M C R	777
Agnes Nelson,	M C R	783
Sarah Ellmina Bryant, et al.,	M C R	785
Beulah B. Ricks, et al.,	M C R	789
Mary S. Foster, et al.,	M C R	794
Richard W. Foster,	M C R	798
Bartlett S. Duke, et al.,	M C R	816

Lycurgus Duke, et al.,	M C R	823
William S. Luther,	M C R	825
William J. A. Smith, et al.,	M C R	902
Laura Howell, et al.,	M C R	952
William A. Sparks, et al.,	M C R	954
Frank Duke,	M C R	1235
Henderson Duke, et al.,	M C R	1236
Richard M. Scott, et al.,	M C R	2593
Thomas Drue Foster,	M C R	2974
John G. Foster, et al.,	M C R	3037
Andrew J. Foster, et al.,	M C R	3038
Thomas P. Duke,	M C R	3104
Bartlett S. Duke, et al.,	M C R	3105
Braddy S. Duke, et al.,	M C R	3106
Pearl Scott,	M C R	3137
Tiff F. Scott,	M C R	3138
Lockey Virginia Perry, et al.,	M C R	941
William Wiley Perry,	M C R	944
Mary Luvenia Carlisle,	M C R	946
Washington S. Perry,	M C R	974
Thomas L. Mixon,	M C R	4922
Stephen T. Duke,	M C R	4923

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 Joseph L. Mixon, Joseph Emmett Mixon, Martin H. Duke, Alonzo H. Duke, Thomas L. Duke, Berge Duke, Ruth Ada Duke, Andrew J. Duke, Elizabeth Caroline Duke, Elsie Jane Duke, George B. Duke, Lillie G. Duke, Birdie Duke, Mary Keziah Moore, William Elmer Moore, Effie May Moore, John V. Allen, Andrew B. Allen, Sallie A. Roberts, Walter A. Roberts, Nora Odessa Roberts, Edward E. Foster, Ada B. Foster, Maud Z. Foster, Elta C. Foster, Dera F. Smith, Erin Smith, Lila Smith, Iva Smith, Elizabeth Sparks, Turah Hughs, William Claudie Hughs, William M. Foster, William Pen Foster, Milla Foster, Bettie Foster, Thomas I. Sparks, Ora T. Sparks, Richard W. Sparks, Freddie C. Sparks, Nettie E. Sparks, William W. Boucher, Sarah Ann Boucher, Jeff T. Boucher, Mary A. Boucher, Harper Duke Boucher, Flora Eunice Boucher, Henry Tilden Smith, Sidney B. Smith, Rebecca Ellen Smith, Rufus J. Smith, Sarah C. Smith, Florence King, Sarah J. Foster, Gatsy Ann Foster, Elizabeth Jones, Thomas Smith, M. D. Boucher, Edward E. Boucher, Haze D. Boucher, Arthur Eugene Boucher, James Quinton Boucher, Leon Boucher, Sarah White, Willie B. White, Ida May White, Lizzie White, Hester Lee White, Claudie White, William Jarrett White, Rena K. White, Artie F. Perry, Bradford Perry, Orion R. Perry, Harvey P. Perry, Nancy K. Luther, Jarrett H. Luther, Roy L. Luther, Roxv M. Luther, Lela Luther, Sarah L. Cooper, Nancy Jane Cooper, George Washington Cooper, James William Cooper, Mary Louisa Cooper, Calvin Hilly Cooper, Agnes Nelson, Sarah Ellmina Bryant, Lillie Bryant, Daisy Bryant, Charlie Bryant, Carl Bryant, Beulah B. Ricks, Joseph Lawrence Ricks, Thaddeus Benton Ricks, Alonza Preston Ricks, Mary S. Foster, Roscoe Foster, Everett A. Foster, Richard W. Foster, Bartlett S. Duke, Tobitha A. Duke, Andrew J. Duke, Geneva Pearl Duke, Lycurgus Duke, Parlec C. Duke, Nellie A. Duke, William S. Luther, William J. A. Smith, Thomas C. Smith, Eddie Lee Smith, Laura Howell, Gladys L.

Howell, Jimmie Howell, Stacy Howell, William A. Sparks, Harvey Sparks, Brady Sparks, David Sparks, Frank Duke, Henderson Duke, Carrie Duke, Claude Duke, Ella Duke, Richard M. Scott, Mayme Scott, Thomas Drue Foster, John G. Foster, Andrew J. Foster, Ouida Foster, Charles H. Foster, Jackson Foster, Thomas P. Duke, Bartlett S. Duke, Alfred Duke, James William Duke, Braddy S. Duke, Pearl Scott, Tiff F. Scott, Lockey Virginia Perry, Margaret Leticia Perry, Malinda Lucretia Perry, Pearly Ophelia Perry, John Riley Jackson Perry, William Wiley Perry, Mary Luvenia Carlisle, Washington S. Perry, Thomas L. Mixon and Stephen T. Duke, as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of the 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.

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 Martin H. Duke for the identification of his wife, Mary Ann Duke, that made by Andrew J. Duke for the identification of his wife, Lucinda J. Duke, that made by Elizabeth Sparks for the identification of her husband, Felix Sparks, that made by Turah Hughs for the identification of her husband, John W. Hughs, that made by Thomas I. Sparks for the identification of his wife, Dora A. Sparks, that made by William W. Boucher for the identification of his wife, Mary Elizabeth Boucher, that made by Sidney B. Smith for the identification of his wife, Dollie L. Smith, that made by John G. Foster for the identification of his wife, Jemima J. Foster, that made by Andrew J. Foster for the identification of his wife, Myrtis C. Foster, that made by Bartlett S. Duke for the identification of his wife, Rosie Duke, that made by Braddy S. Duke for the identification of his wife, Maude Duke, and that made by Jasper Weldon Allen for the identification of himself, 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,

NEO.

James Birney
Acting Chairman.

Register.

COPY.

M.C.R. 2893

Muskegee, Indian Territory, November 24, 1902.

Richard M. Scott,

Pelican, Louisiana.

Dear Sir:

You are hereby notified that on the 14th 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 Joseph L. Nixon, et al., of which decision you were advised by registered mail on the 27th day of May, 1902.

Respectfully,

SIGNED,

Tamr Dixby.

Acting Chairman.

Muskogee, Indian Territory, December 7, 1903.

Richard M. Scott,
Pelican, Louisiana.

Dear Sir:

The Secretary of the Interior with his letter of November 25, 1903, returned to this Commission the record theretofore forwarded the Department in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al., with instructions that the applicants be granted an opportunity to introduce further testimony and evidence in support of their claim.

The Secretary of the Interior in his letter states:

"October 7, 1903, you transmitted a petition for a rehearing in the matter of the consolidated Mississippi Choctaw case of Joseph L. Nixon, et al. (M.C.R. 788). Attached to said petition are the affidavits of certain of the applicants in said case, also the affidavit of a full blood Choctaw named John Lewis, who was a resident of the old Choctaw Nation in 1830.

The applicants in this case claim their right to identification as Mississippi Choctaws by reason of their descent from Thomas and Elizabeth Foster. Thomas Foster was an one-half blood Indian who, it is alleged, was a resident of Mississippi in 1830, and complied or attempted to comply with the provisions of article 14 of the Choctaw treaty of that year. The maiden name of Elizabeth Foster was Elizabeth Dukes.

From the affidavit of John Lewis it appears that he was acquainted with said Thomas Foster and with his three brothers, William, James and Hugh Foster; that he was with the Foster brothers in the summer of 1831 at the Union Agency, Mississippi, and that all of said brothers signified their intention to Col. Ward to remain in Mississippi and become citizens of that state.

From the records of the Government it appears that William, James and Hugh Foster were beneficiaries under article 14 of the treaty. It also appears that scrip was issued to one

Thomas Foster, under the provisions of said article, by virtue of the subsequent legislation enacted in reference thereto.

Inasmuch as the showing made in said petition and in the affidavits in support thereof, is corroborated by the records of the Government relating to persons who complied with article 14 of the treaty of 1830, it is considered that a further investigation should be had in this matter."

The Commission is directed to advise you that said records relating to the compliance of persons with the provisions of article 14, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

- 1st. Their description.
 - 2nd. Their residence and improvements (usually locating the same by reference to some town, county, body of water or public road).
 - 3rd. Their Choctaw as well as their English names.
 - 4th. The names and number of the persons who composed their families.
 - 5th. The names of their neighbors and immediate associates,
- and that for the purpose of comparison, testimony of like character should be furnished relative to the applicants' ancestors.

You are advised that the Commission is averse to the acceptance of ex parte affidavits in support of Mississippi Choctaw cases, and prefers, whenever possible, to have the personal appearance of witnesses for examination under oath. In the event that

such witnesses are unable to make personal appearance on account of old age or infirmity, or are non-residents of Indian Territory, their depositions may be considered when taken in conformity with the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws, a copy of which rules and regulations is herewith enclosed.

In accordance with the instructions above referred to, you are hereby notified that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, at any time within thirty days from the date upon which you receive this notice, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered in support of this case, notice of the taking of such testimony or offering of documentary evidence being first served upon Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

R & R Dep.
Registered

Chairman.

Muskogee, Indian Territory, May 11, 1905.

Richard M. Spott,
Pelican, Louisiana,

Dear Sir:

You are hereby notified that on April 28, 1905, the Secretary of the Interior reaffirmed the decision of this Commission of May 13, 1902 refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Joseph L. Nixon et al.

You are advised that a copy of the decision of the Secretary of the Interior in this case has been furnished L. B. Horton, Attorney at Law, Durant, Indian Territory, and Messrs. Herbert, Walker & Cannon, Attorneys at Law, Ardmore, Indian Territory, attorneys for the several applicants included in this consolidated case.

Respectfully,

Chairman.

MOR-2583

Muskogee, Indian Territory, March 9, 1907.

Richard M. Scott,
Pelican, Louisiana.

Dear Sir:-

You are hereby notified that the Secretary of the Interior, on February 12, 1907, denied the motions filed by J. O. Pool, attorney at law, South McAlester, Indian Territory, and Gilbert & Bond, attorneys at law, Duncan, Indian Territory, for a rehearing in the consolidated Mississippi Chectaw case of Joseph L. Nixon et al.

Respectfully,

Commissioner.

No. _____

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Richard M. Scott

Age 24 Blood 1/16

Post Office, Pelican La.

Father: Thomas A. Scott

Mother: Harriet A. Scott (dead)

(Claims through mother)

Wife: Blanche E. Scott
(no claim for her)

Children:

Mayme Scott 16 mo

Claims for himself and
one child

Stenographer

Henry G. Hains

Richard M. Scott et. al

KEEP

REMANENT OF THE INTERIOR

RECORD FORWARDED DEPARTMENT AUG 24 1904

ACTION APPROVED BY SECRETARY OF INTERIOR APR 28 1905

NOTICE OF DEPARTMENTAL ACTION GRANTED AT TORNEYS FOR CHOCTAW AND CHICKASAW NATIONS.

NOTICE OF DEPARTMENTAL ACTION FORWARDED AT TORNEY APPLICANT

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT MAY 1 1905

788

Choctaw MCR 2594

George W. SON

See MCR D.I.

MCR 2594

FOR IDENTIFICATION AS 31-2594
A MISSISSIPPI CHOCTAW.

George W. Son et al

REFER TO M. C. R. D. 1.

REFUSED.

DECISION RENDERED. MAR 3 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

RECORD FOR AMERICAN 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, I. T. June 10, 1901.

#2594

In the matter of the application of George W. Son for the identification of himself and his minor children as Mississippi Choctaws. George W. Son having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A George W. Son.
Q What is your age? A I will be 49 in September.
Q What is your post-office address? A Ardmore, Indian Territory.
Q How long have you lived there? A About three weeks.
Q Where did you live before that? A In Bates County, Missouri.
Q How long did you live in Missouri? A I was born and raised there.
Q Lived there all your life until you came to the Indian Territory?
A No, I made a trip to the West Coast in '83- was there two and a half years- and from there to Fayette, Arkansas and then back to Missouri.
Q How long were you in Arkansas? A Seven years.
Q And then you went back to Missouri and lived there until you came to the territory two weeks ago? A Yes.
Q What is your father's name? A James M. Son.
Q Is he living? A Yes.
Q What is your mother's name? A Elizabeth J. Son.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Sophronia K. Son.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q Have you any children under twenty-one and unmarried for whom you wish to make application at this time? A Yes, I have two under age- one over age- I have three children in all.
Q Give the names and ages of those under age and unmarried. A James B. SON, eighteen; Thomas C. SON, nine.
Q These are your children? A Yes.
Q And what is the name of their mother? A Sophronia K. Son.
Q When and where were you married to her? A In Millin County, Mo., in December, 1875.
Q Did you obtain a license to marry? A I didn't; the law didn't require it.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A I have not.

It will be necessary for the Commission to be supplied with evidence of your marriage in support of your application for your minor children.

- Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? Or the names of your children? A No.

- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself or your children to be enrolled as members of that tribe? A No; I never have.
- Q Did you or anyone for you or for your children in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A Never have.
- Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A I think I understand them.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not - I don't know.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into with the United States and the Choctaw tribe of Indians? A William Harris.
- Q What relation was he to you? A Great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A Yes.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I don't know.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I couldn't say about that.
- Q Have any of your ancestors ever received or claimed any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds, or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

A

Hudson and Arnold, attorneys for applicant, ask for thirty days in which to file.

On motion of counsel, thirty days time is allowed applicant in which to file additional evidence in support of this claim.

Eliza J. Son being called and sworn as a witness in this case, testified as follows in behalf of applicant:

Examination by A. J. Arnold:

Q. W. SON

- Q. What's your name? A. Eliza J. Son.
Q. You are the mother of George W. Son who has just made application for identification as a Mississippi Choctaw? A. Yes.
Q. Of Ellen Chambers? A. Yes.
Q. Of Fannie M. Son? A. Yes.
Q. Of Maggie Bradford? A. Yes.
Q. Of Irene Son? A. She is my grand-daughter.
Q. Jennie Karstetter? A. Yes.
Q. Who is the mother of Irene Son? A. George W. Son is her father.
Q. Irene is your grand-daughter? A. Yes.

Witness excused.

To applicant:

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaw will be determined at the earliest possible date and report of same will be made to the Secretary of the Interior, conformable to the provisions of the Statute, Section of the Act of Congress of June 25, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

applicant apparently white.

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

W. L. S. Slaughter
Notary Public

COPY

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing affidavits in support of the application for identification as Mississippi Choctaws of J.W. Sen, J.F. Sen, and D.W. Sen, with the request that the same be filed in the cases named. Also, under separate cover were received affidavits in support of the application for identification as Mississippi Choctaws of G.W. Sen, P.H. Sen and Maggie Bradford.

In accordance with your request these papers have been duly filed with the records of the Commission.

Yours truly,

G. R. Breckinridge,

Commissioner in charge.

Muskogee, Indian Territory, November 29, 1901.

George W. Sen,
Armore, Indian Territory.

Dear Sir:

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.,
Mannie 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 June 10, 1901, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and two 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 at Muskogee, Indian Territory, on Monday,

G. W. S.--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,

M.C.-2094

Acting Chairman.

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

ALLISON L. AYLESWORTH
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 2594

COPY.

Muskogee, Indian Territory, March 15, 1902.

George W. Son,
Ardmore, Indian Territory,

Dear sir:

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. Kerloot, 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 Hershall 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, Willie 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 H. 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, Flara 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. Walsler, Nellie Gray Walsler, 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 Mississipi 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.

H.C.P. 2594.

Muskogee, Indian Territory, April 24, 1902.

George W. Son,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of April, 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 John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 2594.

COPY

Muskogee, Indian Territory, November 16, 1906.

George W. Son,

Bonne Terre, Missouri.

Dear Sir:

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 Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.
Commissioner.

No. 2511

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name George W. Don

Age 49 Blood 1/8

Post Office, Ardmore, D. T.

Father: James M. Don

Mother: Eliza J. Don

(claims through mother)

Wife: Sophronia K. Don
(no claim for her)

Children:

James B. Don 18

Thomas O. " 9

Claims for himself and
two minor children.

Stenographer

Henry G. Hains

Choctaw MCR 2595

Ellen Chambers

See MCR D1

MCR 2595

MISSISSIPPI CHOCTAW
Allen Chambers

REFER TO M. C. & D. I.

REFUSED.

DECISION RENDERED: MAR 3. 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 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.

Department of the Interior/
Commission to the Five Civilized Tribes.
Atoka, I.T. June 10, 1901.

#2595

In the matter of the application of Ellen Chambers for identification as a Mississippi Choctaw.

Ellen Chambers having been duly sworn testified as follows:

Examination by the Commission;

- Q What is your name? A Ellen Chambers.
- Q What is your age? A Fifty-eight.
- Q What is your post-office address? A Latham, Missouri.
- Q How long have you lived there? A I was born and raised in Cooper County, Missouri.
- Q Never lived anywhere else but in Missouri? A No.
- Q What is your father's name? A Valentine Martin.
- Q Is he living? A No.
- Q What is your mother's name? A Sarah Martin.
- Q Is she living? A No.
- Q Through which one of your parents do you derive your Choctaw blood? A My mother.
- Q How much Choctaw blood do you claim? A One eighth.
- Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No, I don't know.
- Q Are you married? A Yes.
- Q What is your husband's name? A James Chambers.
- Q Do you make application for him? A No.
- Q Have you any children under twenty-one years of age and unmarried for whom you wish to make application at this time? A No.
- Q You are making this application for yourself alone? A No, I reckon I am-- I have a sister and a son-- (here attorney interrupts and says she is an invalid.)
- Q I don't think the Commission can hear application for her. A Well, she can be brought here.
- Q And what about the son? A He is married and of age.
- Q He will have to make application for himself. You are making this claim for yourself alone then? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe? A No.
- Q Did you or did anyone for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make a plication for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of

- the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A I think I am.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors--? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Harris.
- Q What relation was he to you? A My great-grand-father.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe of Indians at that time? A No.
- Q Did he, if a Choctaw Indian, remove from the Territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? ANo, I don't know.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know that.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A

Hudson & Arnold attorneys for applicant request thirty days for filing any evidence that she may be able to secure in support of her claim for identification as Mississippi Choctaws. Granted.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. W. Lincoln
Notary Public

Muskogee, Indian Territory, July 26, 1901.

Hudson & Arnold,

Attorneys at Law,

Armore, Indian Territory.

Gentlemen--

Receipt is hereby acknowledged of your letter of the 9th instant, enclosing affidavit and certified copy of the evidence of James Allen and John Pistole, offered by you for filing in the matter of the application for identification as Mississippi Chestnuts of Martha E. Chambers et al.

Also, certified copy of affidavit offered by you for file in the matter of the application for identification of Joseph Stanford.

The same have been duly filed with the other records in the matter of the application of these parties for identification as Mississippi Chestnuts and will receive the consideration of the Commission in determining the rights of these applicants.

Yours truly,

NY-2596
MO-3708

Commissioner in charge.

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

ALLISON L. AYLESWORTH,
SECRETARY.

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

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 2, 1901.

Ellen Chambers,
Latham, Missouri.

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 thereto-
fore forwarded the Department for approval, with instructions that
an opportunity be granted for the introduction of additional testi-
mony of applicants or witnesses in person in support of such appli-
cations.

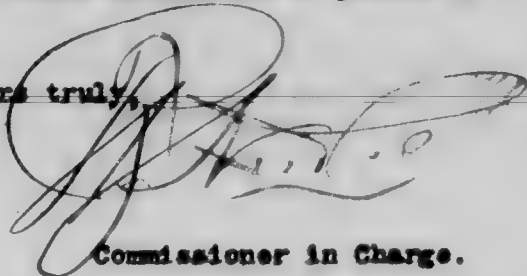
It appears from our records that at Atoka, Indian Terri-
tory, on June 10, 1901, you made personal application to this Com-
mission for identification as a Mississippi Choctaw, claiming de-
scend from the same common ancestor.

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 Monday,
January 13, 1902, at nine o'clock A. M., there will be heard the

E. C.--2.

testimony of such witnesses as present themselves in person in support of your application.

Yours truly,

A large, stylized handwritten signature in dark ink, written over the words "Yours truly,". The signature is highly cursive and difficult to decipher, but it appears to be a name with a prominent initial.

M.C.-3595

Commissioner in Charge.

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

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES. Miss. Choc. 2595

REFER IN REPLY TO THE FOLLOWING

COPY.

Muskogee, Indian Territory, March 15, 1902.

Ellen Chambers,
Latham, Missouri,

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 Hershall 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, Willie 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 H. 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, Flara 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. Waiser, Nellie Gray Waiser, 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 Mississipi 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)

Commissioner in Charge.

Registered.

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., 2595.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

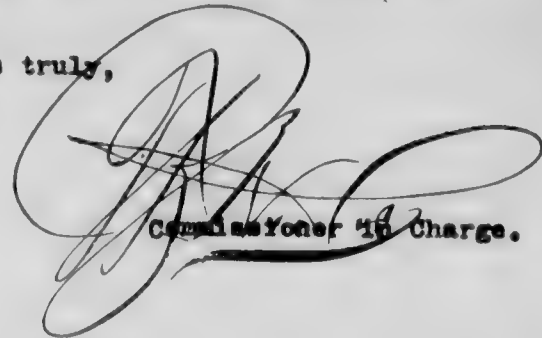
Muskogee, Indian Territory, April 24, 1902.

Ellen Chambers,
Latham, Missouri.

Dear Madame:

You are hereby advised that on the 14th day of April, 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 John B. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,



Commissioner in Charge.

M C R 2595

Muskogee, Indian Territory, May 6, 1903.

W. H. Ritchey,
Attorney at Law,
Durant, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you ask "Kindly let me know if Ellen Chambers was rejected for enrollment as a Miss. Choctaw."

In reply you are informed that on April 14, 1903, the Secretary of the Interior approved the decision of the Commission refusing the application of Ellen Chambers for identification as a Mississippi Choctaw. The Commission now considers this case closed.

Respectfully,

Chairman.

mf

REFER IN REPLY TO THE FOLLOWING:
M.C.R. 2595.

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

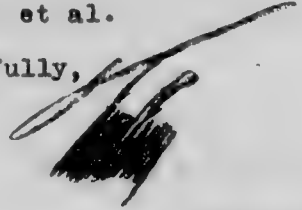
Muskogee, Indian Territory, November 16, 1906.

Ellen Chambers,
Latham, Missouri.

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 Choctaw case of John S. Martin, et al.

Respectfully,



Commissioner.

No. 2595

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Ellen Chambers

Age 58 Blood 1/8

Post Office, Latham, Mo.

Father: Valentine Martin (dead)

Mother: Sarah " "

Claims through mother

Husband: James Chambers -
(No claim for him)

Children:

Claims for herself only

Stenographer

Henry G. Hains

2595

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

FILED

MAY 14 1902


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Department of the Interior.

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.

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Allen Chambers

Lawrence

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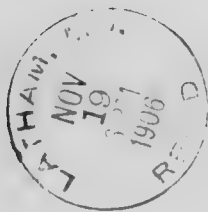
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Commissioner to the F. & C.

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Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOCOE, IND. TER.



2595

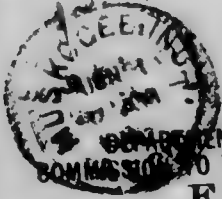
Miss. Choctaw Div.



~~Ellen Chambers,~~

~~Latham, Missouri.~~

2595



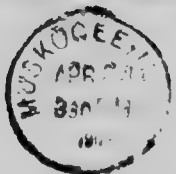
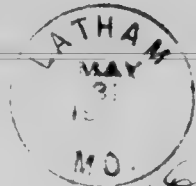
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Department of the Interior.

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Allen, Chamberlain

Wm. Knapp

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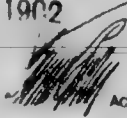
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COMMISSION TO THE FIVE CIVILIZED TRIBES.

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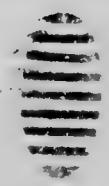
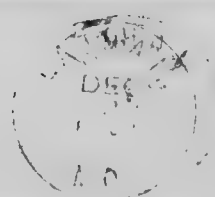


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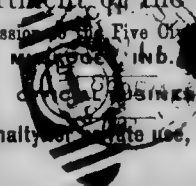
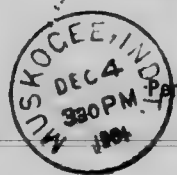
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Department of the Interior
Commissioner of Five Civil Tribes



Penalty for late use, \$30

R. 2595

~~South M. Okla.~~
S. O.

~~Personnel~~

Choctaw MCR 2596

Finis M SON

MCR 2596

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

P. 258

F. Mis. M. Lou

REFER TO M. C. & D. I.

REFUSED.

DECISION RENDERED. MAR 3 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

RECORD FORWARDED TO APPLICANT.

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

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 10, 1901.

#2596

In the matter of the application of Finis M. Sen for identification as a Mississippi Choctaw.

Finis M. Sen having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Finis M. Sen.
Q What is your age? A Twenty-four six. (26).
Q What is your post-office address? A Ardmore, I.T.
Q How long have you lived there? A About three weeks.
Q Where did you live before that? A In Missouri.
Q How long did you live in Missouri? A All my life; there were times --
Q Were you born in Missouri and lived there until you moved to the Territory? A Yes.
Q What is your father's name? A James M. Sen.
Q Is he living? A Yes.
Q What is your mother's name? A Eliza J. Sen.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A No.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in the Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe?
A I never did.
Q Did you, or did any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 28, 1898? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No.
A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q Are you familiar with the provisions of that article? A I think I am.
Q Have you ever received any benefits as a Choctaw Indian? A I never did.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and recognized

members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Harris.

- Q What relation was he to you? A Great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A Yes.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838?
- A I don't know.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever received or claimed any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know of.
- Q Are there any additional statements, affidavits you desire to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits as under that article? A

Hudson & Arnold, attorneys for applicant, request thirty days; thirty days time is allowed applicant in which to file additional evidence in support of his application.

Examination by A. J. Arnold:

Eliza J. Son being called and sworn as a witness in this case testified as follows in behalf of applicant:

- Q What is your name? A Eliza J. Son.
- Q Are you the mother of George W. Son who has just made application for identification as a Mississippi Choctaw? A Yes.
- Q Of Ellen Chambers? A No.
- Q Of Finis M. Son? A Yes.
- Q Of Maggie Bradford? A Yes.
- Q Irene Son? A She is my granddaughter.
- Q Jennie Karstatter? A Yes.
- Q Who is the mother of Irene Son? A George W. SON is her father.
- Q Irene is your grand-daughter? A Yes.
- (Witness excused.)

To Applicant:

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same be made to the Secretary of the Interior, conformable to the provisions of the 21st. section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct

...of his

Henry G. ...

... ..

Arthur ...
Notary Public

Copy

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing affidavits in support of the application for identification as Mississippi Choctaws of J.W. Sen, J.P. Sen, and D.W. Sen, with the request that the same be filed in the cases named.

Also, under separate cover were received affidavits in support of the application for identification as Mississippi Choctaws of G.W. Sen, P.H. Sen and Maggie Bradford.

In accordance with your request these papers have been duly filed with the records of the Commission.

Yours truly,

C. R. Breckinridge,

Commissioner in charge.

Muskogee, Indian Territory, December 2, 1901.

Finis M. Son,

Ardmore, Indian Territory.

Dear Sir:

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 June 10, 1901, you made personal application to this Commission for identification as a Mississippi Choctaw, 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 Monday,

F. M. S.--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,

M.C.-2596

Commissioner in Charge.

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

ALLISON L. AYLESWORTH.
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 2396

COPY.

Muskogee, Indian Territory, March 15, 1902.

Pinis v. Son,

Ardmore, Indian Territory,

Dear Sir:

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. Wisner, 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 Hershall 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, Willie 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 H. 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, Flara 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, Charles 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. Waiser, Nellie Gray Waiser, 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 Mississipi 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.O.R., 2596.

Muskogee, Indian Territory, April 24, 1902.

Finis M. Son,

Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that on the 14th day of April, 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 John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 2596.

COPY

Muskogee, Indian Territory, November 16, 1906.

Finis M. Son,
Ardmore, Indian Territory.

Dear Sir:

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 Choctaw case of John B. Martin, et al.

Respectfully,

SIGNED

Wams Bixby.
Commissioner.

No. 2700

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Finis M. Don

Age 26 Blood 1/8

Post Office, Ardmore. L.T.

Father: James M. Don

Mother: Eeliza J. Don

Claims through mother

~~Children:~~

Claims for himself only

Stenographer

Henry G. Haina

Choctaw MCR 2597

Maggie Bradford

See MCR D1

MCR 2597

MISSISSIPPI CHOCTAW No. 2597

Maggie Bradford et al

REFER TO M. C. B. D. I.

REFUSED.

DECISION RENDERED. MAR 3 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 TO APPLICANTS

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, I.T. June 10, 1901.

2597

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

Maggie Bradford having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Maggie Bradford.
Q What is your age? A Thirty-two.
Q What is your post-office address? A Ardmore, Indian Territory.
Q How long have you lived there? A About three weeks.
Q Where did you live before that? A In Missouri.
Q How long did you live in Missouri? A All my life until I came to the Territory.
Q What is your father's name? A James M. Sen
Q Is he living? A Yes.
Q What is your mother's name? A Eliza J. Sen.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Melvin O. Bradford.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application at this time? A Yes; I have two.
Q Give their names and ages. A Lena Bradford, eight-she will soon be nine in July; Lois Bradford, seven.
Q These are your children? A Yes.
Q What is the father's name? A Melvin O. Bradford.
Q When and where were you married to Melvin O. Bradford? A February 26, 1891, at the residence of my father.
Q Was that in Missouri? A Yes.
Q Is your name or are the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to have yourself or your children enrolled as members of the tribe? A No.
Q Did you or any one for you or them, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under Act of Congress of June 10, 1896? A No.
Q Have you or they ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as

- as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A I think so.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and recognized members of the Choctaw tribe in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Harris; my great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A Yes.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q If he did not remove with the other members of the tribe did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I can't say.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know of.
- Q Are there any additional statements that you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provision of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

Hudson & Arnold, attorneys for applicant, request thirty days for filing any additional evidence in support of this claim.

On motion of counsel, thirty days is allowed applicant in which to file additional evidence in support of her claim.

Eliza J. Son being called and sworn as a witness in this case testified as follows in behalf of applicant:

Examination by J.A. Arnold:

- Q What is your name? A Eliza J. Son
- Q Are you the mother of George W. Son who has just made application for identification as a Mississippi Choctaw? A Yes.
- Q Of Ellen Chambers? A No.
- Q Of Finis M. Son? A Yes.
- Q Of Maggie Bradford? A Yes.
- Q Irene Son? A She is my grand-daughter.
- Q Jennie Karstetter? A Yes.
- Q Who is the mother of Irene Son? A George W. Son is her father.
- Q Irene is your grand-daughter? A Yes.
- (Witness excused.)

To applicant;

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi

Reports will be determined at the earliest possible date and report
of same made to the Secretary of the Interior, conformable to the
provisions of the Act, Section of the Act of Congress of June 20,
1874, and a copy of the same will be mailed to you at your post-of-
fice address as given by you in your testimony.

Applicant apparently white.

Henry G. Hains being duly sworn on his oath states that he was
operator to the Commission to the Five Civilized Tribes he reported
in all all proceedings had in the above entitled cause on June 10,
1891, and that the above copy foregoing is a full, true and correct
transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1891.

W. L. S. Baugh
Notary Public.

Copy

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,
Armore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing affidavits in support of the application for identification as Mississippi Choctaws of J.W.Son, J.F.Son, and D.W. Son, with the request that the same be filed in the cases named.

Also, under separate cover were received affidavits in support of the application for identification as Mississippi Choctaws of G.W.Son, F.M.Son and Maggie Bradford.

In accordance with your request these papers have been duly filed with the records of the Commission.

Yours truly,

G. R. Breckinridge,

Commissioner in charge.

Muskogee, Indian Territory, December 2, 1901.

Maggie Bradford,
Ardmore, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret M. 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 June 10, 1901, you made personal application to this Commission for the identification as Mississippi Choctaws of yourself and two 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 at Muskogee, Indian Territory, on Monday,

M. H.--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,

M.C.-2597

Commissioner in Charge.

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

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 2597

COPY.

Muskogee, Indian Territory, March 15, 1902

Maggie Bradford,

Ardmore, 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. Walsler, 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 Hershel 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, Willie 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 H. 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, Flara 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. Walsler, Nellie Gray Walsler, 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 Kertoot, 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. Nockols.*

Commissioner in Charge.

Registered.

M C R - 2597

Muskogee, Indian Territory, April 24, 1902.

Maggie Bradford,

Armore, Indian Territory.

Dear Madam:

You are hereby advised that on the 14th day of April, 1902, the Secretary of the Interior affirmed the decision of this Commission, refusing the applications for identification as Missed ppl Cheotaws of the several persons included in the consolidated case of John S. Martin et al.; of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Acting Chairman.

M.C.R. 2597.

COPY

Muskogee, Indian Territory, November 16, 1906.

Maggie Bradford,

Ardmore, Indian Territory.

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 Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.
Commissioner.

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Maggie Bradford
Age 32 Blood 1/8

Post Office, Ardmore, D.C.

Father: James M. Son

Mother: Eliza J. Son

Claims through mother

Husband: Melvin O. Bradford
(no claim for him)

Children:

Leva Bradford 5
Lois " 7

Claims for herself and 2
minor children.

Stenographer

Henry S. Hains.

@choctaw MCR 2598

Irene E. SON

See MCR DI

MCR 2598

FOR IDENTIFICATION-AS
A MISSISSIPPI CHOCTAW.

R. 2598

Irene E. Low

REFER TO M. C. R. D. 1.

REFUSED.

DECISION RENDERED. MAR 3 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 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.
June 10, 1901, Atoka, I.T.

2598

In the matter of the application of Irene E. Sen for identification as a Mississippi Choctaw.
Irene E. Sen having been duly sworn testified as follows:

Examination by the commission:

- Q What is your name? A Irene E. Sen.
Q What is your age? A Will be twenty-two next September.
Q What is your post-office address? A Ardmore, Indian Territory.
Q How long have you lived there? A About three weeks.
Q Where did you live before? A Bates County, Missouri.
Q How long did you live in Missouri? A Eight years.
Q Where did you live before you went to Missouri? A In Arkansas; I was born in Missouri- I went from Missouri to Oregon and then to Arkansas, and back to Missouri, and then from Missouri to the Territory.
Q What is your father's name? A G. W. Sen.
Q Is he living? A Yes.
Q What is your mother's name? A Sophronia K. Sen.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Mother; no, my father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Was your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A No.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you, or did any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q Are you familiar with the provisions--? A I think so.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I don't know.
Q What was the name of your ancestor or ancestors who were recognized residents of the old Choctaw Nation in Mississippi or Alabama and

acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Harris.

- Q What relation was he? A My great-great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A Yes.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I don't know.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I think so.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

Hudson & Arnold, attorneys for applicant, request thirty days for filing any additional evidence she may be able to secure in support of her application for identification as a Mississippi Choctaw. On motion of counsel, thirty days time is allowed applicant in which to file evidence in support of her case.

Examination by J.A. Arnold:

Eliza J. Son being called and sworn as a witness in this case testified as follows in behalf of applicant:

- Q What is your name? A Eliza J. Son
- Q Are you the mother of George W. Son who has just made application for identification as a Mississippi Choctaw? A Yes.
- Q Of Ellen Chambers? A No.
- Q Of Finis M. Son? A Yes.
- Q Of Maggie Bradford? A Yes.
- Q Irene Son? A She is my grand-daughter.
- Q Of Jemmis Karstetter? A Yes.
- Q Who is the mother of Irene Son? A George W. Son is her father.
- Q Irene Son is your grand-daughter? A Yes.
- (Witness excused)

To applicant:

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same be made to the Secretary, of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 10,

1901, and that the above and foregoing is a full, true and correct
transcript of his stenographic notes on said date on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linebaugh
Notary Public

COPY

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing affidavits in support of the application for identification as a Mississippi Choctaw of Jennie Karstetter; also, affidavits to be filed in support of the application for identification as a Mississippi Choctaw of Irene E. Son; also, affidavits to be filed in support of the application for identification as a Mississippi Choctaw of Eliza J. Son, with request that the same be filed in the cases named.

You are informed that your request has been complied with and the papers duly filed with the records of the Commission.

Yours truly,

C.R. Breckinridge,

Commissioner in charge.

Muskogee, Indian Territory, December 2, 1901.

Irene E. Son,
Arcmore, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John I. 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 June 10, 1901, you made personal application to this Commission for identification as a Mississippi Choctaw, 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 Monday,

I. E. S.--2.

January 18, 1908, 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,

M.C.-2698

Commissioner in Charge.

M.C.R., 2598.

Muskogee, Indian Territory, April 24, 1902.

Irene E. Sen,

Ardmore, Indian Territory.

Dear Madame:

You are hereby advised that on the 14th day of April, 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 John B. Martin, et al., of which decision you were advised by registered mail on the 18th day of March, 1902.

Yours truly,

Commissioner in Charge.

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

ALLISON L. AYLESWORTH.
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 2598

COPY.

Muskogee, Indian Territory, March 15, 1902.

Irene F. Son,

Ardeners, 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. Walsler, 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 Hershall 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, Willie 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 H. 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, Flara 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 Mississipi 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,

T. B. Needles.

Commissioner in Charge.

Registered.

M.C.R. 2598.

DFY

Muskogee, Indian Territory, November 16, 1906.

Irene E. Son,
Ardmore, Indian Territory.

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 Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Tams Bixby.
Commissioner.

No. 2598

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Irene E. Don

Age 21 Blood 1/16

Post Office, Ardmore Q. T.

Father: G. H. Don

Mother: Sophronia K. Don

Claims through father

Children:

Claims for herself only

Stenographer

Henry G. Hains

Choctaw MCR 2599

Jennie Karstetter

Refer to MCR DI

MCR 2599

Jennie Karstetter et al

REFER TO M. C. R. D. 1.

REFUSED.

DECISION RENDERED. **MAR 3 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.

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.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 10, 1901.

42599

In the matter of the application of Jennie Karstetter for the identification of herself and her four minor children as Mississippi Choctaws.

Jennie Karstetter having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Jennie Karstetter.
Q What is your age? A Thirty-two.
Q What is your post-office address? A Ardmore, Indian Territory.
Q How long have you lived there? A About three weeks.
Q Where did you live before? A In Moniteau County, Missouri.
Q How long did you live in Missouri? A All my life until I came to Ardmore.
Q You were born in Missouri? A Yes.
Q What is your father's name? A James W. Son.
Q Is he living? A Yes.
Q What is your mother's name? A Eliza J. Son.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Through my mother.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A O.B. Karstetter.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application at this time? A I have four.
Q Give their names and ages? A Ethel, seven; Wilbur, five; Edith, three and George, four months.
Q These are all your children? A Yes.
Q What is the name of their father? A O.B. Karstetter.
Q When and where were you married to O.B. Karstetter? A In Moniteau County, Mo., November 16, 1893.
Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities to have yourself or your children enrolled as members of that tribe? A No.
Q Did you or any one for you or your children in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
Q Is this the first application of any description you have ever

made? A Yes.

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A I think so.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of?
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Harris.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A Yes.
- Q Did this ancestor, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I can't say.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I can't tell.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I can't tell.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

Hudson & Arnold, attorneys for applicant, request thirty days for filing any additional evidence applicant may be able to secure in support of this application. A Motion granted.

Examination by J.A. Arnold:

Eliza J. Son being duly sworn and called as a witness in this case testified as follows in behalf of applicant:

- Q What is your name? A Eliza J. Son
- Q Are you the mother of George W. Son who has just made application for identification as a Mississippi Choctaw? A Yes.
- Q Of Ellen Chambers? A No.
- Q Of Pina M. Son? A Yes.
- Q Of Maggie Bradford? A Yes.
- Q Irene Son? A She is my grand-daughter.
- Q Jennie Karstetter? A Yes.
- Q Who is the mother of Irene Son? A George W. Son is her father.
- Q Irene is your grand-daughter? A Yes.
- (Witness excused)/

To applicant:

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of the Secretary of the Interior conformable to the provisions of the Act of Congress of June 28,

1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white woman.

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 all proceedings had in the above entitled case on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said case on said date.

Henry G. Hains

Subscribed and sworn to before me this 10th day of July 1901.

W. H. Linebaugh
Notary Public.

COPY

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing affidavits in support of the application for identification as a Mississippi Choctaw of Jennie Karstetter; also, affidavits to be filed in support of the application for identification as a Mississippi Choctaw of Irene E. Son; also, affidavits to be filed in support of the application for identification as a Mississippi Choctaw of Eliza J. Son, with request that the same be filed in the cases named.

You are informed that your request has been complied with and the papers duly filed with the records of the Commission.

Yours truly,

C.R. Breekinridge,

Commissioner in charge.

Muskogee, Indian Territory, December 2, 1901.

Jennie Karstetter,
Ardmore, 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 June 10, 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 at Muskogee, Indian Territory, on Monday,

J. K.--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,

M.C.-2599

Commissioner in Charge.

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

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choc. 2599

COPY.

Muskogee, Indian Territory, March 15, 1902.

Jennie Karstetter,
Ardeners, 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. Walsler, 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 Hershall 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, Willie 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 H. 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, Flara 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, Charles 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. Waiser, Nellie Gray Waiser, 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 Mississipi 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. Necales.*

Commissioner in Charge.

Registered.

M.O.R., 2599.

Muskogee, Indian Territory, April 24, 1902.

Jennie Karsetter,

Ardmore, Indian Territory.

Dear Madam:

You are hereby advised that on the 14th day of April, 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 John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 2599.

COPY

Muskogee, Indian Territory, November 16, 1906.

Jennie Karstetter,
Roberta, Indian Territory.

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 Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Cams Bixby.
Commissioner.

No. 2599

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Jennie Karstetter

Age 32 Blood 1/8

Post Office, Ardmore, L. T.

Father: James M. Don

Mother: Eleza J. Don

Claims through mother

Husband, O. B. Karstetter
(no claim for him)

Children:

Ethel Karstetter 7

Wilbur " 5

Edith " 3

George " 4 mo.

Claims for herself and
4 minor children.

Stenographer

Henry G. Hains.

Choctaw MCR 2600

Eliza J SON

See MCR DI

MCR 2600

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

R. 2600

Eliza J. Sow

REFER TO M. C. R. D. 1.

REFUSED.

DECISION RENDERED. MAR 3. 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

RECORD FOR A...

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, I. T. June 10, 1901.

#2600

In the matter of the application of Eliza J. Son for identification as a Mississippi Choctaw.

Eliza J. Son having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Eliza J. Son.
Q What is your age? A Sixty-nine.
Q What is your post-office address? A Ardmore, Indian Territory.
Q How long have you lived there? A Three weeks.
Q Where did you live before? A In Missouri.
Q How long & did you live in Missouri? A All my life.
Q Born in Missouri? A Yes, born and raised in Missouri.
Q What is your father's name? A Thomas Harris.
Q Is he living? A No.
Q What is your mother's name? A Nancy Harris.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A One fourth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A James M. Son.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children under twenty-one years of age and unmarried--? for whom you wish to make application? A No.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you, or did any one for you, in 1896, make application to the Commission of the Five Civilized Tribes for citizenship in the Choctaw Nation under Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw nation?
A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q Are you familiar with the provisions of that article? A I think so.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Have any of your ancestors--? A No.
Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledg-

ed members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Harris.

Q What relation was he to you? A My grandfather.

Q Have you any evidence showing that he was a recognized member of the Choctaw tribe of Indians at that time? A Yes.

Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I don't think he did.

Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw tribe in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.

Q Are there any additional statements you wish to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, or deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

Hudson & Arnold, attorneys for applicant request thirty days in which to file any additional evidence she may be able to secure in support of her application.

On motion of counsel for applicant, thirty days time is allowed in which to file additional evidence in support of this claim.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 26, 1893, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 10, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

A. W. Linebaugh
Notary Public.

C O P Y.

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing affidavits in support of application for identification as a Mississippi Choctaw of Jennie Karstetter; also, affidavits to be filed in support of the application for identification as a Mississippi Choctaw of Irene E. Son; also, affidavits to be filed in support of the application for identification as a Mississippi Choctaw of Kliza J. Son, with request that the same be filed in the cases named.

You are informed that your request has been complied with and the papers duly filed with the records of the Commission.

Yours truly,

C. R. BRECKINRIDGE,

Commissioner in charge.

2 copies

Muskogee, Indian Territory, December 2, 1901.

Eliza J. Son,
Ardmore, Indian Territory.

Dear Madam:

In the matter of the applications for identification
as Mississippi Choctaws of

John Harris et al., John L. Jones,
Margaret N. Rodgers et al., James M. Jones et al.,
 Hannie 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 June 10, 1901, you made personal application to this Commission for identification as a Mississippi Choctaw, 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 Monday,

M. J. S.--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,

M.C.-2600

Commissioner in Charge.

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

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

Miss. Choct. 2600

COPY.

Muskogee, Indian Territory, March 15, 1902.

Elihu J. SON,

Ardmore, 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 Hershall 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, Willie 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 H. 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, Flara 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, Nellié 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, Pearlíe 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 Mississipi 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).

L. M. V. 11-11-05.

Commissioner in Charge.

Registered.

M.C.R., 2600.

Muskogee, Indian Territory, April 24, 1902.

Eliza J. Son,

Ardmore, Indian Territory.

Dear Madams:

You are hereby advised that on the 14th day of April, 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 John S. Martin, et al., of which decision you were advised by registered mail on the 15th day of March, 1902.

Yours truly,

Commissioner in Charge.

M.C.R. 2600.

COPY

Muskogee, Indian Territory, November 16, 1906.

Eliza J. Son,
Roberta, Indian Territory.

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 Choctaw case of John S. Martin, et al.

Respectfully,

SIGNED

Tams' Bixby.
Commissioner.

No. 2011
For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Eliza J. Don

Age 69 Blood 1/4

Post Office, Ardmore, D.T.

Father: Thomas Harris (dead)

Mother: Nancy Harris

Claims through father

Husband: James M. Don
(No claim for him)

~~Children:~~

Claims for herself alone

Stenographer

Henry S. Hains.

Choctaw MCR 2601

Elizabeth Forest

MCR 2601

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

-----o-----

In the matter of the application of Elizabeth Forest, et al.,
for identification as Mississippi Choctaws, M.C.R. 2601.

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

	(Page)
Original application of Elizabeth Forest, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Decision of the Commission refusing the ap- plication of Elizabeth Forest, et al., for identification as Mississippi Choctaws-----	4

-----o-----

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 8, 1901.

In the matter of the application of Elizabeth Forest for the identification of herself and one minor child as Mississippi Choctaws.

Elizabeth Forest, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Elizabeth Forest.
- Q What is your age? A I am fifty years old; I don't know exactly my age, but that is what I think it is.
- Q What is your post office address? A 17th Ave. and 19th Street, Meridian, Mississippi.
- Q Where were you born? A I was born in Alabama.
- Q Whereabouts? A Choctaw.
- Q Choctaw county in Alabama? A Yes.
- Q How long did you live in Alabama? A I don't tell, but I know I stayed there several years and then went to Louisiana.
- Q How long did you stay in Louisiana? A Six years.
- Q Then where did you go? A Came here to Mississippi.
- Q Have you lived in Meridian ever since? A Yes.
- Q What is your father's name? A Sykes Gooden.
- Q Is he living? A No sir, he is dead.
- Q Is your mother living? A Yes.
- Q What is her name? A Loretta Williams.
- Q She married afterwards? A Yes.
- Q Through which one of your parents do you claim Choctaw blood?
- A My mother and my mother's mother.
- Q How much do you claim? A I couldn't tell. My grandfather was whole Indian and --
- Q And your mother was how much? A My mother was not any Indian that I know of---her mother was half and her father was a whole Indian.
- Q Your mother would be three quarters then? A Yes.
- Q Do you claim three eighths? A Yes.
- Q What was your father---a negro? A Yes sir.
- Q Did your mother have any negro blood? A Yes sir.
- Q One quarter negro blood? A Yes sir.
- Q Was your mother a slave before the war? A Yes sir.
- Q Was your father a slave before the war? A Yes sir.
- Q Were you a slave? A Yes sir.
- Q Was your mother owned by the same master as yourself? A No sir.
- Q You were a slave in Mississippi or Alabama? A Alabama.
- Q Has your mother through whom you claim your right to be identified as a Mississippi Choctaw ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians either by the Choctaw tribal authorities or the United States authorities? A No sir.
- Q Are you married? A Yes sir.
- Q Is your husband living? A No sir.
- Q Have you any children you want to make application for? A I have one.
- Q What is the name? A Sarah.
- Q How old is Sarah? A She is nineteen years old.
- Q What is the name of the father of Sarah? A Anthony Forest.

Elizabeth Forest----3.

- Q Was he a colored man? A Yes sir.
- Q He is dead? A Yes sir.
- Q You are the mother of Sarah? A Yes sir.
- Q Is your name or the name of your daughter on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No sir.
- Q Have you ever made such application for your daughter? A No, sir.
- Q Did you or any one for you or for your daughter in 1896 under the act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you or your daughter ever been admitted to citizenship in the Choctaw Nation by any authority whatever? A No sir.
- Q Have you ever made application before this time for yourself or your child to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.
- Q Is this the first application you have ever made of any description? A Yes sir.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and daughter? A Yes sir.
- Q Do you claim this right as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No sir.
- Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A No sir.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi at that time that they intended to stay in Mississippi and become citizens of the states? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A No sir.
- Q Do you speak the Choctaw language? A No sir.
- Q You have always been brought up among the colored people? A Yes sir.
- Q Is there anything more you want to say now in support of your application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.
- Q Would you like time in which to present such testimony? A Yes sir.

Thirty days time from the date hereof is allowed applicant in which to file documentary evidence in support of her application.

This applicant has the appearance and general characteristics of a negro. She has no knowledge of the Choctaw language, and no

Elizabeth Forest---3.

Knowledge of any compliance on the part of her ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission in regard to your application for identification as Mississippi Choctaws which you make for yourself and child will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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 8th day of June, 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. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 18th day of June, 1901.

[Signature]
Notary Public.

402.
C.W.

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

-----o-----

In the matter of the application of Elizabeth Forest, et al.,
for identification as Mississippi Choctaws, M.C.P. 2601.

---; 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 Elizabeth Forest for herself and her minor child, Sarah Forest, 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 Lucretia Williams, who is alleged to have been a three-fourths 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 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 Lucretia Williams 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 Elizabeth Forest, and Sarah Forest 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.

(SIGNED)

Tame Bixby.

Acting Chairman.

(SIGNED)

T. D. Needles.

Commissioner.

(SIGNED)

C. R. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

DEC 5 1902

M.C.R. 2601.

COPY.

Muskogee, Indian Territory, December 5, 1902.

Elizabeth Forest,
17th Avenue and 19th Street,
Meridian, Mississippi.

Dear Madam:-

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Elizabeth Forest, 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 Elizabeth Forest and Sarah Forest 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 you will be allowed fifteen days from the date hereof within which to file arguments in this

Elizabeth Forest --#2.

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)

Tame Bixby.

Acting Chairman.

Registered.

L.C.R. 2601.

COPY.

Muskogee, Indian Territory, December 5, 1902.

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

Gentlemen:-

You are hereby advised that on the 5th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Elizabeth Forest, 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).

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 Forest and Sarah Forest 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 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 Dickey

Acting Chairman.

3091

Muskogee, Indian Territory, December 22, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Elizabeth Forest, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 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 letters being attached to the record.

Respectfully,

Through the
Commissioner of Indian Affairs.

Acting Chairman.

Enc.: U.C.R.2601.

D.C. 9131-1903.
I.T.D. 2526-1903.
L.R.S.

C O P Y.
F.H.E.

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

March 30, 1903.

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

Gentlemen:

December 22, 1902, you transmitted the record in the case involving the application of Elizabeth Forest (M. C. R. 2601), for herself and her minor child, Sarah Forest, for identification as Mississippi Choctaws, including your decision of December 5, 1902, refusing to identify them as such.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of Lucretia Williams, who is alleged to have been a three-fourths blood Choctaw Indian.

The records fail to show that the applicants have ever been admitted or enrolled as members of the Choctaw tribe of Indians, or that their alleged ancestor complied or attempted to comply with said article 14 of the treaty of 1830, or with the subsequent acts relating thereto.

Reporting in the matter March 2, 1903, the Acting Commissioner of Indian Affairs recommends that your

-2-

decision be approved. A copy of his letter is inclosed.

The Department finds no reason to disturb your decision and it is hereby affirmed.

Respectfully,

(Signed)

THOS. RYAN,

Acting Secretary.

1 inclosure.

Land.
76188-1902.

C O P Y.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 2, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the application of Elizabeth Forest, for herself and her minor child, Sarah Forest, for identification as Mississippi Choctaws, claiming rights as such under the provisions of the 14th article of the Choctaw treaty of 1830.

The testimony in this case shows that the applicants base their claim to identification, under this application, on their descent from Lucretia Williams, the principal applicant's mother, who it is alleged was a Choctaw Indian, but who it is not claimed lived in the Choctaw Nation, in Mississippi in 1830. The applicants are unable to give the name of an ancestor more remote than this Lucretia Williams, nor do they know of the compliance or attempted compliance of any of their ancestors with the provisions of the 14th article of the treaty of 1830.

The Commission rejected the applicants December 5, 1902, because the name of the ancestor through whom they claim does

not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of said treaty, and for the additional reason that the applicants had never been enrolled as citizens of the Chectaw Nation.

An examination of the records of this office discloses the fact that the name of Lucretia Williams does not appear among those who complied or attempted to comply with the provisions of article 14 of the said treaty; and as the applicants are unable to give the name of an ancestor more remote than the mother of the principal applicant, it is impossible to examine the records as to whether they had such an ancestor in Mississippi in 1830.

These being the facts it is evident that the decision of the Commission rejecting the applicants is correct, and I concur in that finding and recommend its approval.

Very respectfully,

(Signed)

A. C. TONNER,

Acting Commissioner.

C.T.C.(E).

M.C.R.2601.

COPY.

Muskogee, Indian Territory, April 7, 1903.

Elizabeth Forest,
17th Avenue and 19th Street,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 30th day of March, 1903, 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 Elizabeth Forest, et al., of which decision you were advised by registered mail on the 5th day of December, 1902.

Respectfully,

(SIGNED)

C. R. Breckinridge.
Commissioner in Charge.

M.O.R. 2601.

COPY:

Muskogee, Indian Territory, April 7, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 30th day of March, 1903, 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 Elizabeth Forest, et al., of which decision you were advised by mail on the 5th day of December, 1902.

Respectfully,

(SIGNED).

C. R. Breckinridge.

Commissioner in Charge.

1910

No 2501

For Identification as a Mississippi Choctaw.

Date JUN 8 1907

Name Elizabeth Forest

Age 50 Blood 3/8

Post Office, Meridian, Miss
17th Ave & 19th St.

Father: Sykes Gooden, negro, d.

Mother: Lucretia Williams, do

Claims through mother -

~~Wesley~~
Anthony negro, d.

Children: Sarah 19

Claims for self^{and}
child.

Stenographer H. C. Ristun

FOR ID... R. 2601
A MISSISSIPPI CHUCTAW.

Elizabeth Pres... et al

REUSED

DECISION RENDERED. ... 1907

NOTICE OF DECISION MADE BY APPLICANT. DEC 3 1907

NOTICE OF DECISION MADE BY APPLICANT
FOR CHUCTAW AND CHICKASAW NATIONS. DEC 3 1907

RECORD FORWARDED DEPARTMENT. ...

ACTION APPROVED BY SECRETARY OF INTERIOR. MAR 2 1908

NOTICE OF DEPARTMENTAL ACTION
FORWARDED AT ... APR 2 1908

NOTICE OF DEPARTMENTAL ACTION
FORWARDED AT TORNEYS FOR CHUCTAW
AND CHICKASAW NATIONS. APR 2 1908

Choctaw MCR 2602

Henry Jackson

MCR 2602

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

In the matter of the application of Henry Jackson, et al.,
for identification as Mississippi Choctaws, M. C. R. 2602.

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 Henry Jackson, et al., before the Dawes Commission at Meridian, Mississippi, June 9, 1901, for identification as Mississippi Choctaws.	1
Affidavit of A. McDonald.	3
Affidavit of Callaway Brown.	6
Decision of the Commission refusing the appli- cation of Henry Jackson, et al., for identifi- cation as Mississippi Choctaws.	7

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 8, 1901.

In the matter of the application of Henry Jackson, for the identification of himself and five children as Mississippi Choctaws.

Henry Jackson, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Henry Jackson.
Q How old are you? A Twenty eight years old.
Q What is your post office address? A Bailey, Mississippi.
Q How long have you lived at Bailey? A All my life.
Q Born there? A Yes.
Q What is your father's name? A William Jackson.
Q Is he living? A Yes sir.
Q What is your mother's name? A Emily Jackson.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim Choctaw blood?
A Both of them.
Q How much Choctaw blood do you claim? A One quarter.
Q How much Choctaw blood did your father William Jackson have?
A One quarter.
Q What was the rest of his blood? A Negro.
Q How much Choctaw blood did your mother have? A One quarter.
Q And the rest was what? A White.
Q Did your mother have any negro blood? A Yes sir, a little.
Q How much do you know? A No, her mother was one half Indian.
Q Do you know how much negro or white your mother had? A Her father was white.
Q And her mother was what? A Her mother was one half nigger and one half Indian.
Q Was your father a slave before the war? A I don't know whether he was or not.
Q He is living now---didn't you ever hear or ever know whether he was a slave or not? A I think I have heard him say that he was a boy in the time of the war.
Q I father believe that you know whether he was a slave or not--do you know whether he was or not a slave before the war? A I don't know nothing about that. I have heard him say he was a boy in the time of the war.
Q He was a colored man? A Yes
Q And you don't know whether he was a slave or not? A I guess he was a slave, if he was large enough to be a slave.
Q You rather think he was a slave---was his father a slave? A I don't know.
Q Was his mother a slave? A I don't know.
Q Where is your father now? A He is out home.
Q He has lived there all the time? A Yes.
Q And you have lived there all the time? A Yes.
Q And you want me to believe that you never heard anybody say or heard him say whether he was a slave? A I have heard him talk about it a heap.
Q What did he say? A I don't remember just what he said. I would hate to say whether he was a slave when I don't know.
Q Was your mother a slave before the war? A Well----
Q Is that another case where you don't know? A Yes, I don't know.
Q Was your mother owned by a white man before the war? A Yes sir.

Henry Jackson----2.

- Q Was your father owned by a white man before the war? A Yes sir
- Q Did they both have the same master? A Yes sir.
- Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No sir, not as I know of.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A Mattie.
- Q What is she--a negro? A Yes sir.
- Q Do you make any claim for her? A No sir.
- Q Give me the names of your children unmarried for whom you desire to make application? A Susie.
- Q How old? A Eight.
- Q Next? A Leonola.
- Q How old is she? A She is about seven.
- Q Give me the name of the next? A Wesley.
- Q A Boy? A Yes sir.
- Q How old is he? A He is three years old.
- Q Next? A Norman.
- Q Boy or girl? A Boy.
- Q How old is Norman? A He is about two years old.
- Q Is that all? A There is one more---Ethidge.
- Q Is thata boy? A Yes sir.
- Q How old is Ethidge? A He is about two months old.
- Q Is Mattie the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q These children live with you? A Yes sir.
- Q When were you married to Mattie? A Married in 1891.
- Q Do you remember the day of the month? A 17th.
- Q 17th of what? A 17th of December.
- Q 1891? A Yes sir
- Q Were you married by an ordained minister and under license? A J.P. married me.
- Q Have you your marriage license and certificate with you that you would like to introduce in support of your application? A No sir.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A Yes sir.
- Q How do you know? A The way I understand you--I reckon I understand you right.
- Q Lister to me---is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know sir.
- Q Do you know what I mean by Choctaw rolls? A No sir.
- Q Do you know what the Choctaw Nation is? A Yes.
- Q Is your name on the list of the members of the Choctaw tribe? A No.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for the enrollment of yourself and your children as Choctaw Indians? A No sir.
- Q Did you or any one for you in 1896 under the act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Dawes Commission for yourself and children? A No sir.
- Q Have you ever made application for yourself or children before this either to the Choctaw tribal authorities or the United States authorities to be enrolled as citizens of the Choctaw Nation? A No sir.
- Q Is this the first application of any kind you have ever made? A Yes.
- Q Are you now making application for identification as Mississippi

Henry Jackson----3.

- Choctaws for yourself and your five minor children? A Yes sir.
- Q Do you make this claim as beneficiaries/under article fourteen of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir, not as I knew of.
- Q Can you give the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No, sir.
- Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1836? A I don't know.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent living in Mississippi at that time their intention to remain in Mississippi and become citizens of the United States? A I don't know.
- Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A I don't know.
- Q Can you speak the Choctaw language? A No sir.
- Q Do you know anything about it at all? A No sir.
- Q You never associate with the Choctaw Indians at all? A No sir.
- Q You have associated with the negroes all your life? A Yes sir.
- Q Is there anything more you want to say in support of this application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.
- Q Do you want time in which to submit such evidence? A Yes sir.

Thirty days from the date hereof is allowed applicant in which to file documentary evidence in support of this application; also marriage licensr and certificate or certified copy of the same.

This applicant has the appearance, manner and all of the physical characteristics of a full blood negro. He has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

The decision of the Commission as to your application for the identification of yourself and your five minor children as Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 26, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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

Henry Jackson-----.

on the 5th day of June, 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. Risten

subscribed and sworn to before me at Meridian, Mississippi, this 15th day of June, 1901.

[Signature]
Notary Public.

M.C.R. 2602.

COPY

Muskogee, Indian Territory, November 1, 1902.

Henry Jackson,
Bailey, Mississippi.

Dear Sir:

You are hereby advised that on the 1st day of November, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Henry Jackson, 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 Henry Jackson, Susie Jackson, Leonola Jackson, Wesley Jackson, Norman Jackson and Ethidge Jackson 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 of-

--2--

file, 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 Bloddy.

Acting Chairman.

Registered.

M. C. R. 2602.

COPY.

Muskogee, Indian Territory, November 1, 1902.

Manfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 1st day of November, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Henry Jackson, 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 Henry Jackson, Susie Jackson, Leonola Jackson, Wesley Jackson, Norman Jackson and Ethidge Jackson 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

--2--

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 for review through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamo Dlabi

Acting Chairman.

COPY.

Muskogee, Indian Territory, November 17, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Henry Jackson, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of November 1, 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 advised by letter of the action of the Commission, copies of said letters being attached to the record.

Respectfully,

Tamie Kirby

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enc. M. C. R. 2602.

Land, 69,846-1902.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 8, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to submit, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter ~~of the~~ application for identification as Mississippi Choctaws of the following parties: Henry Jackson for himself and his five minor children, Susie, Leonela, Wesley, Norman and Ethidge Jackson, wherein a decision adverse to the applicants was rendered by the Commission on November 1, 1902.

The testimony in this case shows that the parties base their claims to identification as Mississippi Choctaws under this application because of their descent from Nancy Galaspie and Susan Jackson. The applicants claim that their ancestors were Choctaw Indians and residents of the Choctaw Nation, in Mississippi, at the time of the making of the Choctaw treaty of 1830.

The Commission rejected these parties because the names of their ancestors through whom they claim did not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and for the additional reason that the applicants themselves had never been enrolled as citizens of the Choctaw Nation.

An examination has been made of the records of this office with reference to Nancy Galaspie and Susan Jackson, and it is discovered that their names do not appear among the names of those who complied

or attempted to comply with the provisions of the 14th article of
the Chastaw treaty of 1850.

This being the case it is evident that the decision of the Com-
mission rejecting the applicants was correct, and I concur in that
finding and recommend that it be approved.

Very respectfully,

W. A. Jones,

Commissioner.

(S. H. H.)

D. C.-2517-1903.

(COPY)

EAF.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, January 22, 1903.

L. R. S.

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

Gentlemen:

November 17, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Henry Jackson and his minor children, Susie, Leonola, Wesley, Norman and Ethidge Jackson.

The applicants claim to be descendants of Nancy Galespie and Susan Jackson, who are alleged to have been one-half blood Choctaw Indians.

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 Nancy Galespie or said Susan Jackson complied or attempted to comply with article 14 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 November 1, 1902.

The Commissioner of Indian Affairs forwarded the papers January 8, 1903, and recommended approval of your decision. A copy of his letter is inclosed herewith.

The Department has carefully considered the record and hereby affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

M.C.R. 2602.

COPY.

Muskogee, Indian Territory, January 31, 1903.

Henry Jackson,

Bailey, Mississippi.

Dear Sir:

You are hereby notified that on the 28th day of January, 1903, 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 Henry Jackson, et al., of which decision you were advised by registered mail on the 1st day of November, 1902.

Respectfully,

Acting Chairman.

M.C.R. 3602

COPY.

Muskogee, Indian Territory, January 31, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 22nd day of January, 1903, 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 Henry Jackson, et al., of which decision you were advised by mail on the 1st day of November, 1902.

Respectfully,

Acting Chairman.

911

No _____

For Identification as a Mississippi Choctaw.

Date Nov 8 1901

Name Henry Jackson

Age 28 Blood 1/4

Post Office, Bailey, Miss.

Father: William Jackson l.

Mother: Emily " l.

Claims through both parents
wife Mattie, Negro.

No claim for wife -

Children:	<u>Lusie,</u>	<u>8</u>
	<u>Leonora</u>	<u>7</u>
	<u>Wesley (boy)</u>	<u>3</u>
	<u>Norman,</u>	<u>2</u>
	<u>Ethidge (boy)</u>	<u>2 m.</u>

Claims for self and
children

Stenographer H. C. Ruten

CHOCTAW

Henry Jackson et al.
REFUSED

DECISION RENDERED BY THE COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS
NOTICE OF DECISION MADE BY THE COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.

NOV -1 1902

NOTICE OF DECISION MADE BY ATTORNEYS
FOR CHOCTAW AND CHRISAW NATIONS.

RECORD FORWARDED DEPARTMENT.

NOV 17 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

JAN 22 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED TO THE COMMISSIONER OF THE BUREAU OF INDIAN AFFAIRS.

JAN 31 1903

THE SECRETARY OF THE INTERIOR
FOR CHOCTAW
NATIONS.

JAN 31 1903

Choctaw MCR 2603

Nellie Brown

MCR 2603

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



In the matter of the application of Nellie Brown, et al.,
for identification as Mississippi Choctaws, H.C.N.2605.

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Nellie Brown, et al.

	(Page)
Original application of Nellie Brown, et al., before the Dunes Commission for identification as Mississippi Choctaws	1
Decision of the Commission denying the application of Nellie Brown, et al., for identification as Mississippi Choctaws	4



DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 8, 1901.

In the matter of the application of Nellie Brown for identification of herself and five minor children as Mississippi Choctaws.

Nellie Brown, having been first duly sworn, upon her oath testifies as follows:

Examination by the commission:

- Q What is your name? A Nellie Brown.
Q What is your age? A I don't know sir; I was turning four years old when the surrender.
Q That was in 1865? A Yes sir.
Q You think you are about forty? A Yes sir, I reckon so.
Q What is your post office address? A Toomsaba, Mississippi.
Q Where were you born? A Jackson, Mississippi.
Q Have you always lived in the state of Mississippi? A Yes sir.
Q What is your father's name? A I don't know sir, I was small.
Q Is he dead? A No sir, I don't reckon he is.
Q Is your mother dead? A Yes sir.
Q What was her name? A Jennie.
Q Jennie what? A I don't know the surname.
Q Through which one of your parents do you claim Choctaw blood?
A Father.
Q How much Choctaw blood do you claim? A One half.
Q How much Choctaw blood did your father have? A He was a whole Indian.
Q Was he a slave before the war? A No, I don't reckon he was ever a slave.
Q Do you know he was a full blood Indian? A Yes sir.
Q How much Choctaw blood did your mother have? A None.
Q What was her blood? A Black.
Q Negro? A Yes.
Q Was she a slave before the war? A Yes.
Q Were you a slave before the war? A I was nothing but a baby.
Q You were born in slavery? A Yes sir.
Q What was your mother's master's name? A I don't know his surname; his given name was Peter.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians either by the Choctaw tribal authorities or the United States authorities? A
Q Yes sir, I guess he did.
Q You don't know that now? A No, I don't know anything about it.
Q Are you married? A No sir, I am not married--my husband is dead.
Q What was his name? A Ben Brown.
Q What was he---a colored man? A He was a colored man.
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 names and ages? A Johnson Brown.
Q How old is Johnson? A He is about eighteen
Q Next? A Randolph Brown.
Q How old? A Fourteen.
Q Next? A Will Brown.
Q How old? A Thirteen.
Q The next? A Alice Brown.

Wellie Brown----2.

- Q How old? A Twelve.
- Q Next? A Sarah Brown.
- Q How old is Sarah? A Ten years.
- Q Any others? A No sir.
- Q Was Ben Brown the father of these children? A Yes.
- Q Are you the mother? A Yes sir.
- Q Are they living with you? A The boys aint--the boys run away before their pap died.
- Q You do not know where they are? A They say the least one is down the road here. Johnson is in Arkansas I am looking for them to come home every day.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application for yourself or your children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No sir.
- Q Did you or any one for you or for your children in 1896 under the act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No sir.
- Q Have you ever been admotted to citizenship in the Choctaw Nation by the Choctaw tribal authorities the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No, sir.
- Q Have you ever made application before this to either the Choctaw tribal authorities, or to the authorities of the United States, to be admitted or enrolled as citizens of the Choctaw Nation for yourself and children? A No sir.
- Q Is this the first application of any kind you have ever made? A Yes.
- Q Do you now make application for identification as Mississippi Choctaws for yourself and children? A Yes sir.
- Q Do you claim this right for yourself and children as beneficiaries under the fourteenth article of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was ratified between the Choctaws and the United States government? A No sir, I have never been with them. I was scared of them, but I am kin to them, but black people raised me.
- Q Did any of your ancestors remove from Mississippi or Alabama to Indian Territory with the other Indians between the years 1833 and 1838? A I don't know sir.
- Q Did any of your ancestirs within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi at that time that they intended to stay in Mississippi and take land there and become citizens of the United States? A No.
- Q Did any of your ancestors receive or claim any land under article fourteen of the treaty of 1830.
- Q Do you speak the Choctaw language? A No sir.
- Q Is there anything more you want to say in support of your claim? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they

Nellie Brown---3.

ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No sir.

Q Would you like time in which to present documentary evidence?
A Yes.

Thirty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

This applicant has the appearance, in hair and features of one descended from a mixed ancestry of Indian and negro blood. She claims to be one half Choctaw Indian, and it would seem that this claim is substantiated in her general appearance. She has no knowledge of the Choctaw language. In her manner of speaking she appears to be more of a negro than Choctaw, but this is probably due to the fact that she was raised by a negro family among negro people and never associated with the Indians. Her appearance is decidedly that of an Indian. She has no knowledge of any compliance on the part of her ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application for the identification of yourself and five minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 26, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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 8th day of June, 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. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 18th day of May June, 1901.

[Signature]
Notary Public

COPY.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

C. W.

In the matter of the application of Nellie Brown, et al., for identification as Mississippi Choctaws, H.C.R. 2603.

DECLARATION

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by Nellie Brown for herself and her five minor children, Johnson, Randolph, Will, Alice and Sarah Brown, 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 from the testimony that the principal applicant was born of a slave mother prior to the Emancipation Proclamation and was herself a slave, and that the other applicants herein are her lineal descendants, and it does not appear from the records in the possession of the Commission that any one of the 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, 1898 (30 Stats. 321).

It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the applications of Nellie Brown, Johnson Brown, Hartsigh Brown, Will Brown, Alice Brown and Sarah Brown as such should therefore be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Tams Dixby
Acting Chairman

T. F. Needler
Commissioner

O. E. Breckinridge
Commissioner

Muskogee, Indian Territory

DEC 28 1907

M.C.R.2603.

Muskogee, Indian Territory, December 22, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 22nd day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Nellie Brown, 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).

Said decision concludes as follows:

"It is the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw and that the applications of Nellie Brown, Johnson Brown, Randolph Brown, Will Brown, Alice Brown and Sarah Brown as such should therefore 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,

(S.D.)

Tamie Dwyer

Acting Chairman.

Muskogee, Indian Territory, December 22, 1902.

Nellie Brown,

Toomsaba, Mississippi.

Dear Madam:

You are hereby advised that on the 22nd day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Nellie Brown, 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 the opinion of this Commission that under the provision of law above quoted no freedman is entitled to identification as a Mississippi Choctaw, and that the applications of Nellie Brown, Johnson Brown, Randolph Brown, Will Brown, Alice Brown and Sarah Brown as such 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

Nellie Brown, --8

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

Tame Dixby.
Acting Chairman.

Registered.

Muskogee, Indian Territory, January 7, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Belle Brown, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 22, 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,

Through the
Commissioner of Indian Affairs.
Enc. M.C.R. 2603.

Acting Chairman.

D.C.14183
ITD.3118-1903
IRS

C O P Y
DEPARTMENT OF THE INTERIOR. EAF
WASHINGTON. MAY 11, 1903.

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

Gentlemen:

January 7, 1903, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Nellie Brown and her minor children, Johnson, Raddolph, Will, Alice and Sarah Brown.

It appears that the principal applicant and her mother were once slaves, and you held December 22, 1902, that no freedman is entitled to identification as a Mississippi Choctaw, and therefore refused the application.

Nellie Brown testifies that her father is a full blood Choctaw Indian, and that he may be alive. She was unable to state the name of her father, or the surname of her mother who was a negress, nor does she give the name of an ancestor who complied or attempted to comply with article 14 of the treaty of September 27, 1830.

Reporting March 20, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision "in so far as it holds that the evidence is not sufficient to identify the applicants." Copy of his letter is inclosed.

The evidence now before the Department fails to show that applicants are entitled to identification as Mississippi Choctaws, and their application is accordingly denied.

Respectfully,

THOS RYAN

Acting Secretary.

1 inclosure.

Land
2184--1903.

C O P Y
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, MARCH 20, 1903.

The Honorable,
The Secretary of the Interior.

Sir:-

There is inclosed, herewith, a report from the present Chairman of the Commission to the Five Civilized Tribes, dated January 7, 1903, forwarding the record relative to the application of Nellie Brown, for the identification of herself and her five minor children, Johnson, Randolph, Will, Alice and Sarah Brown, as Mississippi Choctaws.

December 22, 1902, the commission held that the applicants were not entitled to identification.

The record shows that the principal applicant was born of a slave mother prior to the Emancipation Proclamation, and the commission holds that no freedman is entitled to identification as a Mississippi Choctaw. The principal applicant claims the right to identification by reason of descent from her father, who it is alleged was of Choctaw Indian blood. She is unable to give her father's name.

This being true the office has been unable to make a search of its records for the name of the ancestor under whom the applicants claim, and the approval of the commission's decision in so far as it holds that the evidence is not sufficient to identify the applicants is recommended.

G.A.W. (K.)

Very respectfully,
A.C. Tenner,
Acting Commissioner.

M.C.R. 2803

COPY.

Muskogee, Indian Territory, May 21, 1903.

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

Gentlemen:

You are hereby notified that on the 11th day of May, 1903, 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 Nellie Brown, et al., of which decision you were advised by mail on the 22nd day of December, 1902.

Respectfully,

(SIGNED)

James Bixby
Chairman.

M.C.R. 2603

COPY.

Muskogee, Indian Territory, May 21, 1903.

Nellie Brown,

Loomsaba, Mississippi.

Dear Madam:

You are hereby notified that on the 11th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application for identification as Mississippi Cheetaws of the several persons included in the case of Nellie Brown, et al., of which decision you were advised by registered mail on the 22nd day of December, 1902.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

#916

No

For Identification as a Mississippi Choctaw.

Date

1901

Name *Nellie Brown*

Age *40* - Blood *1/2*

Post Office, *(Toomsuga) Mumbas, Miss.*

Father: *don't know full blood*

Mother: *Jimmie - negro, d*

Claims through *father*
~~Husband -~~

Ben Brown, negro. (d)

Children: *Johnson Brown, 18*

Randolph " 14

Will " 13

Alice " 12

Sarah " 10

*Claims for self
and children*

Stenographer *H.C. Rialson*

Nellie Brown et al

REFUSED

DECISION RENDERED. DEC 22 1902
NOTICE OF DECISION MAILED APPLICANT.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS

DEC 22 1902

RECORDS FORWARDED DEPARTMENT.

MAY 29 1903

ACTION APPROVED BY SECRETARY OF INTERIOR

MAY 1 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAY 1 1903

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

MAY 1 1903

Choctaw MCR 2604

William Terrell

MCR 2604

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

-----|-----

In the matter of the application of William Terrall for
identification as a Mississippi Choctaw, M C R 2604.

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 William Terrall for identification as a Mississippi Choctaw.	1
Decision of the Commission refusing the ap- plication of William Terrall for identifica- tion as a Mississippi Choctaw.	4

-----|-----

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 8, 1901.

In the matter of the application of William Terrell for identification as a Mississippi Choctaw.

William Terrell, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A William Terrell.
Q What is your age? A Ninety three.
Q What is your post office address? A Enterprise, Mississippi.
Q How long have you lived in Mississippi? A I have been in Mississippi----I was here three years before the war started and have been here ever since.
Q You were here in 1858 and have been here continuously ever since?
A Yes.
Q Previous to 1858 where were you living? A I was in Alabama a portion of the time.
Q Where were you born? A In Franklyn County, Georgia, twenty one miles above Athens.
Q Were your people Choctaw Indians? A My mother was; my father was a white man.
Q What was your father's name? A Clark Terrell.
Q Is he living? A No, he died when I was a boy.
Q Is your mother dead? A Yes.
Q What was her name? A Rachel.
Q Rachel Terrell? A No, I went by my father's name.
Q What was her name? A That was all the name I knew; they didn't have no name like we do.
Q Through which one of your parents do you claim Choctaw blood?
A Through by my mother.
Q How much Choctaw blood do you claim? A One half.
Q How much Choctaw blood did your mother have? A She was full blood; my father was a white man.
Q How did your mother happen to be in Georgia? A You ask me something I could not tell you. There are lots of Choctaw Indians in Georgia. They used to go about with bows and arrows and set up a nickel and shoot at it.
Q Do you know that some Choctaws went around and lived in the different states--in Georgia and other states? A Yes.
Q Do you know as a matter of fact that your mother and her people used to live in Mississippi? A Yes they lived in Mississippi.
Q And she married her husband and went down there with him? A Yes my mother used to live in Mississippi.
Q Has your mother through whom you claim your right to be identified as a Mississippi Choctaw ever been recognized or placed upon the tribal rolls of the Choctaw Indians there in the territory by the Choctaw tribal authorities of the United States authorities? A I couldn't tell you anything about that.
Q Are you married? A Yes sir.
Q You are not making application for your wife? A No sir.
Q Have you any children under twenty one? A No sir.
Q Are you making application for yourself also? A Yes sir.

William Terrell----2.

- Q I understand that you claim through your mother who was a full blood Indian? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A If it is, I don't know anything about it.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the Choctaw tribe? A No sir.
- Q Did you or any one for you in 1896 under the act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No sir.
- Q This is the first application of any kind you have ever made? A Yes; I heard talk of it before but never paid no attention to it. Mennie Injun told me I had better put in application but I didn't bother with it.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim this right as a beneficiary under article fourteen of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give me the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830 at the time the treaty of Dancing Rabbit Creek was ratified? A Yes.
- Q Your mother Rachel in 1830, where was she living? A I have no remembrance.
- Q You were a boy about twenty years old? A Yes sir.
- Q In 1830, have you any recollection whether your mother was living in Mississippi at that time? A If she was not living in Mississippi it was so close to the line until I can hardly say what part she was living in; between Mississippi and Alabama on the line.
- Q Do you know whether your mother or any of her people went from Mississippi or Alabama to the Indian Territory? A My mother went off and my two brothers but I don't know where they went.
- Q Did they go with other Indians? A Yes But I don't know where they went. My mother bound me out.
- Q Do you know whether they went off shortly after the treaty was passed? A They went then or ~~shortly~~ shortly after.
- Q You do not know where they did go? A No.
- Q Did any of your ancestor go to the United States Indian Agent who lived in Mississippi at that time and tell him they wanted to stay in Mississippi, and didn't want to go to the territory? A No, sir, I don't know anything about that.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A No.
- Q Do you speak the Choctaw language? A No sir, I can't talk it. I can understand a heap but cannot talk it.
- Q Can you understand enough of Choctaw to know what they say if they are talking in Choctaw? A I can understand a good deal, but cannot talk it.
- Q You have never been living strictly among the Choctaws? A No, my mother bound me out.

William Ferrell---3.

Q And you were thrown in among the white people? A Yes sir.
Q Is there anything more that you want to say in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.

Q Would you like time in which to introduce documentary evidence?

Here L. P. Hudson, attorney for applicant, requests leave to file proper documentary evidence in support of this claim within thirty days from this date.

Permission is granted.

Q You claim to have no negro blood? A No sir, I couldn't have it when my mother was a full blood Indian and my father a white man.

This applicant has the appearance and manner as well as the physical ~~appear~~ characteristics of one descended from a mixed ancestry of white and Choctaw blood, in which the Choctaw blood seems to predominate. He has some understanding of the Choctaw language, his deficiency of knowledge of that language is due to the fact that he was bound out when a boy by his mother to white people and was thus taken away from Indian associations. He has no knowledge of any compliance on the part of his ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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 8th day of June, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 18th day of June, 1901.

H. C. Risteen
[Signature]
Notary Public.

*W.A.L.
C.W.*

COPY.

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

-----;-----
In the matter of the application of William Terrell for
identification as a Mississippi Choctaw, M O R 2604.

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

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
by William Terrell for himself 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 said applicant claims 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 a descend-
ant of one "Rachel", who is alleged to have been a full 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 said applicant has never 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).

The name of one "Rachael" appears on page 970 of Volume II of the Claimants Brief and Evidence in the case of the Choctaw Nation versus the United States, before the Court of Claims, No. 12742, in the affidavit of Tick Bam Bee, wherein affiant states that at the date of the treaty of "Dancing Rabbit Creek" he was a Choctaw head of a family and had then living with him a wife and four children, one of whom was the said "Rachael". It does not appear from the evidence submitted by the applicant that the "Rachael" cited in the above record is the identical "Rachel" through whom he claims.

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 Rachel through whom these applicants claim or the applicant 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, 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 William Terrell as a Choctaw Indian 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 his identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

FORWARDED.

James Dixie.

Acting Chairman

I. D. Needles.

Commissioner

C. H. Brockinridge.

Commissioner

Muskogee, Indian Territory

DEC 23 1902

COPY

Muskogee, Indian Territory, December 23, 1902.

William Terrell,

Enterprise, Mississippi.

Dear Sir:

You are hereby advised that on the 23rd day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of William Terrell, an applicant for identification as a Mississippi Choctaw.

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 William Terrell as a Choctaw Indian 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 his 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,

Tame Bixby
Acting Chairman.

Registered.

COPY.

M.C.R. 2604

Muskegee, Indian Territory, December 23, 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 December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of William Terrell, an applicant for identification as a Mississippi Choctaw.

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of William Terrell as a Choctaw Indian 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 his identification as such should be refused, and it is so ordered."

You are further advised that the applicant in this case has 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,

(30-D).

Tamo Bixby.

Acting Chairman.

COPY.

Muskogee, Indian Territory, January 8, 1903.

The Honorable,

The Secretary of the Interior,

Sir:

There is transmitted herewith the record in the case of William Terrell, applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of December 23, 1902.

The Commission has the honor to report that the 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,

SIGNED,

George W. Berry

Acting Chairman.

Through the
Commissioner of Indian Affairs.
Enc. M.C.R. 2604

DEPARTMENT OF THE INTERIOR.

J.W.H.

P.H.R.

D.C. 14422
I.T.D. 3058-1903.

WASHINGTON.

May 13, 1903.

L.R.S.

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

Gentlemen:

January 8, 1903, you transmitted the record in the case of William Terrell, applicant for identification as a Mississippi Choctaw, including your decision of December 23, 1902, refusing to identify him as such.

This applicant is an one-half blood Choctaw who was born in 1808, in Georgia. Subsequently he removed to Alabama, and from there he went to Mississippi, in 1858, where he now resides. He states that his mother was a full blood Choctaw named Rachel, and that she was living in the old Choctaw Nation in 1830, near the line between Mississippi and Alabama.

There is nothing in the testimony furnished by the applicant which tends to show that he or his mother complied or attempted to comply with article 14 of the treaty of September 27, 1830.

From your decision it appears that there was a person named Rachel who was a resident of the Choctaw Nation in 1830, and that her father, Tick-ban-bee, acting for himself and his children, signified an intention to Col. Ward to remain in the State of Mississippi and become citizens thereof. You concluded, however, that the testimony furnished by the applicant was not sufficient

-2-

to show that his mother, Rachel, was identical in person with the Rachel who was the daughter of Tick-ban-bee.

Reporting in the matter March 19, 1863, the Acting Commissioner of Indian Affairs furnished certain information relative to Rachel, daughter of Tick-ban-bee, showing that she was under ten years of age at the date of the treaty of Dancing Rabbit Creek, and recommended that your action be approved.

Inasmuch as the applicant himself was 22 years of age at the date of the treaty, it is evident that Rachel, the daughter of Tick-ban-bee, who was under ten years of age at that time, could not have been his mother.

Considering the whole record, the Department concludes that your decision in the matter is correct, and the same is hereby affirmed.

A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

(Signed)

Thos Ryan

Acting Secretary.

1 inclosure.

DEPARTMENT OF THE INTERIOR,
Land OFFICE OF INDIAN AFFAIRS,
2181-1903. WASHINGTON, March 19, 1903.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed herewith report from the present Chairman of the Commission to the Five Civilized Tribes, dated January 8, 1903, forwarding, for the Department's consideration, the record relative to the application of William Terrell, for identification as a Mississippi Choctaw.

December 23, 1902, the Commission held that the applicant was not entitled to identification.

The applicant claims right to identification by reason of descent from Rachel or Rachael Terrell.

The Commission in its decision invites attention to page 970, volume 2, of the record in the case of the Choctaw Nation v. the United States. The records of this office show that the Rachel referred to by the record in the case of the Choctaw Nation v. the United States was the daughter of Tick-bam-bee, who was also parent of Selis, Polly and Nicholas.

The records also show that Tick-bam-bee and the members of his family did not comply with the provisions of the fourteenth article of the Treaty of 1830, or with the provisions of the acts of March 3, 1837 and August 23, 1842.

Tick-bam-bee and the members of his family were applicants for scrip, and the records of this office, (Book 101) "Journal of Proceedings of Commissioners Claiborn and Graves, in the adjudication of Choctaw "Claims" page 99, shows the following:

"Case 163.

"Tick-bam-bee, a full blood Choctaw, was five ft.

"8-1/2 in. high, small scar on lower hip, says he is
"forty one years old.

"Statement filed.

"1 Witness. Charles Durant being first sworn says

"claimant is his son-in-law, married witness' daughter
"named Justine, who is now forty years old. Claimant
"is three parts Choctaw and was the head of a family
"(Choctaw) at date of last Treaty. He had a wife and
"four children:

- "1. Se-lis, a man present,
- "2. Rachel, young woman present,
- "3. Polly, a little girl present,
- "4. Nicholas, a little boy present,

"all under ten at date of Treaty, and living with their
"father, the claimant.

"The claimant then occupied a house entirely to
"himself, and cultivated a separate field, under the
"same fence with Bill Taylor, his uncle-in-law, and
"lived about two hundred yards and was claimant's
"nearest neighbor, cribbed their crops separately.

"He then lived about half mile on the west side

"of big black, on Dry Creek, follow the road it is
"two miles from Big black, Sleonelaches Company &
"Leftens District, and about seven miles from
"Georgeville in Astmas County. The land was good,
"used branch water. He lived on this place two years
"after the Treaty, and his brother-in-law, Sweeny
"Durant, being stabbed, he moved to where Sweeny lived,
"to take care of him. He intended going back, when
"he first moved, but his brother, Onah-cha-tubbee, pro-
"posed to him to join him in a crop, and he did so, and
"did not return to his old place, but gave his crop,
"which he had planted, to his Uncle-in-law, Bill Taylor.
"Sweeny Durant died in about seven weeks after being
"stabbed. He stayed with Onah-cha-tubbee only that year,
"and then moved to the house of witness and cropped with
"witness two years, and then moved half a mile, and made
"a house and field, but the place being claimed by a white
"man named Roper, who said he had entered it, and that he
"must leave, claimant then moved to Sugg's place on the
"big black, built a house and opened a field and culti-
"vated it three years. Suggs was to have paid him for
"the improvement, but never has. Suggs, wanting the
"place, told claimant to move. He did move about seven
"miles on Long Creek. Has never been west, but always
"remained in the ceded country.

"Witness and claimant went to Liptons at the time
"of the annuity, and went thereto be registered for the
"five years stay. He got into the house but did not see
"Ward in consequence of the crowd, before it was reported
"that Ward would register no more. Witness got into the
"small room, and got his name registered, and about two
"hours after witness was registered, Ward said, in the
"presence of witness and others, he would register no more.
"He gave no reason for this conclusion, as witness heard,
"Witness hearing Ward say he would register no more, left
"the small room where Ward was doing business, and saw
"claimant, in the large room, at the door of the small
"room, where witness told him that Ward would not regis-
"ter any more. The claimant with witness returned to
"the camps together.

"Claimant received no part of annuity, and no land
"under any other article of Treaty. Never sold his land
"or scrip as witness knows or believes and further says
"not."

Book 88, "Chootaw claims for land and scrip, adju-
"dicated by Secretary of War and Secy. of Interior, under
"special acts of Congress", page 45, shows that the claim
of Tick-ban-see and the members of his family, for scrip,
was "disallowed, abandonment within the five years volun-
"tary."

-5-

The records show that the claim was disallowed by the then Secretary of the Interior, R. McClellan, in accordance with the provisions of the act of Congress of August 23, 1842, (Revised Statutes 512), on September 30, 1854.

If the applicant herein is a descendant of Rachel, the daughter of Tick-bam-bee, he is not, by reason of such descent, entitled to identification, for the reason that said Rachel did not comply with the provisions of the treaty of 1830, or with the provisions of the acts above mentioned. The records of the office do not show that any other Rachel, or that anyone by the name of Rachel Terrell, complied or attempted to comply with the provisions of the fourteenth article of the treaty, or with the acts of March 3, 1837 and August 23, 1842.

The applicant in this case is not of the full blood.

In view of the foregoing, the approval of the Commission's decision, refusing the applicant identification, is recommended.

Very respectfully,

Acting Commissioner.

GAW-O.

COPY.

M.C.R. 2504

Muskogee, Indian Territory, May 22, 1903.

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

Gentlemen:

You are hereby notified that on the 13th day of May, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application of William Ferrell for identification as a Mississippi Choctaw of which decision you were advised by mail on the 23rd day of December, 1902.

Respectfully,

(SIGNED).

Wm. D. Doby

Chairman.

COPY.

M.C.R. 2604

Waskoge, Indian Territory, May 22, 1903.

William Terrill,

Enterprise, Mississippi.

Dear Sir:

You are hereby notified that on the 15th day of May, 1903,
the Secretary of the Interior affirmed the decision of this Com-
mission refusing your application for identification as a Mississip-
pi Choctaw of which decision you were advised by registered mail
on the 23rd day of December, 1902.

Respectfully,

(SIGNED)

Tame Dixey.

Chairman.

913

No. 201

For Identification as a Mississippi Choctaw.

Date JUN 8 1901

Name William Terrell

Age 93 Blood 1/2

Post Office, Enterprise, Miss.

Father: Clark Terrell, (white) d

Mother: Rachel (that's all the name) full blood d

Claims through mother.

Chosen:

Claims for self
also ne.

Stenographer H. C. Ristern

William Powell

REFUSED

DECISION RENDERED. **DEC 23 1902**
NOTICE OF DECISION MAILED APPLICANT.

DEC 23 1902

NOTICE OF DECISION FORWARDING APPLICANTS
FOR CHOCTAW AND CHICKASAW NATIONS.

DEC 23 1902

RECORD FORWARDED DEPARTMENT

LAND

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAY 15 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAY 15 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED AT TURKEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

DECISION PREPARED

Choctaw MCR 2605

Solomon Johnson

MCR 2605

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 8, 1901.

In the matter of the application of Solomon Johnson for the identification of himself and four minor children as Mississippi Choctaws.

Solomon Johnson, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Solomon Johnson.
- Q What is your age? A My age---Mr Montgomery, my young master, told me in Mobile I was forty three years old.
- Q What is your post office address? A Meridian, Mississippi.
- Q How long have you lived in Meridian? A I have been here thirteen years.
- Q Where did you live before that? A Collingville, Mississippi.
- Q Where were you born? A In Alabama.
- Q In what place? A In Greene County.
- Q You removed from Alabama to Mississippi and have lived here since?
- A Yes.
- Q What is your father's name? A Alfred Johnson.
- Q Is he living? A Yes sir.
- Q What is your mother's name? A Elizabeth.
- Q Is she living? A No, she ceased.
- Q When did she die? A About twenty five years ago.
- Q Through which one of your parents do you claim Choctaw blood?
- A Through my father.
- Q How much Choctaw blood has your father? A All I can say is he has Choctaw blood. His father was a whole Indian through the recommendation of the Johnson Indians up here and I know one thing his mother was half.
- Q How much Choctaw blood do you think you have? A About three eighths according to the statements.
- Q Was your father a slave before the war? A Yes sir.
- Q Were you a slave before the war? A I was there with him.
- Q Well, were you a slave before the war? A Yes.
- Q What is your mother's blood? A I don't know.
- Q Was she white? A I don't know sir---I think she must have some Indian blood. She was nearly as bright as I was. She was a negre.
- Q Was she a slave before the war. A Yes.
- Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians either by the Choctaw tribal authorities or the United States authorities in Indian Territory? A No sir.
- Q Are you married? A Yes sir.
- Q What is your wife's name? A My wife's name Matilda Johnson.
- Q Is she living? A Yes sir.
- Q What is her blood? A Negre.
- Q Do you make any claim for her? A No sir.
- Q How old is she? A She is thirty four years old.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A I have four.
- Q What is the name of the eldest? A Sylvester Johnson.

Solomon Johnson----2.

- Q How old is Sylvester? A Sylvester is seventeen years old.
- Q What is the name of the next? A Heseckiah.
- Q How old is Heseckiah. A Heseckiah is fifteen years old.
- Q What is the next? A Iva Johnson, a girl.
- Q How old? A She is thirteen years old.
- Q What is the name of the next? A Onie Johnson.
- Q Boy? A Yes sir.
- Q How old? A He is nine years old.
- Q Is that all the children you have? A Yes sir.
- Q Is Matilda the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Are they living with you at your home? A Yes, have been for twenty years.
- Q These children have been living with you for twenty years? A No, I mean my wife.
- Q When did you marry her? A In 1881.
- Q Were you married under license? A Yes sir.
- Q Where did you get the license? A Court House in Meridian.
- Q Where were you married? A Collinsville.
- Q Have you your marriage license and certificate that you would like to introduce now? A I never did get them; that rule was not out when I got my license.
- Q What rule was not out? A To get my certificate. When I married there was nothing but the license and we turned them back. I can get a copy.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory. A I didn't catch the idea. Are any of my children named after the Choctaw Nation?
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation? A Not as I knew of. I have not given it. This is the first time I ever gave it.
- Q Have you ever made application to the Choctaw tribal authorities for enrollment of yourself and children as Choctaw Indians? A No, sir.
- Q Did you in 1896, under the act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever been admitted or your children to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application for yourself and children before this time to either the Choctaw tribal authorities, or to the United States authorities for citizenship or enrollment as Choctaw Indians? A No sir.
- Q Is this the first application of any kind you have ever made? A Yes.
- Q You now seek to be identified as Mississippi Choctaws? A Yes.
- Q Do you claim this right as beneficiaries, yourself and children, under article fourteen of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A My grandfather was Tom Johnson.
- Q Do you know that he was a recognized member of the Choctaw tribe of Indians in 1830? A Through a recommendation of relatives of the family here---if the Indians.
- Q Through the recommendation of what---Do you mean that you can show by the testimony of relatives that he was a member of the Choctaw

Solomon Johnson----3.

tribe of Indians in 1830? A Yes sir.

Q Are you ready to present that proof now? A No, I have not got it with me.

Q You propose to introduce it in documentary form later? A Yes sir

Q Did any of your ancestors go from Mississippi or Alabama to Indian Territory with the other Indians between 1833 and 1838? A Go from Alabama where to?

Q To the Indian Territory? A They was traveling, passing over in all the time in droves.

Q Do you know whether any of them passed over there to Indian Territory between the years 1833 and 1838 with the other Indians? A No I don't know. That is all I can tell--they were all through Alabama; I couldn't tell whether they went to Indian Territory. I know they were not the same Indians I see; I stayed among them and learned their ways.

Q You were not among them much in 1830? A No.

Q You were not on earth at that time? A No.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 go to the United States Indian Agent and tell him that they wanted to remain in Mississippi and become citizens of the United States? A Not as I know of.

Q Do you understand what I mean? A No sir, not exactly.

Q Did any of your ancestors within six months after the treaty of 1830 was ratified go to the United States Indian Agent living in Mississippi and tell him they wanted to stay in Mississippi and not go to Indian Territory---wanted to stay in Mississippi and become citizens of the United States? A No sir, not as I know of.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830 A Receive from the government?

Q Yes? A No sir, I don't remember it.

Q Do you know what a beneficiary is? A Yes, that means that they gave that land---that they gave that land for the services of the slavery.

Q This has nothing to do with slavery; you must not think you have any right to claim land because you used to be a slave here in this state or any other southern state. This has to do with the question as to whether you have any rights to land because of Choctaw blood.

Q Do you claim the rights of a Choctaw Indian to land in the Indian Territory? A Yes sir, I claim that--I claim the rights of a Choctaw in Indian Territory

Q And you claim under article fourteen of the treaty of 1830? A Yes sir, I was not herethen.

Q You claim under that law? A I claim under enforced law now if it had been promised unto the Choctaw blood in Indian Territory even as much from my people on down. I hold a policy.

Q This is no policy shop? A What I am talking about is the Choctaw claim in Indian Territory the United States allowed them so much. Of course I follow the claim of the Choctaws it makes no difference how far back. I am claiming what the Choctaw are claiming of the Choctaw Nation in in Indian Territory. All I claim, I don't care how far back, if the Choctaws have a right, I claim that.

Q And you claim under the treaty of 1830 and the fourteenth article? A Yes.

Q Do you speak the Choctaw language? A Yes sir.

Q Are there any additional statements you want to make in support of your application? A I get no more additional, but any farther than this: I would like to be right in which I am doing. I couldn't say

Solomon Johnson-----4.

what you are meaning here. I don't propose to add anything more to the law. I don't propose to add any more words that I have to say to the law.

Q You have a pretty good knowledge of the law on this question, and you have given it some study? A No sir, nowhere in the world.

Q Have you any documentary evidence affidavits, written testimony of any description, copies of records, deeds or patents or any other proper papers showing that any of your ancestors were recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.

Q Would you like time in which to introduce documentary evidence? A Yes sir.

Thirty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this application.

This applicant has the appearance, manner and physical characteristics of one descended from a mixed ancestry of negro and Choctaw blood. In his case the negro blood predominates. He has some knowledge of the Choctaw language, but no knowledge of any compliance on the part of his ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application for identification of yourself and four minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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 8th day of June 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. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 18th day of June, 1901.

[Signature]
Notary Public.

COPY.

M.C.R. 2606

Muskogee, Indian Territory, April 9, 1903.

Solomon Johnson,
Meridian, Mississippi.

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 Alfred Johnson, et al., embracing the following applications for identification as Mississippi Choctaws:

Alfred Johnson,	M.C.R. 2606
Solomon Johnson, et al.,	M.C.R. 2605
Fannie Walker, et al.,	M.C.R. 3250

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 Alfred Johnson, Solomon Johnson, Sylvester Johnson, Heseekiah Johnson, Iva Johnson, Onie Johnson, Fannie Walker, Lillie B. Joseph, Annie Joseph, McArthur Walker and Oscar Walker 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,

(SIGNED)

Tamc Dineen
Chairman.

Registered.

M.O.R.2605

COPY:

Muskogee, Indian Territory, April 30, 1904.

Solomon Johnson,
Meridian, Mississippi.

Dear Sir:

You are hereby notified that on the 9th day of April, 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 Alfred Johnson, et al., of which decision you were advised by registered mail on the 9th day of April, 1903.

Respectfully,

SIGNED:

James Dixie

Chairman.

2914

No. 2605

For Identification as a Mississippi Choctaw.

Date JUN 8 1901

Name Solomon Johnson

Age 43 - Blood ~~1/2~~ 3/8

Post Office, Meridian, Miss

Father: Alfred Johnson, L.

Mother: Elizabeth ^{negro} d

Claims through father

wife Matilda - negro 3/4

No claim for wife -

Children Sylvester 17

Hezekiah 15

(IYA) Isa (girl) 13

Onie (boy) 9

Claims for self and children

Stenographer H.C. Clifton

Solomon Johnson et al

P 1035

REFUSED.

APR 1904

**ACTION APPROVED BY
SECRETARY OF INTERIOR.
APR 19 1904**

**NOTICE OF DEPARTMENTAL
ACTION MAILED APR 19 1904.**

APR 19 1904

**NOTICE OF DEPARTMENTAL ACTION
MAILED AT TORNHOLE, CHOCTAW
AND CHICKASAW NATIONS.**

DECISION PREPARED

REFUSED

Choctaw MCR 2606

Alfred Johnson

MCR 2606

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----0-----

In the matter of the application of Alfred Johnson, et al., for identification as Mississippi Choctaws, consolidating the applications of:

Alfred Johnson, M.C.R. 2606
Solomon Johnson, et al., M.C.R. 2605
Fannie Walker, et al., M.C.R. 3250.

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

	(Page)
Original application of Alfred Johnson before the Dawes Commission for identification as a Mississippi Choctaw.....	1
Joint affidavit of A. C. Clark and J. Pickens.....	5
Original application of Solomon Johnson, et al., before the Dawes Commission for identification as Mississippi Choctaws.....	6
Joint affidavit of A. C. Clark and J. Pickens.....	10
Original application of Fannie Walker, et al., before the Dawes Commission for identification as Mississippi Choctaws.....	11
Decision of the Commission refusing the applications in the consolidated case of Alfred Johnson, et al., applicants for identification as Mississippi Choctaws.....	19

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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 8, 1901.

In the matter of the application of Alfred Johnson for identification as a Mississippi Choctaw.

Alfred Johnson, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Alfred Johnson is my name.
- Q How old are you? A Well, I am well stricken in age, I couldn't exactly give my age, but I think about eighty years old.
- Q What is your post office address? A My post office where I live now is up here at Collinsville.
- Q Mississippi? A Yes sir, Lauderdale County.
- Q How long have you lived at Collinsville? A I have been there, sir ever since, sir, 1872.
- Q Where did you live before that? A In Green County, Alabama.
- Q Where were you born? A I was born in Virginia, but I came to Alabama, a small youth, and was raised up principally in Alabama.
- Q Where in Virginia were you born? A Near Fredericksburg?
- Q You removed from Virginia to Alabama when quite small? A Yes.
- Q And from Alabama you came to this state? A Yes sir.
- Q And have lived here since 1872? A Yes sir.
- Q What is your father's name? A My father's name Tom.
- Q Tom what? A Tom Johnson.
- Q Is he living? A I couldn't tell you sir.
- Q You don't know? A No sir.
- Q Is your mother living? A No sir, not as I knew of.
- Q What was her name? A Sallie.
- Q Sallie Johnson? A Yes sir.
- Q Through which one of your parents do you claim Choctaw blood?
- Q All I have got if there is any blood at all---I have not any more ~~at~~ only my children.
- Q Was your father a full blood Choctaw Indian. A I couldn't tell you.
- Q How much Choctaw blood did he have? A I know he is Indian; most much as these Indians you see here. He had straight hair.
- Q Was he a full blood? A I reckon so.
- Q Do you know? A No, I don't know.
- Q What was your mother's blood? A She was part Indian too.
- Q What was her other blood? A Her other blood was nigger fashion.
- Q Do you know whether your father had any negro blood? A I don't know.
- Q You couldn't swear one way or the other? A No.
- Q How much negro ~~at~~ blood did your mother have? A A negro was her mother
- Q Her father was what? A Her father was an Indian.
- Q Your recollection is that your mother's father was an Indian? A Yes sir.
- Q And your mother's mother was a negro? A Nigger, yes.
- Q That would make your mother half Indian and half negro? A Yes.
- Q You think that is right? A Yes, I reckon that must be right.

Alfred Johnson----2.

- Q Was your father a slave before the war? A He was a gambler--he and master used to play cards together.
- Q That was his business? A Yes.
- Q You do not know whether your father was a slave or not? A No.
- Q But you know he was a gambler? A Yes; because I have seen him play.
- Q Was your mother a slave? A Yes sir.
- Q What was her master's name? A Peyton.
- Q Was he your master also? A Yes sir, he owned my mother.
- Q How much Choctaw blood do you claim? A I couldn't tell you to save my life. You know I was small and my father being Injun, you understand would give me just ~~know~~ what you think it is. I don't know whether I am whole Indian or three quarters or one half.
- Q You do not know how much Indians your father had? A No.
- Q Can you tell how much your mother had? A About half. My father was straight hair, black just like an Indian.
- Q I would like to have you give ~~me~~ an idea how much Choctaw blood you have? A If my father was full blooded it would make me about half.
- Q But you cannot tell how much your father had? A No, not exactly.
- Q You think you cannot tell how much Choctaw blood you have? A No.
- Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States?
- A No sir.
- Q Are you married? A No sir.
- Q Wife dead? A Wife dead.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A No.
- Q You make application for yourself alone? A Yes.
- Q Is this the first time you ever made application? A Yes, first time.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A Not as I know of.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No, sir.
- Q Did you or any one for you in 1896 under the act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No sir.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this to any authority either Choctaw or United States for citizenship in the Choctaw Nation?
- A I have not.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim your right as a beneficiary under article fourteen of the treaty of 1830? A Yes sir.
- Q What is the name of any of your ancestors who were members of the Choctaw Nation in 1830 at the time when the treaty of Dancing Rabbit Creek was entered into between the United States government and the Choctaw Nation? A I don't know.

Alfred Johnson----3.

- Q Don't remember your grandfather or grandmother? A No.
- Q Your father was Tom Johnson? A Yes sir.
- Q He was living in 1830? A Yes, I expect he was.
- Q He was living in Virginia at that time? A Yes.
- Q Do you know whether any of your ancestors within six months after the ratification of the treaty of 1830 told the United States Indian Agent living in Mississippi that they intended to stay in Mississippi and take land there and become citizens of the states? A I don't know.
- Q Did any of your ancestors go from Mississippi or Alabama to Indian Territory with the other Indians between the years 1833 and 1838? A None as I know of.
- Q Did any of your ancestors ever claimed or receive any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A I don't know. I must study up whether any of them got any government land at that time or not, but I don't think they did. There were a portion of them bought some land from the railroad but did not take any up as government land I knew of.
- Q Do you speak the Choctaw language? A No sir, I do not; I do not talk it at all; I can understand it a little bit.
- Q Can you understand a Choctaw Indian if he talks in his own language? A I can understand some words.
- Q You do not live among them? A No sir.
- Q Have you anything further you want to say in support of this application? A No, I only want to give you a statement as far as I know.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.
- Q Would you like time in which to introduce it?

Here L. P. Hudson, attorney for applicant, requests permission to file proper documentary evidence in support of this application within thirty days.

Permission is granted.

This applicant has the appearance of a descendant of mixed ancestry of negro and Choctaw blood. Some of the features are Indian in their characteristics. He does not understand the Choctaw language, and has no knowledge of any compliance on the part of his ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application for the identification of yourself as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 20, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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

Alfred Johnson--3,

on the 8th day of June, 1901, and that the above and foregoing is a
true and correct transcript of his stenographic notes of said
proceedings on said date.

H. R. Rosten

Subscribed and sworn to before me at Meridian, Mississippi, this
17th day of June, 1901.

[Signature]
Notary Public.

AG
C.W.

COPY.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Alfred Johnson, et al., for identification as Mississippi Choctaws, consolidating the applications of:

Alfred Johnson,	M.C.R. 2606
Solomon Johnson, et al.,	M.C.R. 2605
Fannie Walker, et al.,	M.C.R. 3250.

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 Alfred Johnson for himself; by Solomon Johnson for himself and his four minor children Sylvester, Masekiah, Iva and Onie Johnson; and by Fannie Walker for herself and her four minor children Lillie B. and Annie Joseph, McArthur and Oscar Walker under the following provision of the act of Congress approved June 28, 1898 (30 Stats., 425):

"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 the principal applicant herein claims 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 a descendant of Tom Johnson, who is alleged to have been a Choctaw Indian, degree of blood not positively stated, and Sallie Johnson, who is alleged to have been an one-half blood Choctaw Indian, and that all the other applicants claim said rights by reason of being descendants of both of said ancestors and Dilly, who is alleged to have been an one-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 none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

The name Sally Johnson is found on page 140, Volume I, of the Claimants Brief and Evidence, in the case of the Choctaw Nation vs. the United States, before the Court of Claims, No. 12742, in a list of Choctaws, heads of families, claiming rights under article fourteen of the treaty of "Dancing Rabbit Creek", but it does not appear from the evidence submitted by the several applicants herein that the Sallie Johnson, through whom they claim, is the identical Sally Johnson whose name appears in the record above cited.

It does not appear from the testimony and evidence of-
Tribes in regard to 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 Tom Johnson, or
Sallie Johnson, through whom these applicants claim, or Dilly, or
the principal applicant 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 author-
ized 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
Alfred Johnson, Solomon Johnson, Sylvester Johnson, Heskiah
Johnson, Iva Johnson, Onie Johnson, Fannie Walker, Lillie B.
Joseph, Annie Joseph, McArthur Walker and Oscar Walker as Choctaw
Indians entitled to rights in the Choctaw lands under the provis-
ions 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).

Tanis Bixby.

Acting Chairman.

(SIGNED).

T. B. Needles.

Commissioner.

Muskogee, Indian Territory,

(SIGNED).

C. R. Breckinridge.

Commissioner.

APR 9 1903

COPY.

M.C.R. 2606

Washington, Indian Territory, April 9, 1903.

Alfred Johnson,

Collinsville, Mississippi.

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 Alfred Johnson, et al., embracing the following applications for identification as Mississippi Choctaws:

Alfred Johnson,	M.C.R. 2606
Solomon Johnson, et al.,	M.C.R. 2605
Fannie Walker, et al.,	M.C.R. 3250

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 Alfred Johnson, Solomon Johnson, Sylvester Johnson, Hezekiah Johnson, Iva Johnson, Onie Johnson, Fannie Walker, Lillie B. Joseph, Annie Joseph, McArthur Walker and Oscar Walker 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

-2-

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 Dixon.

Chairman.

Registered.

COPY,

M.C.R., 2606

Muskegee, Indian Territory, April 9, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

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 Alfred Johnson, et al., embracing the following applications for identification as Mississippi Choctaws:

Alfred Johnson,	M.C.R. 2606
Solomon Johnson, et al.,	M.C.R. 2606
Fannie Walker, et al.,	M.C.R. 3250

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

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Alfred Johnson, Solomon Johnson, Sylvester Johnson, Hezekiah Johnson, Iva Johnson, Onie Johnson, Fannie Walker, Lillie B. Joseph, Annie Joseph, McArthur Walker and Oscar Walker 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 the expiration of said time the

-2-

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 Bixby
Chairman.

COPY

Muskogee, Indian Territory, April 25, 1903.

The Honorable,

The Secretary of the Interior,

Sir:

There is transmitted herewith the record in the consolidated case of Alfred Johnson, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of April 9, 1903.

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

Alfred Johnson, M.C.R.2606;
Solomon Johnson, et al., M.C.R.2605;
Fannie Walker, et al., M.C.R.3250.

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,

Tame Dixie,
Chairman.

Through the
Commissioner of Indian Affairs.

2 Enc.: M.C.R.2606.

Land
27652-1903

(Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

WASHINGTON, February 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith for the consideration of the Department the record of the proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Alfred Johnson for the enrollment of himself; of Solomon Johnson for the enrollment of himself, and his four minor children, Sylvester, Hezekiah, Iva, Onie; and of Fannie Walker for the enrollment of herself and her four minor children, Lillie B., Annie Joseph, McArthur, and Oscar Walker, all as Mississippi Choctaw Indians.

On April 9, 1903, the Commission rendered a decision in this case finding that the evidence submitted in behalf of these applicants is insufficient to determine their identity as Mississippi Choctaw Indians entitled to rights in the land of the Choctaw Nation under the provisions of article 14 of the treaty of 1830;

and that their applications for such identification should be denied.

The Commission finds in said decision that the principal applicant, Alfred Johnson, claims rights in the Choctaw land under article 14 of the treaty of 1830, by reason of being a descendant of Tom Johnson and of Sallie Johnson, who is alleged to have been a one-half blood Choctaw Indian; and that all of the applicants herein claim said rights by reason of being the descendants of said ancestors Tom and Sallie Johnson and of an ancestor named Dilly.

It is further set out in said decision that the name Sally Johnson is found on page 140, volume 1, of the Claimant's Brief and Evidence in the case of the Choctaw Nation vs the United States before the Court of Claims, No. 12742, in the list of Choctaw heads of families claiming rights under article 14 of the treaty of Dancing Rabbit Creek, but that it does not appear from the evidence submitted by the several applicants that the Sallie Johnson through whom they claim is the identical Sally Johnson whose name appears in the record above cited.

I have examined the testimony submitted in this case and it in no way establishes the fact that any of these applicants or their ancestors ever complied or attempted to comply with the pro-

visions of article 14 of the treaty of 1830, or that any of them ever received any scrip for land thereunder.

The principal applicant, Alfred Johnson, does not give his exact age but thinks he is about 80 years old, and states that he was born in Virginia and went to Alabama when a small youth; and it appears that all these people were slaves and have no shadow of a right to any interest whatever in the lands of the Choctaw Nation. I therefore recommend that the decision of the Commission be approved by the Department.

Very respectfully,

Commissioner.

W.C.B.(B)

D.C.11673-1904
I.T.D.1152-1904
LRS

(Copy)

J.W.H.
FHE

DEPARTMENT OF THE INTERIOR,

WASHINGTON, April 9, 1904.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

April 25, 1903, you transmitted the record in the matter of the applications for identification as Mississippi Choctaws of Alfred Johnson for himself; of Solomon Johnson for himself and his four minor children, Sylvester, Hezekiah, Iva and Onie Johnson, and of Fannie Walker for herself and her four minor children, Lillie B., Annie Joseph, McArthur and Oscar Walker, including your decision of April 9, 1903, refusing to identify them as such.

Reporting in the matter February 6, 1904, the Acting Commissioner of Indian Affairs recommends that your action be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation; your decision is accordingly affirmed.

Respectfully,

(signed) THOS. RYAN,
Acting Secretary.

1 inclosure.

M.C.R.2606

Muskogee, Indian Territory, April 30, 1904.

Alfred Johnson,

Collinsville, Mississippi.

Dear Sir:

You are hereby notified that on the 9th day of April, 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 Alfred Johnson, et al., of which decision you were advised by registered mail on the 9th day of April, 1903.

Respectfully,

RECEIVED

Chairman.

M.O.R. 3606

CONF.

Muskogee, Indian Territory, April 30, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

~~You are hereby notified that on the 9th day of April, 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 Alfred Johnson, et al., of which decision you were advised by mail on the 9th day of April, 1903.

Respectfully,

SIGNED

Wm. L. Murray

Chairman.

2915

No. _____

For Identification as a Mississippi Choctaw.

Date JUN 8 1901

Name *Alfred Johnson,*

Age *80* - Blood *(don't know)*

Post Office, *Callinsville, Miss.*

Father: *Tom Johnson* -

Mother: *Sallie* " *d*

Claims through *both parent*

~~Children.~~

*Claims for self
alone*

Penographer *H. C. Risher*

A MISSISSIPPI

Alfred Johnson

FILED

APR 17 1904

APR 17 1904

APR 17 1904

APR 17 1904

APR 17 1904

**ACTION APPROVED BY
SECRETARY OF THE INTERIOR.**

APR 17 1904

NATIONAL BUREAU OF LAND MANAGEMENT
NATIONAL BUREAU OF LAND MANAGEMENT

APR 17 1904

NOTICE OF ACTION
PUBLIC LANDS

APR 17 1904

DECISION PREPARED

ATION.

CH
(N

TRIBAL ENROLLMENT OF PARENTS

FATHER YEAR COUNTY NAME OF MOT

Consolidated Case
of
Alfred Johnson

REFERENCE NO. 2606

mer
2605

Solomon Johnson 43- $\frac{3}{8}$
wife
Matilda Johnson 34
(negro)

mer
2605

Sylvester Johnson 17
" Hezekiah " 15
" Iva " 13
" Onie " 9

mer
2606

Tom Johnson ($\frac{1}{2}$?)
(slave?)
(dead?)
wife

Alfred Johnson ($\frac{1}{2}$ + neg)
(slave) (80?)

wife
Elizabeth Johnson
($\frac{1}{2}$ + $\frac{1}{2}$ neg)
(slave) -dead-

Sallie Johnson ($\frac{1}{2}$?)
(slave) (dead)

mer
3250

Fannie Johnson 28- $\frac{1}{2}$
mar

- ① Jim Joseph
(negro) (dead)
- ② Bell Walker
(negro)

mer
3250

Lillie B. Joseph 11
" Annie Joseph 9
" M^r Arthur Walker 5
" Oscar Walker 2

Choctaw MCR 2607

Jesse Lewis

MCR 2607

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

In the Matter of the Application of Jesse Lewis for
Identification as a Mississippi Choctaw.

M. C. R. 2607.

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

In the Matter of the Application of Jesse Lewis for
Identification as a Mississippi Choctaw.

M. C. R. 2607.

- - I N D E X . - -

Original application of Jesse Lewis for identification as a Mississippi Choctaw -----	1
Decision of the Commission identifying said applicant -----	4.

2607

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 8th, 1901.

In the matter of the application of Jesse Lewis for the identification of himself as a Mississippi Choctaw.

Said Jesse Lewis, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Jesse Lewis.
- Q What is your age? A Twenty-three.
- Q What is your postoffice address? A Melon, Mississippi.
- Q Where were you born? A ~~Maxhachokmoky~~. Newton County.
- Q Always lived in Newton County? A Yes sir.
- Q What is your father's name? A John Lewis.
- Q Is he living? A No, he dead.
- Q Was he a full blood Choctaw Indian? A Yes sir.
- Q Is your mother living? A Dead.
- Q What was your mother's name? A Malissa.
- Q Was she a full blood Choctaw Indian? A Yes.
- Q Do you claim to be full blood Choctaw Indian? A Yes.
- Q Do you claim your Choctaw blood through both your father and mother? A Yes.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any way or enrolled as members of the Choctaw Tribe of Indians by the Choctaw Tribal authorities or by the United States authorities? A No.
- Q Are you married? A No.
- Q You make claim for yourself alone, do you? A Yes.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application to the Choctaw Tribal authorities in Indian Territory to be enrolled as a member of that Tribe? A No sir.
- Q Did you or did anyone for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No.
- Q Have you ever made application before this time, or anyone for you, to either the Choctaw Tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A Two years ago at Decatur.

The records of the Commission show that on February 8th, 1899, application was made for Jesse Lewis by his mother, Malissa Lewis, who at that time also made application for John and Jacob Lewis, as shown by M.C.C. Field No. 463. The name of this applicant also appears on page 99 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior, as to the Identity of Choctaw Indians residing in Mississippi, claiming rights in Choctaw lands under the provisions of

Jesse Lewis---2

the 14th article of the treaty of Dancing Rabbit Creek, roll number 1686, with the other members of his family, the roll number of Malissa being 1685, John 1687 and Jacob 1688.

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What are the names of any of your ancestors who were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was ratified between the Choctaws and the United States Government? A I don't know.
- Q Did any of your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians from 1833 to 1838? A I don't know.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent of the Choctaw Indians in Mississippi that they intended to stay in Mississippi and become citizens of the States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A I don't know.
- Q You speak Choctaw? A Yes.
- Q Do you speak English as well as you do Choctaw? A No, a little.
- Q Do you understand what I say in English? A Some.
- Q Do you want to talk any more about your application? A No sir.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or that they ever received any benefits thereunder? A No.

This applicant appears to be a full blood Choctaw Indian, having all of the characteristics of a member of that race. He speaks the Choctaw language, but has some knowledge of the English language, sufficient for his testimony to be given without the assistance of a sworn Choctaw Interpreter. He has no knowledge of the compliance on the part of his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

----- 2

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in

Jesse Lewis---3

full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 8th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

J. A. Rice

Subscribed and sworn to before me this the 9th day of July, 1901, at Meridian, Mississippi.

[Signature]
Notary Public.

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

200

In the Matter of the Application of Jesse Lewis for
Identification as a Mississippi Choctaw.

M. C. R. 2607.

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

It appears from the record herein that application for identification as a Mississippi Choctaw was made to this Commission on June 8, 1901, by Jesse Lewis, 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."

From the evidence submitted in support of said application it appears that the applicant is a full-blood Mississippi Choctaw Indian.

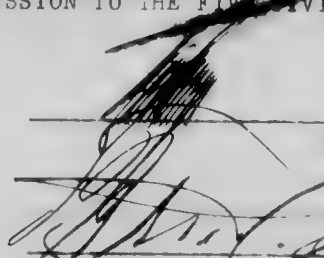
Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats. 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

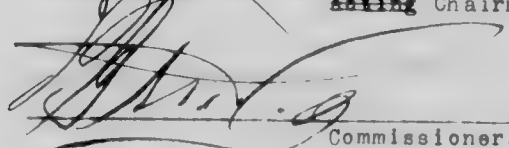
"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood

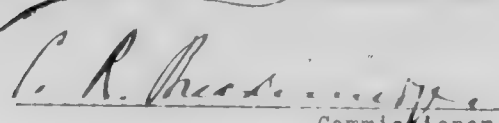
Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Jesse Lewis should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



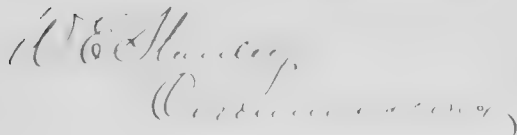
Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

APR 17 1907


(Commissioner)

COPY.

M.O.R.2607.

Muskogee, Indian Territory, April 17, 1903.

Mansfield, McMurray & Gornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 17, 1903, identifying Jesse Lewis as a Mississippi Choctaw Indian, under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Jesse Lewis as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed, the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

SIGNED, *Tame Birby.*

Chairman.

Registered.
Enc.: 2607.

M.O.R. 2667

COPY.

Muskogee, Indian Territory, May 8, 1903.

Jesse Lewis,

Melen, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the five Civilized Tribes, rendered April 17, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of Section 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 17, 1903, you will have six months from that date, or until April 17, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

SIGNED:

Tamm Bixby.

Chairman.

Registered.

Enc. 2667

M C R 2607

Muskogee, Indian Territory, October 22, 1903.

Jesse Lewis,

Kiowa, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 19th instant, wherein you ask that your mail be sent to Kiowa. You state that it may have been sent to Mississippi.

In reply you are informed that it appears from our records that on September 28, 1903, there was forwarded you a letter from the Commission containing its decision identifying you as a Mississippi Choctaw, which letter had been returned from Melon, Mississippi, marked "unclaimed." We hold a return registry receipt from Kiowa, Indian Territory, with your name signed to it. If you have not yet received such letter, please inform this office.

Respectfully,

Commissioner in Charge.

916

No. 2007

For Identification as a Mississippi Choctaw.

Date JUN 8 1901

Name Jesse Lewis -

Age 23 Blood f.b.

Post Office. Melon, Miss.

Father: John Lewis, f.b. d.

Mother: Malissa " f.b. d.

Claims through both parents.

See M.C. Case filed No.
463. Appearance Feb 8. 1899.

~~Children:~~

Claims for self
alone.

Stenographer

J. A. Miles

PROCT

Jesse Lewis

IDENTIFIED

DECISION ENTERED APR 10 1963

COPY

AT FORT WORTH

CHICAGO APR 10 1963

COPY OF RECORD

APR 10 1963

20/03 P.O. - [unclear] U.S.J.

Choctaw MCR 2608

John Wesley Lewis

MCR 2608

IDENTIFICATION AS
MISSISSIPPI CHOCTAW

John Wesley Lewis et al

IDENTIFIED

DECISION RENDERED APR 11 1903

NOTICE OF DECISION MAILED APPLICANT. APR 27 1903

NOTICE OF
FOR CHOCTAW AND CHICKASAW NATIONS. APR 11 1903

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

In the Matter of the Application of John Wesley Lewis et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2608.

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

In the Matter of the Application of John Wesley Lewis et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2608.

- - I N D E X . - -

Original application of John Wesley Lewis et al for identification as Mississippi Choctaws -----	1
Decision of the Commission identifying said applicants -----	5

260

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 8th, 1901.

In the matter of the application of John Wesley Lewis for the identification of himself, his wife and seven minor children as Mississippi Choctaws.

Said John Wesley Lewis, being first duly sworn through Isham Johnston, sworn Choctaw Interpreter, testified as follows:-

Examination by the Commission.

- Q What is your name? A John Wesley Lewis.
- Q What is your age? A Thirty-six.
- Q What is your postoffice address? A Melon, Mississippi.
- Q Where were you born? A I don't know where I been born; some say in Alabama. When I come here I was in Newton County.
- Q You think you were born in Alabama? A Yes sir.
- Q Ever since you can remember you have lived in Newton County? A Yes sir.
- ✓ Q What is your father's name? A John Lewis.
- Q Is he living? A No sir.
- ✓ Q Was he a full blood Choctaw Indian? A Yes sir.
- Q Is your mother living? A No sir, been died last October.
- ✓ Q What was your mother's name? A Malissa.
- ✓ Q Was she a full blood Indian? A Yes sir.
- ✓ Q Are you a full blood Choctaw Indian? A Yes sir.
- Q Do you claim through both your father and mother? A Yes sir.
- Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw Tribe of Indians by either the Choctaw Tribal authorities or by the United States authorities? A No sir.
- Q Are you married? A Yes sir.
- ✓ Q What is your wife's name? A Leanna.
- Q How old is Leanna? A Twenty-eight.
- ✓ Q Is she a full blood Choctaw Indian? A Yes sir.
- Q Do you make claim for her? A Yes sir.
- ✓ Q What is her father's name? A Doctor Dixon.
- Q Is he living? A Yes sir, he is living.
- ✓ Q Is he a full blood Indian? A Yes sir.
- ✓ Q What is her mother's name? A I don't know what the mother's name is.
- Q Isn't it Betsy Dixon? A I don't know.
- Q Is she dead? A Yes sir.
- Q You said Doctor Dixon is living, didn't you? A Yes sir, he is living.
- ✓ Q Was Leanna's mother a full blood Choctaw Indian? A Yes sir, that is what they say.
- ✓ Q Does she claim her Choctaw blood through both her father and mother? A Yes.
- Q Have your wife's parents, through whom you claim for her the right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw Tribe of Indians by the Choctaw Tribal authorities or by the United States authorities? A No, I don't reckon not.
- Q Have you any children that you want to make application for now? A Yes sir.
- Q When were you married to Leanna? A Fourteen year.
- Q Did you get married under a license? A No sir.

John Wesley Lewis et al---2

- Q You married the Choctaw way? A Yes sir.
Q Now, are these your children? William, Thomas, Nelson, Mary, Annie, Easter and Ola? A Yes sir.
Q How old is William? A Twelve years old.
Q How old is Thomas? A Ten.
Q How old is Nelson? A Eight.
Q How old is Mary? A Six.
Q How old is Annie? A Four years old.
Q How old is Easter? A Two.
Q How old is Ola? A One month.
Q Is Leanna the mother of these children? A Yes sir.
Q Are you the father? A Yes sir.
Q Are they living with you at your home? A Yes sir.
Q Is your name, or the name of your wife or the names of any of your children on any of the Tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application to the Choctaw Tribal authorities in Indian Territory for the enrollment of yourself, your wife or your children as members of the Choctaw Tribe? A No sir.
Q Did you or did anyone for you or for your wife or children in 1896, under the Act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No sir.
Q Have you ever made application before this time for yourself, or your wife or children to either the Choctaw Tribal authorities or to the United States authorities to be admitted or enrolled as citizens of the Choctaw Nation? A Yes sir, two years ago.
Q You applied two years ago at Decatur? A Yes sir.
Q For yourself, and wife and William, Thomas, Nelson, Mary and Annie, did you? A Yes sir.
Q And since that time you have two children born? A Yes sir.
Q And you want to make application for them now? A Yes sir.
Q Two years ago you applied as John Wesley, was that your full name? A No sir, John Wesley Lewis.
Q Now you want your name to go down as John Wesley Lewis? A Yes sir.
Q So that your application of two years ago as John Wesley will now be changed in name to John Wesley Lewis? A Yes sir.

The records of the Commission show that on February 7th, 1899, this applicant appeared before the Commission at Decatur, Mississippi, and made application for the identification of himself, his wife Leanna, and his minor children, William, Thomas, Nelson, Mary and Annie, as Mississippi Choctaws, their names appearing with the surname of Wesley on M.C.C. Field No. 445. The names of these applicants also appear on page 96 of the Schedule of Mississippi Choctaws which accompanied the report of March 10, 1899, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under article 14 of the treaty of Dancing Rabbit Creek, being numbers 1605, 1606, 1607, 1608, 1609 and 1610 and 1611, inclusive and respectively thereon.

- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself, your wife and children? A Yes sir.

John Wesley Lewis et al---3

Q Do you claim your rights as beneficiaries under article 14 of the treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give me the name of any of your ancestors, your kin folks, who were recognized members of the Choctaw Tribe of Indians in 1830? A I don't know.

Q Did any of your ancestors go from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A I don't know.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 twill the United States Indian Agent living here in Mississippi at that time, 70 years ago, that they intended to stay in Mississippi and take land there and become citizens of the States? A I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A I don't know.

Q Do you speak Choctaw? A Yes sir.

Q More than you do English? A Well, Choctaw most all the time. I can't talk English much, just a little.

Q Is there anything more you want to say about your application now? A Heap folks they says Indian Territory, that the folks go to Territory and stay there. My folks don't want go at all. I want to know that.

Q You want to know if you have to stay there? A Yes.

(Explanation made)

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir, I don't have no papers.

This applicant appears to be a full blood Choctaw Indian. He speaks the Choctaw language and also the English language sufficiently to give his testimony without the assistance of a sworn Choctaw Interpreter. He has no knowledge of the compliance on the part of his ancestors with any of the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your wife and seven minor children, for identification as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Mer-

John Wesley Lewis et al--vs

Meridian, Mississippi, June 8th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.



Subscribed and sworn to before me this the 9th day of July, 1901, at Meridian, Mississippi.



Notary Public.

WESTERN PAPER CO.

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

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In the Matter of the Application of John Wesley Lewis et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2608.

- - 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 on June 8, 1901, by John Wesley Lewis, for himself, his wife Leanna Lewis, and his seven minor children William Lewis, Thomas Lewis, Nelson Lewis, Mary Lewis, Annie Lewis, Easter Lewis and Ola Lewis, under the following provisions of the Act of Congress approved June 28, 1898 (30 Stats., 495):

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

From the evidence submitted in support of said application it appears that the applicants are full-blood Mississippi Choctaw Indians.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902 (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a

Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right to citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll".

It is, therefore, the opinion of this Commission that John Wesley Lewis, Leanna Lewis, William Lewis, Thomas Lewis, Nelson Lewis, Mary Lewis, Annie Lewis, Easter Lewis and Ola Lewis should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



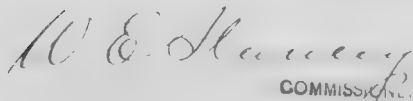
Acting Chairman.

Commissioner.



Commissioner.

Muskogee, Indian Territory.



COMMISSIONER

APR 11 1903

Muskogee, Indian Territory, January 12, 1903.

C. F. Winton,
Hickory, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, in which you ask to be furnished the names and ages of the family shown under No. 1605 of the schedule of March 10, 1899, as John Wesley and Leanna Wesley his wife, and their children. You state that revised schedules may show the name as John Wesley Lewis; that there has been several deaths and two births in this family since they appeared before the Commission and that their present post office address is Lucern, Mississippi.

In reply to your letter you are advised that the report to the Secretary of the Interior by the Commission to the Five Civilized Tribes of March 10, 1899, as to the identity of Mississippi Choctaws has been withdrawn and is null and void in so far as it relates to the identification as Mississippi Choctaws of the persons named therein.

You are advised that it appears from the records of the Commission that John Wesley Lewis, thirty-six years of age, post office Melon, Mississippi, appeared before the Commission on June 8, 1901, and made application for the identification of himself,

C. F. W.---2

his wife Leanna, age twenty-eight, and his minor children, William, age twelve; Thomas, age ten; Nelson, age eight; Mary, age six; Annie, age four; Easther, age two; and Ola, age one month.

No opinion or decision has yet been reached relative to the right of these applicants to be identified as Mississippi Choctaws, but the Commission is now considering their application and it is probable a decision will be rendered in the near future. The principal applicant will be duly notified of the action of the Commission and of the forwarding of the record to the Secretary of the Interior.

For the purpose of making proof of the births and deaths in this family since they made their application, there is enclosed herewith blank affidavits.

Respectfully,

Acting Chairman.

Enclosures
6 B. C.
6 D. C.

COPY

K C R 2608

Muskogee, Indian Territory, April 11, 1903.

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

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying John Wesley Lewis, his wife Leanna Lewis, and minor children William Lewis, Thomas Lewis, Nelson Lewis, Mary Lewis, Annie Lewis, Easter Lewis and Ola Lewis as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said John Wesley Lewis, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman

Registered
Enc 2608

COPY.

M.C.R. 2608

Muskogee, Indian Territory, April 27, 1903.

John Wesley Lewis,
Belton, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying yourself, your wife, Leanna Lewis, and seven minor children, William Lewis, Thomas Lewis, Nelson Lewis, Mary Lewis, Annie Lewis, Easter Lewis and Ola Lewis, as Mississippi Choctaw Indians under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

RECEIVED

James Bixby,
Chairman.

Registered.

Eng. 2608.

COPY.

M C R 2608

Muskogee, Indian Territory, April 11, 1903.

Mansfield, McFurray & Cornish,

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

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered April 11, 1903, identifying John Wesley Lewis, his wife Leanna Lewis, and minor children William Lewis, Thomas Lewis, Nelson Lewis, Mary Lewis, Annie Lewis, Easter Lewis and Ola Lewis as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902 (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said John Wesley Lewis, his wife and children as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Tame Bixby

(SIGNED)

Chairman

Registered
Enc 2608

COPY,

M.C.R. 2608

Muskogee, Indian Territory, April 27, 1903.

John Wesley Lewis,
Kolon, Mississippi.

Dear Sir:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered April 11, 1903, identifying yourself, your wife, Leanna Lewis, and seven minor children, William Lewis, Thomas Lewis, Nelson Lewis, Mary Lewis, Annie Lewis, Raster Lewis and Ola Lewis, as Mississippi Choctaw Indians under the provisions of article 41 of the Act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before October 11, 1903, you will have six months from that date, or until April 11, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tamc

Chairman.

Registered.

Enc. 2608.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE
Identification
Application for ~~Enrollment~~ of

INFANT CHILD

Easter Lewis

as a ~~citizen of~~

~~Nation~~

Approved

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

190

Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.



Acting Chairman.

Miss. Choct card 445

7/11

See Miss Choc Card Field No 445.

BIRTH AFFIDAVIT.

20

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

Identification as a ~~Minor~~ ^{Miss} Choctaw Nation,
IN RE Application for ~~Registration~~, as a citizen of the
of Easter Lewis (Here insert name of child) born on the 6th day of March, 1899.
Name of Father: John Wesley Lewis, a ~~citizen of the~~ Choctaw Indian
Name of Mother: Leanna Lewis, a ~~citizen of the~~ Choctaw Indian
Post-office, Melton, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY.~~
State of Mississippi District.
Newton County
I, Leanna Lewis, on oath state that I am 28
years of age and a citizen, by birth, of the Choctaw Indian
that I am the lawful wife of John Wesley Lewis, who is a citizen, by
birth, of the Choctaw Indian, that a female child was
(male or female)
born to me on the 6th day of March, 1899; that said child has been
named Easter Lewis, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)
V. W. Gilbert
Oscar Hillcut

Leanna Lewis
her mark

Subscribed and sworn to before me this 15th day of June, 1901.

S. B. Hillcut, Member Board Supervisors
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY.~~
State of Mississippi District.
Newton County
I, Martha Jasper, a midwife, on oath state that I
attended on Mrs. Leanna Lewis, wife of John Wesley Lewis,
on the 6th day of March, 1899; that there was born to her on
said date a female child; that said child is now living and is said to have been
(male or female)
named Easter Lewis.

WITNESSES TO MARK:

(Must be Two Witnesses)
V. W. Gilbert
Oscar Hillcut

Martha Jasper
her mark

Subscribed and sworn to before me this 16th day of June, 1901.

S. B. Hillcut, Member Board Supervisors
NOTARY PUBLIC

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

IN RE
Identification
Application for Enrollment of

INFANT CHILD

Ota Lewis

as a ~~citizen of~~

Nation

Approved,

190

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JUL 20 1901

[Signature]
ACTING CHAIRMAN

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.

~~[Signature]~~
MISSISSIPPI CHOCTAW, Acting Chairman.

448

See Miss Choce and Field No 445

BIRTH AFFIDAVIT.

20

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

Identification as a Choctaw
IN RE Application for ~~birth~~ as a citizen of the ~~United States~~ Nation
of *Ola Lewis*, born on the *4th* day of *May*, 1901
(Here insert name of child)
Name of Father: *John Wesley Lewis*, a citizen of the *Choctaw Indian* Nation.
Name of Mother: *Leanna Lewis*, a citizen of the *Choctaw Indian* Nation.
Post-office, *Melton, Miss.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

State of Mississippi
Newton County

I, *Leanna Lewis*, on oath state that I am *28* years of age and a citizen, by *birth* of the *Choctaw Indian* Nation; that I am the lawful wife of *John Wesley Lewis*, who is a citizen, by *birth* of the *Choctaw Indian* Nation; that a *female* child was born to me on the *4th* day of *May*, 1901; that said child has been named *Ola Lewis*, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses) *V.W. Gilbert*
Oscar Gilbert

Leanna X Lewis
mark

Subscribed and sworn to before me this *15th* day of *June*, 1901.

S.B. Gilbert, Member Board Supervisors
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

State of Mississippi
Newton County

I, *Martha Jasper*, a *Midwife*, on oath state that I attended on Mrs. *Leanna Lewis*, wife of *John Wesley Lewis*, on the *4th* day of *May*, 1901; that there was born to her on said date a *female* child; that said child is now living and is said to have been named *Ola Lewis*.

WITNESSES TO MARK:

(Must be Two Witnesses) *I was present at date of birth, A. W. Russell, S.B.*
V.W. Gilbert
Oscar Gilbert

Martha X Jasper
mark

Subscribed and sworn to before me this *15th* day of *June*, 1901.

S.B. Gilbert, Member Board Supervisors
NOTARY PUBLIC

#917

No.

For Identification as a Mississippi Choctaw.

Date JUN 8 1901

Name John Wesley Lewis,

Age 36 Blood full.

Post Office, Melon, Miss.

Father: John Lewis f. b. d

Mother: Malissa " f. b. d

Claims through both parents
wife

Leanna f. b. #8

father - Doctor Dixon, f. b. d
mother - don't know, f. b. d

(See Miss. Choct. Com. file No 445.
appearances 2/199)

- Children: William 12
- Thomas 10 ~~8~~
- Nelson 8 ~~6~~
- Mary 6 ~~4~~
- Annie 4 ~~2~~
- Easter 2
- Ola 1. m

Claims for self wife and children

Stenographer J. J. Miles

Choctaw MCR 2609

John D Aaron

MCR 2609

CONFIRMATION AS REQUIRED BY
MISSISSIPPI CHOCTAW

John D. Aaron et al

See back of this jacket.

ACTION APPROVED BY SECRETARY OF INTERIOR

AUG 19 1904

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

SEP 26 1904

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

SEP 26 1904

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

SEP 26 1904

REFUSED.

See other side

REMANDED BY THE SECRETARY OF THE
INTERIOR FOR FURTHER HEARING.

MAY -4 1906

RECORD FOR THE DEPARTMENT.

NOV 10 1906

Departmental decision reaffirmed.

JAN 07

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----0-----

In the matter of the application of John D. Aaron, et al., for identification as Mississippi Choctaws, M.C.R. 2609.

List of papers forwarded to the Secretary of the Interior comprising the record in the case of John D. Aaron, et al.,

	(Page)
Original application of John D. Aaron, et al., before the Dawes Commission for identification as Mississippi Choctaws.....	1
Certified copy of marriage record between John Aaron and Ann Thompson.....	7
Decision of the Commission refusing the application of John D. Aaron, et al., applicants for identification as Mississippi Choctaws.....	8

-----0-----

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 11, 1901.

#2600

In the matter of the application of John D. Aaron for the identification of himself and his minor children as Mississippi Choctaws. John D. Aaron having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John D. Aaron.
Q What is your age? A I am- I was forty-three Christmas eve I believe.
Q What is your post-office address? A My post-office, it is-I want my mail sent to Wilburton; Wilburton is my post-office address; Wilburton, I.T.
Q Where did you live before you lived there? A In Mississippi.
Q How long have you lived in Mississippi? A Going on 23 years.
Q Have you moved to Indian Territory to make this your home? A No, but I am going to.
Q Where did you live before you lived in Mississippi? A Alabama.
Q How long did you live in Alabama? A I was born and raised there.
Q What part of Alabama? A Walker County.
Q What is your father's name? A Charley Aaron.
Q Is he living? A No, he is dead.
Q What is your mother's name? A Ann Aaron.
Q Is she living? A No, she is dead.
Q Through which one of your parents do you derive your Choctaw blood? A From my marmie.
Q How much Choctaw blood do you claim? A Some over one fourth, I claim to be one quarter myself.
Q How much Choctaw blood had your mother? A Three quarters.
Q Well, if your mother had three quarters how much Choctaw blood would you have? A Well, we just all pronounce about one fourth.
Q What was your father? A He was a white man.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Ann Aaron.
Q Is she living? A Yes.
Q What is she- is she white woman or Indian? A Yes, she is white woman.
Q Do you make any claim for her- do you make application on behalf of your wife? A No.
Q Have you any children under twenty-one years of age and unmarried for whom you wish to make application at this time? A Yes I have nine.
Q Give the names and ages of these children. A Savannah (Girl), will be 20 the 9th. of September coming; Charley, 18; John, fifteen; Harrison, twelve; Joe, going on ten; Cleveland, eight; Georgia, (Girl), five; Dewey, three; and Sarah, about four months.
Q These are all your children? A Yes.
Q What is the name of their mother? A Ann Aaron.
Q When and where were you married? A In Pontotoc County, Mississippi, about twenty-one years ago.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Married by a parson.

Q Have you your marriage license and certificate and do you desire to offer same in evidence? A No, I haven't got it- I forgot it, forgot to fetch it down here.

It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of your application in behalf of your minor children.

- Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself or your children to be enrolled as members of the Choctaw tribe? A No.
- Q Did you or did any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, for yourself or your children, under the Act of Congress of June 16, 1896? A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or them to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaw? A Yes. Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article? A No.
- Q Article fourteen of the treaty of 1830 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 to the Agent within six months from the ratification of this treaty his intention, and he or she shall thereupon be entitled to a reservation of one section of six hundred and thirty 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 ~~be~~ ~~adjoining~~ ~~the~~ ~~location~~ ~~of~~ ~~the~~ ~~parent~~ ~~if~~ ~~they~~ ~~reside~~ ~~upon~~ ~~said~~ ~~land~~ ~~intending~~ ~~to~~ ~~become~~ ~~citizens~~ ~~of~~ ~~the~~ ~~States~~ ~~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~~ ~~claiming~~ ~~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~~."

- Do you claim under this article? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No, I don't reckon they have.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A William Lightfoot was my grand-daddy's name.
- Q Was he a full-blood Choctaw? A Yes.
- Q Have you any evidence showing that he was a recognized member of the Choctaw tribe at that time? A No.
- Q Did he, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present

Choctaw Nation in Indian territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838?

A Yes, I think he did.

Q If he removed with the other members of the tribe he did not then, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.

Q Are there any additional statements you desire to make in support of this application? A No.

Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

Hudson & Arnold, attorneys for applicant, desire to offer a motion that thirty days be granted.

On motion of counsel thirty days time is allowed applicant in which to file additional evidence in support of this case.

Examination by the Commissioner J.A. Arnold:

Q What did you say your mother's name was? A Ann Aaron.

Q You testified that your grand-father was William Lightfoot- did you ever see him? A No.

Q But you always heard that he was full-blood Indian? A Yes.

Q Did you ever hear your mother say whether she had ever seen him or not? A Yes.

Q She had seen him? A Yes.

Q How old would your mother be now if she was living? A About 60.

Q Did you ever hear your mother say whether your father ever went to the Indian Agent in Mississippi and say he wanted to stay there? A I don't recollect whether he did or not.

Q You were born in Alabama? A Yes.

Q Your mother was born and raised in Mississippi? A Yes.

Q And moved to Alabama? A Yes after she married.

Examination by the Commission:

Q Your grand-father, you say, was full-blood Choctaw Indian? A Yes.

Q What was your grand-mother, William Lightfoot's wife? A Well I do not recollect.

Q Did you ever hear she was a white woman? A I think she was.

Robert Jones being called and sworn as a witness in this case testified as follows:

Examination by the Commission:

Q What is your name? A Robert Jones.

Q What is your age? A Forty-five.

Q What is your post-office address? A Wilburton, I.T.

Q Are you acquainted with John D. Aaron who has just made application for identification as a Mississippi Choctaw? A Yes.

Q How long have you known him? A About 22 years.

Q Did you know him in Mississippi? A Yes.

Q Did you know his mother? A Yes.

Q What was his mother? A She was an Indian a Choctaw Indian.

- Q Did she appear to be full-blood? A She looks to me like full-blood; she claims to be only three quarters.
- Q How long had you known his mother? A About 16 years.
- Q Did you know his mother's father? A No I wasn't acquainted with him, he passed away probably before my time; my father and mother both knew them.

Examination by J.A.Arnold:

- Q Mr. Jones, what is your nationality? A I can't tell you.
- Q You are a white man? A Yes.
- Q You were born and raised in Mississippi? A Yes.
- Q You knew Mr.Aaron's mother? A Yes.
- Q What was her name? A Her name was Ann Aaron
- Q You never knew her father? A No.
- Q Did she associate with the other Choctaw Indians in Mississippi- did she go with them? A Yes.
- Q Do you know whether she spoke Choctaw? A Yes.
- Q Fluently, could she? A Yes, just as well as any- could carry
- Q Could carry on a conversation with the other Choctaw Indians? A Yes.
- Q She lived in Mississippi when you first got acquainted with her? A Yes.
- Q Went from Mississippi to Alabama? Yes.
- Q She was born in Mississippi? A Yes.
- Q Do you know what County in Mississippi? A I don't know what County she was born in; I wasn't acquainted with her when she was born, she got acquainted with me father and mother's father in Choctaw County?
- Q You heard her say that her father was named William Lightfoot? A Yes.
- Q Did you ever hear her say whether her father went to the Indian agent in Mississippi in 1830 -? A Yes.
- Q You heard her say it? A I heard her say it and my father talk about it; my father was about to buy some land from her or trade.
- Q Did you ever hear whether William Lightfoot had ever taken or gotten his land in Mississippi? A No.
- Q You did hear him say that he intended to take his land there? A Yes.

By the Commission:

- Q You, heard J.D.Aaron's mother say that he, William Lightfoot, went to the Indian Agent in Mississippi and told him that she intended to stay there? A Yes.
- Q And what about that land your father was speaking of trading for? A My father was speaking of trading for some land that he was getting from the government- I can't give you much information on that.
- Q Did this William Lightfoot have a Choctaw name? A I can't tell you that, I never heard.
- Q Of course, you can't say anything about this, except what you heard them say? A Yes that is all.

By J.A.Arnold:

- Q About what age would Mrs. Aaron be, John D. Aaron's mother, now? A She would be about 60 years old.

Witness excused.

George W. Jones being called and sworn as a witness in this case testified as follows in behalf of the applicant:

Examination by the Commission:

- Q What is your name? A George W. Jones.
- Q What is your age? A I am sixty five.

- Q What is your post-office address? A Wilburton, I.T.
- Q Are you a white man? A Yes.
- Q Are you acquainted with John D. Aaron here, the applicant in this case? A Yes.
- Q How long have you known him? A About fifteen years.
- Q Where did you become acquainted with him? A In Choctaw County, Mississippi.
- Q Did you know his mother? A Yes.
- Q What was her name? A Ann Aaron.
- Q What was she? A Indian.
- Q Full-blood? A Looked like it; she has straight hair, black eyes and was copper colored.
- Q How long did you know Ann Aaron? A I only saw her two times; I saw her once in Choctaw County; I didn't know she was kin to Lightfoot until I saw her in Alabama.
- Q Did you know William Lightfoot? A Yes.
- Q How long did you know him? A I just saw him a few times in Alabama, and found out that she was kin to him.
- Q What kin was she to him? A She claimed to be a daughter.
- Q How much Choctaw did William Lightfoot did have? A He looked to be full-blood- I can't locate it I was a boy then.
- Q Did you ever hear William Lightfoot say that he wanted to stay in Mississippi and that he went to the Indian Agent there and took land in Mississippi-? A No, I never heard him say that.
- Q Did you ever hear Ann Aaron say that she wanted to stay there-? A I heard her say that her father had a right to land there.
- Q You don't know whether he ever owned any land there? A No, I don't know.

Witness excused.

Richard T. Jones being called and sworn as a witness in this case testified as follows:

Examination by the Commission:

- Q What is your full name? A Richard T. Jones.
- Q What is your age? A 55 going on 56.
- Q What is your post-office address? A Randolph, Mississippi.
- Q What nationality are you? A I am English I reckon.
- Q You are a white man? A Yes, no Indian blood in me.
- Q Are you acquainted with applicant, John D. Aaron? A Yes, partly I am; my recollection has quit me partly. Yes I know him for 22 years living there in my neighborhood.
- Q Where did you know him? A I knew him in Lafayette County, Mississippi, and in Pontotoc County, Mississippi.
- Q Did you know his mother? A Yes; she has been in my house.
- Q What was his mother's name? A Ann Aaron.
- Q What was she? A Lightfoot.
- Q I mean what nationality? A Indian--copper-colored.
- Q Full-blood? A I took her to be but she only claimed 3/4.
- Q Did you know her father? A No.
- Q Did you know what her father's name was? A No, I don't know what John's father's name was.
- Q I am talking about John's grand-father. A No, I didn't know Ann Aaron's father.
- Q You didn't know him then? A No.
- Q You don't know then whether he ever went to the Indian Agent in Mississippi and within six months after the ratification of the treaty of 1830 and told him that he wanted to stay in Mississippi and take land there instead of coming out West with the other Indians? A No.
- Q Did you ever hear them talk-? A I heard them talk about land in Mississippi, but I can't tell you where it was.
- Q You don't know then whether they ever received any land from the government? A No.

Examination by J.A. Arnold.

- Q About what age woman would Ann Aaron be? About sixty.
Q Do you know whether she spoke the Choctaw language? A She could speak it a little; she could speak the English language.

By the Commission:

- Q You were not living in 1830 when the treaty was made? A No, I wasn't, I don't know anything about that.

(Witness excused).

To applicant:

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant looks like he might be about 1/4 or 1/8 Indian; has straight black hair, high cheek bones, bald features.

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 all proceedings had in the above entitled cause on June 11/1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linsbaugh
Notary Public.

M.C.R. #2609. Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I.T. August 3, 1903.

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Additional testimony in the matter of the application of John D. Aaron, et al., for identification as Mississippi Choctaws.

R. F. Terry, being first duly sworn, testifies as follows:

Examination by the Commission:

- Q What is your name? A R. F. Terry.
- Q What is your age? A I was born the 3rd day of April, 1824.
- Q What is your postoffice address? A Lodi, I.T.
- Q How long have you lived there? A I have been in the Territory-Choctaw and this- eighteen months; I came in February, rented land and bought stock near Poteau in the Choctaw Nation.
- Q Where did you live before that? A In Alabama; born and raised in Alabama.
- Q Whereabouts in Alabama? A I lived in Marion County on the Tombigbee river.
- Q Near what town? A Fayette Court House, or Carrelton; I just lived 14 miles from Fayette Court House. Fayette Court House is in Fayette County; my postoffice address was Fayette Court House and Old Moscow either.
- Q Are you acquainted with John D. Aaron, the applicant? A Yes sir.
- Q How long a period have you known him? A Well, I knew him before the war; was acquainted with his father.
- Q How old is he? A Well, he is 46 or '7, near 50.
- Q You knew him then when he was a child? A Yes sir.
- Q Where did he reside at the time of your first acquaintance with him? A At Walker County; about 13 or 14 miles from my place.
- Q Were you acquainted with the parents of John D. Aaron? A Yes sir; I never saw his father until after he was married.
- Q How long had you known his mother and father? A Well, I reckon near 20 years; I knew them before the war.
- Q When did you first become acquainted with his father? A Well, it was about 60 or 61.
- Q How long had you known his mother? A Well, I knew her from '34 '35 and '36.
- Q What was his father's name? A His name was Charley Aaron.
- Q What was his mother's name? A Ann Aaron.
- Q What was her maiden name? A It was Lightfoot.
- Q Which one of her parents possessed Choctaw blood? A Only her mother; if there was any in the father, I didn't know it.
- Q How much Choctaw blood do you suppose she possessed? A Well, I believe I can very safely say she was a full-blood Choctaw; light copper color, black eyes, long, coarse, black hair; showed the Choctaw descent.
- Q What was the nationality of his father? A Well, I reckon he was American; I don't know exactly the race of people; he was a white man, considered that.
- Q How many children did Charley Aaron and Ann Aaron have at the time of your acquaintance with them? A Well, I could not answer you that; I don't know exactly the number.

John D. Aaron, et al.,--R. P. Ferry, witness---#2

- Q In what year were they married? A I could not state that, but I expect it was 1830.
- Q Well, you didn't know the father of this applicant previous to '60? A No, sir, I didn't know him; and making up the war, then I got acquainted with him, more particular, you know.
- Q Were you acquainted with his mother? A Well acquainted, yes, sir, that was before she was married when she lived near Demopolis.
- Q Were you acquainted with Ann Aaron's father and mother? A Yes sir.
- Q What was the name of Ann Aaron's mother? A Well, sir, I can't give it to you; I did know her name.
- Q What was the name of Ann Aaron's father? A His name was Lightfoot.
- Q What was his given name? A William Lightfoot.
- Q Which one of William Lightfoot's parents possessed Choctaw blood? A They both claimed Choctaw. The Lightfoot man looked like a Choctaw; high cheek bones, weighed about 165 pounds, black eyes and long coarse hair.
- Q How tall was he? A Well, I reckon he was nearly six feet.
- Q Did William Lightfoot's wife possess Choctaw blood? A Yes, sir, she favored Choctaws.
- Q How much do you suppose she had? A Well, I expect she was 1/3; she wasn't a white woman.
- Q When and where did you first become acquainted with William Lightfoot? A At Demopolis, on the Tombigbee river, in Alabama.
- Q In what County were they residing at that time? A In Moringo county, Alabama.
- Q At what time was this? A Well, I got acquainted with them in '34, '36 and '36.
- Q Where were you living at that time? A Living up in Marion county; the county above it.
- Q How did you see him? A Well, I saw him--so as to give you a few of the facts--you see my father would gather up his cattle there, and stop there 3, 4 or 5 days at the time.
- Q How many times a year? A Sometimes 3 times a year.
- Q Did William Lightfoot have any improvements where he resided at that time? A Yes, sir, he had a residence.
- Q What kind of a residence did he have? A A little log house; two little log houses, little smoke-house.
- Q How many Acres did he have improved? A About five acres.
- Q That was in '34? A Yes, sir, and he had about four or five Acres improved at that time, just a little patch around the house; Indian style.
- Q Did he have any other property besides this that you know of? A He had some cattle and hogs I saw about the place.
- Q You having visited there four or five days at the time, you perhaps know how many children he had at that time? A Well, sir, I don't believe I can state to you; three or four; I saw two girls
- Q You know how many boys? A Well, a small boy or two, supposed to be his.
- Q Which was the oldest of these children? A Well, I could not state; looked like the two girls were the oldest, I don't know exactly.
- Q Do you know the names of any of these children? A Don't know the name of but one.
- Q What was her name? A Ann.
- Q How old was she at that time? A Well, she was seven, eight or ten years old; from the size of her, you know.

John D. Aaron, et al., --R. F. Terry, witness--#3.

- Q Do you know whether William Lightfoot or his wife possessed Choctaw names? A Well yes, I reckon they did; I am satisfied they did, although I don't know.
- Q Did they speak Choctaw? A Yes sir, both of them spoke Choctaw; he in particular.
- Q Are you able to understand the Choctaw language? A Well, no sir, not much, I can understand it a little.
- Q Were there many Indians around in the vicinity where you lived at that time? A Yes, sir, west of Alabama and east of Mississippi was a good many Indians, Choctaws.
- Q Was this in the old Choctaw Nation? A Yes, sir, in the Alabama part of the Choctaw Nation.
- Q Name some of the Indians that you were acquainted with down there who lived close to Lightfoots? A Tubbs, and William Barns.
- Q What was their other name? I don't recollect, I just knew these two families that was around these Lightfoots.
- Q You know the names of any Indians who resided in your neighborhood? A Well, there was Sizemore, they were Mexicans, about half and half.
- Q Any one else? A Well, yes, a family of Johnsons, Anthony Johnson and Zacariah.
- Q You were not acquainted with any Indians that lived in the vicinity of William Lightfoots place on the Tombigbee river? A Only just these two, Tubbs and Morton.
- Q How far did they live from Lightfoot's place? A Well, they lived right close there then.
- Q Did they cultivate land in that vicinity? A Yes, sir, they cultivated but I don't know where it was.
- Q How far from Lightfoot's place did the Tubbs live? A About 1/2 mile, I reckon; he never cultivated much, he was a bear hunter.
- Q What was the nearest town to Lightfoots place? A Demopolis.
- Q What direction from Demopolis? A He was up the river.
- Q About how far? A It was five or six miles, I reckon, right up the river; it was North-west direction.
- Q How old a man was William Lightfoot when you first knew him in '34? A Well, he looked like he was 20, up in 20.
- Q Just a young man? A Well, about right at 30; yes, he was at least 30; he was over 20, about 30.
- Q How old was his wife? A Well, sir, she looked like about 25; I suppose she was 25 years of age.
- Q You stated a while ago that the oldest child was a girl about seven or eight years old? A Yes, sir, that is my recollection.
- Q How old would you judge the next one to be? A Well, four, five or six, maybe older.
- Q How old do you suppose the third child would be? A Not over three.
- Q And the fourth then would be a baby in the arms? A Yes, sir, right at it.
- Q Was William Lightfoot and his family recognized by the Choctaw tribal authorities as Indians belonging to that tribe? A Yes.
- Q In what manner were they recognized? A Well, just by being Choctaws and such like.
- Q Did you ever hear of the treaty of "Dancing Rabbit Creek?" A Yes, sir.
- Q You know what it is? A No, sir, I really don't, I could not answer it.
- Q You were too young at that time to realize what it was? A Well, no, I was eight or nine years old when the treaty was made in '30.
- Q Was your father in the employ of the government at that time?

John D. Aaron, et al., --4. R. F. Terry, witness.

A Yes, sir.

Q What was his name? A Breshe Creek.

Q What was his english name? A My father.

Q Yes? A He was named Terry; his surname was John.

Q What position did he occupy in the government service? A He was Major.

Q What position did he occupy in the Indian service at this time?

A He was only appointed to come over with the Choctaws to the Indian Territory from Alabama.

Q Your father was a white man? A Yes sir, a white man.

Q Do you know whether William Lightfoot complied with article 14 of the treaty of 1830? A Well, I don't positively know it, but that was the understanding that he did.

Q Then he drew land as a Choctaw? A (no answer).

Q Do you know what article 14 of the treaty of 1830 provides?

A Yes sir.

Q Article 14 of the treaty of 1830 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 or 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."

Q Do you know, having heard that section read, whether William Lightfoot ever went to the United States Indian Agent, Colonel Ward, and signified his intention to remain for the five years stay and take land in Alabama? A Yes, sir, that is my understanding, that he did.

Q It is a matter of hearsay with you? A Yes sir, I don't know anything personal, only that he did draw the land.

Q All you know is that he lived on a piece of land there in Moringo county. You don't know how he got it, do you? A He got it from the government.

Q Well, you don't know anything about it then, except he lived on a piece of land in Moringo county. You didn't know him until 1834? A No sir.

Q Well then, you didn't know what passed in 1830? A No, sir.

Q Did William Lightfoot remain in Alabama as long as your acquainted with him, or did he or any of his descendants come to the Indian Territory? A He moved from Alabama into Mississippi.

Q About what time did he move from Alabama to Mississippi? A I could not tell you the date exactly.

Q What year? A Well, it was about '47 or '8, I think it was.

Q What county in Mississippi did he go to? A I don't know.

Q You just understood he moved into Mississippi? A Yes, sir, died

John D. Aaron, et al., --#5 R. F. Terry, witness.

there, I suppose.

- Q Do you know what became of Ann Aaron and her husband? A Well, her husband died in the war; got killed or something, and I reckon she died in Walker county, Alabama; he died in the war, you know.
- Q Is John Aaron the only descendant of William Lightfoot that ever came to the Indian Territory? A This one sitting here; well, I expect it is; I never knew any of them but him.
- Q In 1837 and 1842 the United States government sent two commissions to Mississippi to locate those Indians who had attempted to register before Colonel Ward. Do you know whether either of those commissions issued scrip to William Lightfoot? A I don't know; I don't know anything only what I heard them talk about it.
- Q Did William Lightfoot appear before either of these commissions? A I don't know.
- Q Did you ever hear of Colonel Ward? A Yes, sir.
- Q Did you ever see him? A No, sir.
- Q You stated that William Lightfoot left Alabama in about '47, did you? A Yes, sir, I think he did, and went to Mississippi.
- Q What became of his improvements that he had in Moringe county, Alabama when he left there and moved to Mississippi? A Well, the supposition is that he sold his improvements, I don't know.
- Q It was understood in the neighborhood that he sold his improvements? A Yes, sir.
- Q To whom? A I don't know.
- Q In what year did you last see William Lightfoot? A '44 I believe. He was at my father's house, I think it was '44 as well as I recollect.
- Q Did you ever see in the possession of William Lightfoot, or in the possession of any one claiming from William Lightfoot, any patent or deed, or family record which would tend to establish the claim made by John D. Aaron to a right to identification as a Mississippi Choctaw? A No, sir, I never did.
- Q Are you related to John D. Aaron in any way? A No, sir, I am not; if I am, I don't know it.
- Q When did Ann Aaron leave Alabama? A I could not answer that because she was in Alabama when the war came up? *
- Q Did you ever see her after that? A No, sir, I never saw her after that.
- Q Do you know the names of the parents of William Lightfoot? A No, sir, I do not.
- Q Of his wife? A No, sir, I don't.

To John D. Aaron:

- Q Do you wish to ask any questions? A No, sir, I reckon not.

The witness testified very intelligently; is a man of more than average intelligence and claims to have been born in 1824 and is 79 years old, but has the appearance of being somewhat younger than this.

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Josie Davies, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the proceedings had in the above entitled cause, and that the foregoing is a full, true and correct transcript of her stenographic notes taken in said cause.

Subscribed and sworn to before me, this 3rd, day of August, 1903.

Josie Davies
Edward M. Terry

COPY

HA
C. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John D. Aaron, et al., for identification as Mississippi Choctaws, M.C.R. 2609.

DECISION

It appears from the record herein that application for identification as Mississippi Choctaws was made to this Commission by John D. Aaron for himself and his nine minor children Savannah, Charley, John, Harrison, Joe, Cleveland, Georgia, Dewey and Sarah Aaron 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 William Lightfoot, who is alleged to have been a full 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 none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

The name William Lightfoot is found on page 19, Volume I of the Claimants Brief and Evidence, in the case of the Choctaw Nation vs. the United States before the Court of Claims, No. 12742 in a list of Choctaw Indians as entered by Colonel Wm. Ward, Indian Agent, previous to the 24th day of August 1831, "who wished to become citizens according to the provisions of article fourteen of the treaty of eighteen hundred and thirty," and also on page 133 of Volume VII, American State Papers, Public Lands, in a similar list. The above name is further found on page 77 of the last named record, in a list of Choctaw Indians, heads of families who resided in Mushulatubbe's District in the territory occupied by the Choctaw Indians in the states of Mississippi and Alabama at the date of the making of the treaty of "Dancing Rabbit Creek" and had lands in cultivation, in exchange for which they were to

receive stipulated tracts of land in accordance with the provisions of the nineteenth article of said treaty. It does not appear from the evidence submitted by the several applicants herein that William Lightfoot, through whom they claim, is the identical William Lightfoot whose name appears in the records above cited.

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 Lightfoot, through whom these applicants claim, 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., 813).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of John D. Aaron, Savannah Aaron, Charley Aaron, John Aaron, Harrison Aaron, Joe Aaron, Cleveland Aaron, Georgia Aaron, Dewey Aaron and Sarah Aaron 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,

SIGNED

Terre Bixby.

Acting Chairman.

SIGNED

T. B. Needles.

Commissioner.

SIGNED

C. R. Breckinridge.

Commissioner.

Wahkagoche, Indian Territory,

FEB 2 1903

J.R.B.
C. W.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

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In the matter of the application of Mary Henrietta Watts,
et al., for identification as Mississippi Choctaws, consoli-
dating the applications of

Mary Henrietta Watts, et al.,	M.C.R.	3488
Lizzie Eulah Thomas, et al.,	M.C.P.	3489
Benjamin Franklin Robinson, et al.,	M.C.R.	3490
Lera Calloway, et al.,	M.C.R.	3492

---(DECISION)---

It appears from the record herein that applications for identification as Mississippi Choctaws were made to this Commission by Mary Henrietta Watts for herself and her three minor children, Elisha Robinson, Edisan Watts and James Watts; by Lizzie Eulah Thomas for herself and her five minor children, Mera, David Tate, Lola Sue, Wymen and Milton Calder Thomas; by Benjamin Franklin Robinson for himself and his two minor children, Amy Henrietta and Elisha May Robinson; and by Lera Calloway for herself and her

minor child, Maggie Henrietta Galloway, under the following provision of the act of Congress approved June 28, 1890, (26 Stat., 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 Daniel Harris, who is alleged to have been a full blood Choctaw and to have resided in the old Choctaw Nation, States of Mississippi and Alabama, in 1830.

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, 1898, (30 Stat., 321).

From the records in the possession of the Commission it is found that the name of one Daniel Harris appears on pages 94 and 133 of Volume 7, American State Papers, Public Lands, in a list of names of Choctaw Indians, heads of families, who resided in Greenwood Lefflore's District in the territory occupied by the Choctaw Indians in the States of Mississippi and Alabama, at the date of the making of the treaty of "Dancing Rabbit Creek" and had lands in cultivation, in exchange for which they were to receive stipulated tracts of land in accordance with the provisions of the nineteenth article of said treaty. The record above referred to in no way relates to or shows any compliance or attempted compliance on the part of the persons therein named, with the provisions of the fourteenth article of the treaty of "Dancing Rabbit Creek."

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 article fourteen of the treaty of eighteen hundred and thirty, and to persons who heretofore were claimants thereunder, that the said Daniel Harris, 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 article fourteen of said treaty 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., 130) 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 Henrietta Watts, Eliza Robinson, Edison Watts, James Watts, Lizzie

Malch Thomas, Nora Thomas, David Tate Thomas, Iain Sue Thomas, Wynn Thomas, Milton Collier Thomas, Benjamin Franklin Robinson, Amy Henrietta Robinson, Eliza May Robinson, Lara Calley and Maggie Henrietta Calley 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.

Commissioner.

(SIGNED)

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,

OCT 14 1902 .

3 2068

12th Street

10th Street

7 10628

--Copy--

No. 402 William Lightfoot Sec. 6, T.20, R. 1, W.

S/2 Sec. 1, T.20, R. 2, W.

NE/4 Sec. 7, T.20, R. 1, W.

Locating agents certificate says N.West 1/4 of Sec.7.

See office plat at Demopolis Residence at the time of the Treaty and ever since proved by the deposition Matthew Labruce corroborated by that of John C. Whitsett, credibility of witnesses certified to by Christopher C. Scott A Notary public of Sumpter county, claimed by Wm. E. Miller, of Sumpter county, who deserves a patent to issue to himself except 100 acres off the East side of the N.W.1/4 of Sec.6 above described. Miller claims under a purchase which he alleges to have been made in Apl. 1836.

Appd. March

A V B

C O P Y.

Muskogee, Indian Territory, June 21, 1901.

Messrs. Hudson & Arnold,
Attorneys at Law,

Ardmore, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 15th instant, enclosing marriage certificate of John D. Aaron, who made application at Atoka, Indian Territory, June 11, 1901, for identification as a Mississippi Choctaw, and requesting that the same be filed with the papers in his case.

Your request will be complied with, and the certificate filed with the records of the Commission.

Yours truly,

C. R. BRECKINRIDGE,

Commissioner in charge.

Miss. Choctaw 2609

Muskogee, Indian Territory, September 18, 1902

T. N. Foster,

South McAlester, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of September 15, in which you ask to be advised whether J. Aarons has been identified as a Mississippi Choctaw.

In reply to your letter you are informed that no decision has been reached nor opinion rendered relative to the rights of John D. Aaron, and his minor children as Mississippi Choctaws. As soon as a decision is reached he will be notified of the action of the Commission.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, February 2, 1903.

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

Gentlemen:

You are hereby advised that on the 2nd day of February, 1903 the Commission to the Five Civilized Tribes rendered a decision in the case of John D. Aaron, 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).

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 D. Aaron, Savannah Aaron, Charley Aaron, John Aaren, Harrison Aaron, Joe Aaron, Cleveland Aaron, Georgia Aaron, Dewey Aaron and Sarah Aaron 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 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,

Tamo Dickey
Acting Chairman.

COPY.

Muskogee, Indian Territory, February 2, 1903.

John D. Aaron,
Lodi, Indian Territory.

Dear Sir:

You are hereby advised that on the 2nd day of February, 1903, the Commission to the Five Civilized Tribes rendered a decision in the case of John D. Aaron, 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 John D. Aaron, Savannah Aaron, Charley Aaron, John Aaron, Harrison Aaron, Joe Aaron, Cleveland Aaron, Georgia Aaron, Dewey Aaron and Sarah Aaron 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 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 to-

gether with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tame Bixby.

Acting Chairman.

Registered.

M C R 2609

Muskogee, Indian Territory, February 4, 1903.

R. G. Jones,

Wilburton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th ultimo, wherein you make inquiry relative to the application of John D. Aaron for the identification of himself and minor children as Mississippi Choctaws.

In reply to your letter you are informed that on February 2, 1903, the Commission rendered its decision refusing the application made by John D. Aaron for the identification of himself and his nine minor children as Mississippi Choctaws, and on the same date he was notified of the action of the Commission and that he would be allowed fifteen days from the date of said decision within which to file arguments in support of his claim to be forwarded to the Secretary of the Interior.

The fifteen days from February 2, 1903, heretofore granted in this case, will expire on February 17, 1903. On February 18, 1903, the record in this case, together with any arguments which may be offered for filing in support thereof, will be forwarded to the Secretary of the Interior. The applicant will be duly

R. C. J.----2

notified of such action as may be taken by him.

Respectfully,

Acting Chairman.

M C R 2009

Muskogee, Indian Territory, February 14, 1903.

Harley & Young,
Attorneys at Law,
Wilburton, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 9th instant, in which you state you have been informed that the application of John D. Aaron for "enrollment as a Mississippi Choctaw has been refused"; that you have been asked to file an argument in his behalf to be sent to the Secretary. You ask to be advised on what grounds his application was refused.

In reply to your letter you are informed that John D. Aaron, present post office address Lodi, Indian Territory, made application for the identification of himself and his minor children as Mississippi Choctaws.

The Commission, on February 2, 1903, rendered its decision refusing his application, and on the same date he was notified by registered mail of the action of the Commission and that he was granted fifteen days from the date of said decision within which to file arguments in support of his claim to be forwarded to the Secretary of the Interior. The fifteen days from February 2, 1903, heretofore granted in this case, will expire on February 17, 1903. On February 18, 1903, the record in the case, together with

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Such arguments as may be submitted, will be forwarded to the Secretary of the Interior.

Relative to that part of your letter inquiring on what grounds the application of John D. Aaron was refused, you are advised that the Commission requires that applicants for identification as Mississippi Choctaws reasonably demonstrate that they are descendants of Choctaw ancestors who resided in the old Choctaw Nation in Mississippi and Alabama in 1830 and complied or attempted to comply with the provisions of article fourteen of the Choctaw treaty of 1830. No evidence of this character has been submitted in behalf of this claimant.

Respectfully,

Acting Chairman.

COPY.

Muskogee, Indian Territory, February 18, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of John D. Aaron, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of February 2, 1903.

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,

Tame Dixby.
Acting Chairman.

Through the
Commissioner of Indian Affairs.

3 inclosures: M.C.R. 2609

Muskogee, Indian Territory, February 19, 1903.

Neal, Neal & Andrews,
Attorneys at Law,

Wilburton, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of the 14th instant, in which you state that you have been employed in the case of John D. Aaron, et al., applicants for identification as Mississippi Choctaws, and that you have been allowed until the 17th instant to file argument and brief; that the time is so limited it would be impossible for you to accomplish anything in that time; that you are informed that proof of the grant of land to Mississippi ancestors can be produced, and ask that the case be continued to enable you to introduce such proof.

In reply to your letter you are informed that the fifteen days from February 2, 1903, heretofore granted the applicant in this case in which to submit arguments in support of his claim to be forwarded to the Secretary of the Interior, expired on February 17, 1903. On February 18, 1903, the record in the case, together with the decision of the Commission, was forwarded the Secretary of the Interior. Pending action thereon by him the Commission can not receive or consider further evidence. The applicant will be duly notified of such action as may be taken by the Secretary.

MEMORANDUM

You are further advised that the persons who allowed applicants in Mississippi Choctaw cases to make oral arguments in support of their claims to be forwarded to the Secretary of the Interior are granted under specific departmental instructions and cannot be extended.

Respectfully,

Acting Chairman.

M.C.H. 2609

Muskogee, Indian Territory, July 10, 1903.

John D. Aaron,

Lodi, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of June 3, 1903, remanded to this Commission the record theretofore forwarded to the Department in the Mississippi Choctaw case of John D. Aaron, et al., with instructions that the applicants be granted an opportunity to introduce further testimony in support of their claim.

It appears from the records in this case that the principal applicant claims his Choctaw blood from his mother, Ann Aaron, whose father, William Lightfoot, was a full blood Choctaw.

The Secretary of the Interior in his letter states: "It appears that there was a William Lightfoot who complied with the provisions of article 14 of the treaty of September 27, 1830, and that a patent was issued to him conveying a tract of land situated near Demopolis, Alabama."

The Commission is directed to advise you that said records relating to the compliance of persons with the provisions of article 14, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

1st. Their description.

2nd. Their residence and improvements, (usually locating the same by reference to some town, county, body of water or public

J.D.A.---3

road.)

3rd. Their Choctaw as well as their English names.

4th. The names and number of the persons who composed their families.

5th. The names of their neighbors and immediate associates,

and that for the purpose of comparison, testimony of like character should be furnished relative to the applicant's ancestors.

You are advised that the Commission is averse to the acceptance of ex parte affidavits in support of Mississippi Choctaw cases, and prefers, whenever possible, to have the personal appearance of witnesses for examination under oath. In the event that such witnesses are unable to make personal appearance on account of old age or infirmity, or are non-residents of Indian Territory, their depositions may be considered when taken in conformity with the rules and regulations governing the procedure in the taking and submission of depositions in support of applications for identification as Mississippi Choctaws, a copy of which rules and regulations is herewith enclosed.

In accordance with the instructions above referred to, you are hereby notified that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, up to and inclusive of Tuesday, August 11, 1903, hear the testimony of such

J.B.A.---

witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered in support of the above case.

Respectfully,

Commissioner in Charge.

R & R Dep.

Registered.

M.C.R. 2609

Muskogee, Indian Territory, July 10, 1903.

Mansfield, McMurray & Cornish,

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

Gentlemen:

The Secretary of the Interior with his letter of June 3, 1903, remanded to this Commission the record theretofore forwarded to the Department in the Mississippi Choctaw case of John D. Aaron, et al., with instructions that the applicants be granted an opportunity to introduce further testimony in support of their claims.

In accordance with said instructions you are hereby notified that the Commission to the Five Civilized Tribes will, at its office at Muskogee, Indian Territory, up to and inclusive of Tuesday, August 11, 1903, hear the testimony of such witnesses as may present themselves in person, and receive for consideration such documentary evidence as may be offered in support of the above case.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, August 12, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On February 18, 1903, the Commission transmitted to the Department the record in the Mississippi Choctaw case of John D. Aaron, et al., together with its decision of February 8, 1903, refusing the application made by John D. Aaron for the identification of himself and minor children as Mississippi Choctaws.

With departmental letter of June 3, 1903 (I T D 3846-1903), the record in this case was remanded in order that the principal applicant might be granted further opportunity to introduce additional evidence.

In accordance therewith the Commission on July 10, 1903, notified the principal applicant, John D. Aaron, that he would be allowed up to and inclusive of August 11, 1903, to introduce additional evidence in support of the application made by him for the identification of himself and minor children as Mississippi Choctaws, and on the same date notice to the same effect was furnished the attorneys for the Choctaw and Chickasaw Nations.

On August 3, 1903, R. E. Terry appeared before the Commission and gave testimony in support of this case.

The applicants herein have failed to show that the William Lightfoot, through whom they claim, is the identical William Lightfoot whose name appears upon the records of the government of those who received land under the provisions of the 14th article of the Choctaw treaty of 1830.

The additional proceedings in the Mississippi Choctaw case of John B. Aaron, et al., together with the original record in the case, are therefore herewith transmitted.

Respectfully,

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

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(C O P Y)

D.C. 30793

DEPARTMENT OF THE INTERIOR,

J.W.H.

I.T.D. 3546-1903.

W A S H I N G T O N.

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1014-1904.

August 19, 1904.

2368- "

LRS.

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

Gentlemen:

August 12, 1903, you resubmitted the record in the matter of the application of John D. Aaron (M.C.R.2609), et al, for identification as Mississippi Choctaws.

The record in this case was returned to you June 3, 1903, for further investigation, to permit the applicants to show, if possible, that their ancestor, William Lightfoot, from whom they claim descent through Ann Aaron, was the identical William Lightfoot who received a patent, under article 14 of the treaty of September 27, 1830, for lands located in Township 20 North, Range 1 West, Demopolis Land District, on the Tombigbee River.

In accordance with the Department's instructions, additional testimony was taken in the case. At the rehearing of August 3, 1903, R.F. Terry, who was born in Alabama in 1824, testified that a Choctaw by the name of William Lightfoot resided near Demopolis, on the Tombigbee River, upon land which, it was understood in the neighborhood, was obtained from the Government under the treaty of 1830; furthermore, that said Lightfoot, in 1834, was the father of four children, the oldest of

whom was a girl named Ann, who was then about seven or eight years of age.

This child Ann must have been, according to the theory upon which the additional testimony was presented, the mother of the principal applicant.

The testimony furnished by Mr. Terry is considered as being not without force to show that William Lightfoot whom he knew was the identical person with William Lightfoot, the patentee. His testimony, however, has been considered in connection with that taken at the original hearing, June 11, 1901, respecting the mother and grand-father of the principal applicant, and it is found that the testimony taken at these two hearings is inharmonious in such a degree that the identification of these applicants would be unwarranted.

Reporting in the matter February 2, 1904, the Acting Commissioner of Indian Affairs recommended that your decision of February 2, 1903, rejecting these applicants, be approved.

The Department concurs in this recommendation; your decision is hereby affirmed.

A copy of Indian Office letter of February 2, 1904, is inclosed.

Respectfully,

(signed) Thos Ryan

Acting Secretary.

1 inclosure.

(C O P Y)

Land. 52550-1903.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, February 2, 1904.

The Honorable,

Secretary of the Interior.

Sir:

I have the honor to state that on April 1, 1903, this office made report upon the application of John D. Aaron for himself and his nine minor children, Savannah, Charlie, John, Harrison, Joe, Cleveland, Georgia, Dewey, and Sarah

Aaron for identification as Mississippi Choctaws a decision adverse to the applicants having been rendered by the commission to the five civilized tribes on February 2, 1902.

It appearing that the principal applicant, John D. Aaron is a quarter blood Choctaw, having obtained his Choctaw blood from his mother, Ann Aaron, whose father was a full blood Choctaw named William Lightfoot, and that the records of this office disclosed the fact that the name of William Lightfoot appears among those who received land under the provisions of the 14th article of the treaty of 1830, the office recommended that the case be remanded to the Commission with direction to afford the applicants another opportunity to prove their claim.

The record in the case was transmitted by the

Department on June 3, 1903, to the Commission for proper action.

In its report of August 12, 1903, the Commission states that in accordance with Department instructions the principal applicant was notified on July 10, 1903, that he would be allowed up to and including August 11, 1903, to introduce additional evidence in support of the application of himself and his minor children for identification as Mississippi Choctaws and that on the same date notice to the same effect was furnished the attorney for the Choctaw and Chickasaw nations; and that on August 3, 1903, R.E. Terry appeared before the Commission and gave testimony in support of the case.

The Commission holds that the applicants have failed to show that William Lightfoot, through whom they claim, is the identical William Lightfoot whose name appears on the records of the government of those who received lands under the provisions of the 14th article of the Choctaw treaty of 1830.

The office has considered the evidence given by the witness Terry in this case and is unable to reach a conclusion therefrom different from that arrived at by the

- 3 -

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

The record in the case is herewith enclosed with a copy of this report.

Very respectfully,

(signed) A.C. Tomner,
Acting Commissioner.

EBF-B

M C R 2499

Muskogee, Indian Territory, August 27, 1904.

John D. Aaron,

Lodi, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 8th instant, by reference from the Secretary of the Interior. Therein you ask to be advised the status of your application for identification as a Mississippi Choctaw.

In reply to your letter you are informed that on August 12, 1903, the record in the matter of the application made by you for the identification of yourself and minor children as Mississippi Choctaws, together with the additional proceedings had since the remanding of your case by the Department on June 3, 1903, was forwarded the Secretary of the Interior and up to the present time this office has not been advised of any departmental action in this matter.

When your rights are finally determined by the Department and the Commission is advised thereof, you will be promptly notified.

Respectfully,

Chairman.

M.C.R. 2609

Muskogee, Indian Territory, September 25, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nation,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 19th day of August, 1904, 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 John D. Aaron, et al., of which decision you were advised by mail on the 2nd day of February, 1903.

Respectfully,

Chairman.

M.C.R. 2609

Muskogee, Indian Territory, September 26, 1904.

Harley & Young,

Attorneys at Law,

Wilburton, Indian Territory.

Gentlemen:

You are hereby notified that on the 19th day of August, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered February 2, 1903, refusing the application for identification as Mississippi Choctaws of the several persons included in the case of John D. Aaron, et al.

Respectfully,

Chairman.

M.C.R. 2609

Muskogee, Indian Territory, September 26, 1904.

Neal, Neal & Andrews,
Attorneys at Law,
Wilburton, Indian Territory.

Gentlemen:

You are hereby notified that on the 19th day of August, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered February 2, 1903, refusing the application for identification as Mississippi Choctaws of the several persons included in the case of John D. Aaron, et al.

Respectfully,

Chairman.

M.C.R. 2609

Muskogee, Indian Territory, September, 26, 1904.

T. E. Foster,

Attorney at Law,

South McAlester, Indian Territory.

Dear Sir:

You are hereby notified that on the 19th day of August, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered February 2, 1903, refusing the application for identification as Mississippi Choctaws of the several persons included in the case of John D. Aaron, et al.

Respectfully,

Chairman.

M.C.R. 2609

Muskogee, Indian Territory, September 26, 1904.

John D. Aaron,

Lodi, Indian Territory.

Dear Sir:

You are hereby notified that on the 19th day of August, 1904, the Secretary of the Interior affirmed the decision of this Commission, refusing your application for identification as Mississippi Choctaws of yourself, and children, Savannah Aaron, Charley Aaron, John Aaron, Harrison Aaron, Joe Aaron, Cleveland Aaron, Georgia Aaron, Dewey Aaron and Sarah Aaron, of which decision you were advised by registered mail on the 24 day of February 1903.

Respectfully,

Chairman.

MASTERTON PEYTON WM. M. HARRISON R. F. BLAIR

Peyton, Harrison & Blair

ATTORNEYS AND SOLICITORS

OFFICE MASONIC BUILDING, CORNER BROADWAY AND SECOND

Muskogee, Indian Ter. June 17, 1905.

Hon. Tams Bixby, Chairman of Commission to the Five Civilized Tribes.

My Dear Sir:-

Muskogee, I. T.,

I have jst been retained in the Choctaw enrollment case in behalf of J. D. Aaron, Savenah Aaron, Charles Aaron, John, Harrison, Joe, Cleveland, Georgia, and Dewey Aaron, Application for enrollment was made at Atoka in the fall of 1901 and evidence taken before your Commission some time thereafter.

Please be kind enough to have the Chief Clerk of the Choctaw Enrollment Department send me by bearer copy of the proceedings and evidence.

Thanking you in advance for your kind compliance with this request, I am,

Very truly yours,

Masterton Peyton

Papers will be returned this afternoon

W. P.

Delivered in person on the above date.

Testimony & decision

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M C R 2609

Muskegee, Indian Territory, June 20, 1905.

E. F. Lester,
Attorney at Law,

Wilburton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, requesting to be advised the status of the Mississippi Choctaw case of John D. Aaron, et al., and if additional evidence will be received in case the applicants have been refused.

Replying to your inquiry you are informed that on August 19, 1904, the Secretary of the Interior approved the Commission's decision of February 2, 1903, refusing the applications of the several persons included in the Mississippi Choctaw case of John D. Aaron, et al., of which departmental action they were duly notified on September 28, 1904.

The Commission considers this case closed and is without authority to receive or consider any further evidence in support thereof.

Respectfully,

Chairman.

9/25/05

Recd of Commissioner to the
5 Inbes copy of testimony of
John Aaron & R F Terry
in the case of John
Aaron et al

W. Roseworth

Muskogee, Indian Territory, October 30, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

In the matter of the Mississippi Choctaw case of John D. Aaron, et al., the record therein, together with the decision of the Commission to the Five Civilized Tribes refusing the applicants in this case, was, on February 18, 1903, transmitted to the Department.

On June 3, 1903, (I T D 3546-1903), the Department remanded the record in the case of John D. Aaron, et al., with instructions that the applicants be given an opportunity to present further testimony in support of their claims.

The Commission to the Five Civilized Tribes, on August 12, 1903, returned to the Department the remanded record in this case, together with additional proceedings had in conformity with Departmental instructions of June 3, 1903.

August 19, 1904 (I T D 3546-1903, 1014-1904, 2368-1904), the Department approved the decision of the Commission to the Five Civilized Tribes rendered February 2, 1903, refusing to identify as Mississippi Choctaws John D. Aaron, et al.

On October 21, 1905, this office received from Chas. H. Hudson an attorney at law of Wilburton, Indian Territory, a petition for

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a rehearing in the Mississippi Choctaw case of John D. Aaron, et al., accompanied by the affidavit of Zachariah Colbert. Said papers are herewith transmitted for the consideration of the Department.

Respectfully,

Commissioner.

Through the Commissioner
of Indian Affairs.

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MUR 2609

Muskogee, Indian Territory, October 30, 1905.

Chas. H. Hudson,
Attorney at Law,

Wilburton, Indian Territory.

Dear Sir:

Referring to your letters of September 22nd and October 20th, 1905, with which latter communication you enclosed a motion for rehearing in the Mississippi Choctaw case of John D. Aaron, et al., you are advised that said motion has this day been forwarded to the Department for consideration. Rehearings in Mississippi Choctaw cases are only granted by the Secretary of the Interior, where sufficient reason appears for so doing.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

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I.T.D. #546-1903.
1014-1904.
2368- "
16628-1905.
1121-1906.

May 4 1906

LRS.

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

Sir:

With letter dated October 30, 1905, you transmitted a petition for a rehearing in the Mississippi Choctaw case of John D. Aaron, et al. Said petition was filed, as you stated, by Charles H. Hudson, on behalf of the applicants, on October 21, 1905. It bears proper evidence of service upon the attorneys for the Choctaw and Chickasaw Nations.

The records of the Department show that it rendered a decision in this case August 19, 1904, adverse to the applicants.

The claim of John D. Aaron and his children is based upon the allegation that he is the grandson of a citizen of the old Choctaw Nation named William Lightfoot, descent from him being claimed through his daughter, Ann Aaron, who married Charley Aaron. This case demands particular attention, inasmuch as there was a person named William Lightfoot, to whom a patent was granted under article 14 of the treaty of September 27, 1830, between the Choctaw Nation and the United States. Considerable evidence has been furnished tending to show that William Lightfoot, the grandfather of the principal applicant, was identical in

person with the William Lightfoot who received the benefits of said treaty. Owing to the great lapse of time it has been, as yet, impossible for the applicants to furnish satisfactory testimony showing the early history of their grandfather. This difficulty appears to be due to the fact that his residence for a number of years was in the western part of Alabama, presumably near Demopolis, but that later he removed to the eastern part of Mississippi. The record contains evidence showing his residence in each of said states, and also his removal from one to the other. It now appears, according to the petition referred to above, which is supported by the affidavit of Zachariah Colbert, whose testimony it is proposed to submit, that the latter was acquainted, not only with the applicants in this case, but also with their parents and grandparents; that he lived in the neighborhood of the latter and is well informed as to the names and number of the persons who constituted the family. As Mr. Colbert is now over 85 years of age, it is considered important that his knowledge concerning the case be preserved and made a matter of record as soon as possible.

You are directed to cause his testimony to be taken. If possible, he should appear in person before you, but if owing to ill-health or old age such appearance is impossible, you will cause to be prepared interrogatories directing cross-interrogatories, to be answered by him. In conducting this investigation you are referred to departmental letter of April 2, 1903, in the Harriet Adkins case, and requested to examine the witness fully

along the lines therein suggested. In so doing, you are further requested, in the examination of the witness, to cover in detail, according to said letter, the period during which the proposed witness knew William Lightfoot in Mississippi, also the period during which he knew Lightfoot in Alabama.

Please advise all parties in interest fully of the nature of the investigation to be made, as well as the time and place of making the same. The action heretofore taken in the case is hereby set aside, and all the papers relating to the matter are inclosed for your convenience.

Respectfully,

Thos Ryan

First Assistant Secretary.

Through the Commissioner
of Indian Affairs.

5 inclosures.

M C R 2609

COPY.

Muskogee, Indian Territory, May 21, 1906.

John D. Aaron,
Lodi, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of May 4, 1906 (I T D 3546-1903, 1014-1904, 2368-1904, 16628-1905, 1121-1906) returned to this office the record theretofore forwarded the Department in the matter of your application for the identification of yourself and minor children as Mississippi Choctaws, with instructions that the Commissioner to the Five Civilized Tribes hear the testimony of one Zachariah Colbert, whose affidavit was attached to a petition for rehearing in this case filed with this office by Chas. H. Hudson, attorney at law, Wilburton, Indian Territory, October 21, 1905.

It appears from the record in the case that your claim is based upon the allegation that you are the grandson of a citizen of the old Choctaw Nation named William Lightfoot, descent from him being claimed through his daughter, Ann Aaron, who married Charley Aaron.

It appears from the records of the government that a patent was granted under article 14 of the treaty of 1830 to a person named William Lightfoot, and you are advised that said records relating to the compliance of persons with the provisions of

J D A 2

article 14 of said treaty, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

1st. Their description.

2nd. Their residence and improvements (usually locating the same by reference to some town, county, body of water or public road).

3rd. Their Choctaw as well as their English names.

4th. The names and number of the persons who composed their families.

5th. The names of their neighbors and immediate associates.

For the purpose of comparison, testimony of the above character should be furnished relative to your ancestors.

This office is directed by the Department to cover in detail in the examination of the witness Zachariah Colbert, the period during which he knew William Lightfoot in Mississippi, also the period that he knew Lightfoot in Alabama, as it appears that William Lightfoot's residence was for a number of years in the western part of Alabama, presumably near Demopolis, but that later he removed to the eastern part of Mississippi.

In accordance with the instructions of the Secretary of the Interior of May 4, 1906, you are hereby notified that the Commissioner to the Five Civilized Tribes will, at his office at

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Muskogee, Indian Territory, on Wednesday, June 6th, 1906, at nine o'clock A. M., hear the testimony of Zachariah Colbert in support of the application for the identification of yourself and minor children as Mississippi Choctaws.

Notice of this hearing has this date been furnished your attorney Chas. H. Hudson, Wilburton, Indian Territory, and Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

SIGNED *Wm. O. Beall.*

Acting Commissioner.

Registered.

M C R 2609

Muskogee, Indian Territory, May 21, 1906.

Charles H. Hudson,
Attorney at Law,
Wilburton, Indian Territory.

Dear Sir:

The Secretary of the Interior with his letter of May 4, 1906 (I T D 3546-1903, 1014-1904, 2368-1904, 16628-1905, 1121-1906), returned to this office the record theretofore forwarded the Department in the Mississippi Choctaw case of John D. Aaron, et al., with instructions that the Commissioner to the Five Civilized Tribes secure the testimony of one Zachariah Colbert whose affidavit was attached to your petition for a reopening of this case, filed with this office October 21, 1905, and forwarded the Department on the 30th of the same month.

It appears that the claim of John D. Aaron, et al. is based upon the allegation that he is the grandson of a citizen of the old Choctaw Nation named William Lightfoot, descent from him being claimed through his daughter, Ann Aaron, who married Charley Aaron.

It further appears that a patent was granted under article 14 of the treaty of September 27, 1830, to a person named William Lightfoot, and you are advised that the records of the

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government relating to the compliance of persons with the provisions of said article 14, contain certain information, as of the year 1830, relative to the persons whose names appear thereon, showing:

1st. Their description.

2nd. Their residence and improvements (usually locating the same by reference to some town, county, body of water or public road).

3rd. Their Choctaw as well as their English names.

4th. The names and number of the persons who composed their families.

5th. The names of their neighbors and immediate associates.

For the purpose of comparison, testimony of the above character should be furnished relative to John D. Aaron's ancestors.

This office is directed by the Department to cover in detail in the examination of the witness Zachariah Colbert, the period during which he knew William Lightfoot in Mississippi, also the period during which he knew Lightfoot in Alabama, as it appears that William Lightfoot's residence was for a number of years in the western part of Alabama, presumably near Demopolis, but that later he removed to the eastern part of Mississippi.

C H H 3

In accordance with the instructions of the Secretary of the Interior of May 4, 1906, you are hereby notified that the Commissioner to the Five Civilized Tribes will, at his office at Muskogee, Indian Territory, on Wednesday, June 6th, 1906, at nine o'clock A. M., hear the testimony of Zachariah Colbert in support of the Mississippi Choctaw case of John D. Aaron, et al.

Notice of this hearing has this date been furnished John D. Aaron, Lodi, Indian Territory, his last known post office address, and Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory.

Respectfully,

Acting Commissioner.

Registered.

M C R 2609

COPY.

Muskogee, Indian Territory, May 21, 1906.

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

Gentlemen:

The Secretary of the Interior with his letter of May 4, 1906, (I T D 3546-1903, 1014-1904, 2368-1904, 16628-1905, 1121-1906) returned to this office the record theretofore forwarded the Department in the Mississippi Choctaw case of John D. Aaron, et al., M C R 2609, with instructions that the Commissioner to the Five Civilized Tribes secure the testimony of one Zachariah Colbert, whose post office address appears to be Kinta, Indian Territory, and whose affidavit was attached to the petition upon which this case was remanded, said petition having been filed with this office October 21, 1905, by Chas. H. Hudson, attorney at law, Wilburton, Indian Territory, and which was forwarded to the Secretary of the Interior October 30, 1905.

It appears that the claim of John D. Aaron, et al. is based upon the allegation that he is the grandson of a citizen of the old Choctaw Nation named William Lightfoot, descent from him being claimed through his daughter, Ann Aaron, who married Charley Aaron.

M McM & C 2

It appears from the records of the government that a patent was granted under article 14 of the treaty of 1830 to a person named William Lightfoot, and this office is directed by the Department to cover in detail in the examination of the witness Zachariah Colbert, the period during which he knew William Lightfoot in Mississippi, also the period that he knew Lightfoot in Alabama, as it appears that William Lightfoot's residence for a number of years was in the western part of Alabama, presumably near Demopolis, but that later he removed to the eastern part of Mississippi.

In accordance with the instructions of the Secretary of the Interior of May 4, 1906, you are hereby notified that the Commissioner to the Five Civilized Tribes will, at his office at Muskogee, Indian Territory, on Wednesday, June 6th, 1906, at nine o'clock A. M., hear the testimony of Zachariah Colbert in support of the application of John D. Aaron, et al. for identification as Mississippi Choctaws.

Respectfully,

SIGNED *Wm. O. Beall.*

Acting Commissioner.

Registered.

M C R 2609

Muskogee, Indian Territory, June 2nd, 1906.

Chas. H. Hudson,
Attorney at Law,
Wilburton, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 31st ultimo, enclosing postal money order for fifty cents and requesting to be informed as to the whereabouts of one Zachariah Colbert, a witness in the Mississippi Choctaw case of John D. Aaron, et al.

In reply you are informed that this office is unable to find the name of Zachariah Colbert upon its records and therefore cannot furnish you any information in regard to his residence. The money order enclosed by you is herewith returned.

Respectfully,

Commissioner.

MoM 2/11

M C R 2609

Muskogee, Indian Territory, June 6, 1906.

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

Gentlemen:

Upon motion filed with this office this date by Chas. H. Hudson and Peyton & Blair, attorneys, a continuance until September 10, 1906, has been granted in the Mississippi Choctaw case of John D. Aaron, et al., which was set for rehearing today.

Respectfully,

Commissioner.

M C R 2609

Muskogee, Indian Territory, June 6, 1906.

Chas. H. Hudson,
Attorney at Law,
Wilburton, Indian territory.

Dear Sir:

Receipt is acknowledged of your motion for a continuance of ninety days, or until September 10, 1906, in the Mississippi Choctaw case of John D. Aaron, et al. The same is hereby granted.

Respectfully,

Commissioner.

M C R 2609

Muskogee, Indian Territory, June 6, 1906.

Peyton & Blair,
Attorneys at Law,
Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of motion signed Chas. H. Hudson & Peyton & Blair, for a continuance until September 10, 1906, in the Mississippi Choctaw case of John D. Aaron, et al. Said motion has this day been granted.

Respectfully,

Commissioner.

COPY

Waukegee, Indian Territory, November 30, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

In the matter of the Mississippi Choctaw case of John D. Aaron, et al., the record therein, together with the adverse decision of the Commission to the Five Civilized Tribes of February 2, 1903, was, on February 18, 1903, forwarded the Department for consideration.

The Department, on June 3, 1903 (I T D 3846-1903), remanded the record in this case in order that the principal applicant might have an opportunity to introduce additional evidence in support of said case.

August 12, 1903, the record and additional proceedings had in conformity with Departmental instructions of June 3, 1903, were transmitted the Department.

August 19, 1904 (I T D 3546-1903, 1014-1904, 2368-1904), the Department affirmed the decision of the Commission to the Five Civilized Tribes of February 2, 1903, refusing to identify the applicants as Mississippi Choctaws.

October 21, 1905, this office received from Chas. H. Hudson, an attorney of Wilburton, Indian Territory, a petition for a rehearing of the Mississippi Choctaw application of John D. Aaron, et al., which petition was supported by the affidavit of one Zachariah Colbert.

The above mentioned petition was granted by the Department on May 4, 1906 (I T D 3546-1903, 1014-1904, 2368-1904, 16628-1905, 1121-1906), and on May 21, 1906, this office notified John D. Aaron, Lodi, Indian Territory, his attorney Chas. H. Hudson, Wilburton, Indian Territory, and Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, that in accordance with the instructions of the Secretary of the Interior of May 4, 1906, the Commissioner to the Five Civilised Tribes would, at his office at Muskogee, Indian Territory, on Wednesday, June 6th, 1906, at nine o'clock A. M., hear the testimony of Zachariah Colbert in support of the application of John D. Aaron, et al. for identification as Mississippi Choctaws.

June 6, 1906, there was filed in this office by Chas. H. Hudson and Peyton & Blair, attorneys for the applicants, a petition praying for a continuance of ninety days in this case, or until September 10, 1906, in order that they might locate their witness,

Zachariah Colbert. This petition was granted by the Commissioner the same day it was filed.

The continuance asked for having long since expired, and no further action apparently having been taken in the matter by the principal applicant or his attorneys, it is respectfully recommended that the decision of the Department of August 19, 1904, refusing the applicants, be adhered to.

The papers in the case are herewith transmitted.

Respectfully,

SIGNED *Tams Bixby.*

Commissioner.

Through the Commissioner
of Indian Affairs.

McM 30/2

(COPY)

C. R. W.

DEPARTMENT OF THE INTERIOR, LWB
WASHINGTON.

I. T. D. 3546-1903.
274-1907.

January 24, 1907.

D. C. 5757.

L. R. S.

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

Sir:

January 5, 1907 (Land 105951-1906), the Indian Office transmitted the record in the matter of the Mississippi Choctaw enrollment case of John D. Aaron, et al., wherein on May 4, 1906, the Department ordered a rehearing.

As no additional evidence has been submitted and no witnesses produced by the applicants, you recommended that the decision of the Department of August 19, 1904, adverse to the applicants, be reaffirmed.

The Indian Office concurs in your recommendation. A copy of its letter is inclosed.

The Department also concurs. The application is denied.

The papers in the case have been sent to the Indian Office for its files.

Respectfully,

Thos. Ryan,

First Assistant Secretary

Through the Commissioner
of Indian Affairs.

1 inc. and 2 to Ind. Of.

(C O P Y)

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

Land.
105951-1906.

January 5, 1907.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to invite your attention to the enclosed letter of November 30, 1906, from Tams Bixby, Commissioner to the Five Civilized Tribes, who returns the record in the matter of the Mississippi Choctaw application of John D. Aaron, et al., wherein on May 4, 1906 (I. T. D. 1121-1906), the Department directed a rehearing.

On May 21, 1906, the Commissioner notified John D. Aaron, Ledi, Indian Territory, his attorney, Charles H. Hudson, Wilburton, Indian Territory, and Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations, South McAlester, that in accordance with the instructions of the Department of May 4, he would at his office at Muskogee, on Wednesday, June 6, 1906, at 9 o'clock A. M., hear the testimony of Zachariah Gilbert in support of the application of John D. Aaron et al. for identification as Mississippi Choctaws.

On June 6, 1906, there was filed with the Commissioner's Office by Charles H. Hudson and Peyton N. Blair, attorneys for the applicants, a petition praying for a continuance of 90

days in the case or until September 10, 1906, in order that they might locate their witness, Zachariah Colbert. The petition was granted by the commissioner the same day it was filed.

The time granted under the extension of 30 days having expired, the commissioner, under date of November 30, reports that no further action has been taken by the principal applicant or his attorneys, no additional evidence submitted and no witnesses produced, and recommends that the decision of the Department of August 19, 1904, refusing the identification of the applicants be reaffirmed. He returns the papers.

In view of the failure of the petitioners to produce the additional evidence which they allege was procurable, I concur in the recommendation of the commissioner that the original decision rejecting the applicants be reaffirmed.

Very respectfully,

C. F. Iarrabee,

Acting Commissioner.

EBH-Y.

MCR-2609

Muskogee, Indian Territory, February 7, 1907.

John D. Aaron,
Lodi, Indian Territory.

Dear Sir:-

There is enclosed herewith copy of Departmental letter of January 24, 1907, accompanied by the report of the Acting Commissioner of Indian Affairs of January 5, 1907, reaffirming the decision of the Department of August 19, 1904, adverse to the applicants in the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

WIM.
Encl. 7/8

Commissioner.

MUR-2609

Muskogee, Indian Territory, February 7, 1907.

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

Gentlemen:-

There is enclosed herewith copy of Departmental letter of January 24, 1907 (I T D 3546-1903,274-1907), accompanied by the report of the Acting Commissioner of Indian Affairs of January 5, 1907 (Land 108951-1906), reaffirming the decision of the Department of August 19, 1904, adverse to the applicants in the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

Commissioner.

WLM.
Encl. 7/0

MCR-2609

Muskogee, Indian Territory, February 7, 1907.

Chas. H. Hudson,
Attorney at Law,
Wilburton, Indian Territory.

Dear Sir:-

There is enclosed herewith copy of Departmental letter of January 24, 1907, accompanied by the report of the Acting Commissioner of Indian Affairs of January 5, 1907, re-affirming the decision of the Department of August 19, 1904, adverse to the applicants in the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

VLM.
Encl. 7/10

Commissioner.

MCR-2609

Muskogee, Indian Territory, February 7, 1907.

Peyton & Blair,
Attorneys at Law,
Muskogee, Indian Territory.

Gentlemen:-

You are hereby notified that on January 24, 1907,
the Secretary of the Interior reaffirmed the decision of the
Department of August 19, 1904, adverse to the applicants in
the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

Commissioner.

MCR-2609

Muskogee, Indian Territory, February 7, 1907.

Neal, Neal & Andrews,
Attorneys at Law,
Wilburton, Indian Territory.

Gentlemen:-

You are hereby notified that on January 24, 1907,
the Secretary of the Interior reaffirmed the decision of the
Department of August 19, 1904, adverse to the applicants in
the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

Commissioner.

MCR-2609

Muskogee, Indian Territory, February 7, 1907.

Harley & Young,

Attorneys at Law,

Wilburton, Indian Territory.

Gentlemen:-

You are hereby notified that on January 24, 1907, the Secretary of the Interior reaffirmed the decision of the Department of August 19, 1904, adverse to the applicants in the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

Commissioner.

MCR-2609

Muskogee, Indian Territory, February 7, 1907.

E. F. Lester,
Attorney at Law,
Wilburton, Indian Territory.

Dear Sir:-

You are hereby notified that on January 24, 1907, the Secretary of the Interior reaffirmed the decision of the Department of August 19, 1904, adverse to the applicants in the Mississippi Choctaw case of John D. Aaron et al.

Respectfully,

Commissioner.

Department of the Interior

RECEIVED

APR 11 1904

Enc. No. 2 - 261

6

16628

Copy

Report of the Commissioner for certifying registered claims under the 14th Article of the Wootaw Treaty of September 1830.

No on Schedule	Names of Reserves	What part of Section	Section	Township	Range	Count or Merit	Location Approved	Location Suspended.	Names of Witnesses their credibility and the substance of their Testimony.	Decision of Commissioner.
402	William Lightfoot		6	20	1	W.		Suspended	Matthew Labruce and John C. Whitsett certified by C. C. Scott, N.P. proving continued residence &c. as required by the Treaty. —	Approved W. W. Brown Comr.
	Cert. of location says N.W. 1/4 of 7 instead of N.E.	S. 1/2 N.E. 1/4	1 7	20 20	2 1	W. W.				

Department of the Interior
RECEIVED.
MAY 17 1904
Enc. No. 1 of 268
Indian Territory Division.

56840

5 16621

Copy

When located.	Names of reserves.	No. of children under 10 years.	No. of children over 10 years.	No. of sections entitled.	No. of sections located.	Parts.	Tracts				Number of acres.	In what State situated.	Land district.	Chiefs district.
							Section	Township	Range.	East or West.				
1834. September 29	William Lightfoot	3		1 3/4	1 3/4	Whole	6	20	1	West	1121.55	Alabama	Demopolis	Muskulatabee
"	"					NW 1/4	7	20	1	"				
"	"					South half	1	20	2	"		"	"	"
"	Ohio - go (in part)	4	3	2	2	West half	5	20	1	"	335.49	"	"	"
"	Jack Tom (in part)	4	"	2	2	NW 1/4	1	30	2	"	160.00	"	"	"
"	Jacob Daniels	4	"	2	2	Whole	3.3	20	1	"		"	"	"
"	"	"	"	"	"	Whole of fractional	28	20	1	"		"	"	"
"	"	"	"	"	"	NW 1/4 fractional	29	20	6	"	1326.07	"	"	"
"	"	"	"	"	"	NW 1/4	4	19	1	"		"	"	"

For Identification as a Mississippi Choctaw.

Date JUN 11 1901

Name John D. Aaron

Age 43 Blood 1/4

Post Office, Wilburton, L.T.

Father: Charley Aaron (dead)

Mother: Ann Aaron "

Claims through mother

Wife: Ann Aaron
(no claim for her)

Children:

- Savannah Aaron F 20
- Charley " 18
- John " 15
- Harrison " 12
- Joe " 10
- Cleveland " 8
- Georgia " F 5
- Derby " 3
- Sarah " 4 mo.

Claims for himself and nine minor children.

Stenographer

Henry G Hains

Choctaw MCR 2610

Melinda Williams

MCR 2610

Department of the Interior/
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

#2610

In the matter of the application of Melinda Williams for identification as a Mississippi Choctaw.

Melinda Williams having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Melinda Williams.
Q What is your age? A Sixty-seven.
Q What is your post-office address? Cottondale, Wise County, Texas.
Q How long have you lived there? A Twenty years.
Q Where did you live before you lived there? A I lived in middle Texas for a while; I was born and raised in Mississippi.
Q And from Mississippi you moved to Texas? A Yes.
Q How long did you live in Mississippi? A I was something near 25 years old when I left there- somewhere between 21 and 25.
Q What is your father's name? A Paul Davis.
Q Is he living? A No.
Q What is your mother's name? A Eunice Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A My grandfather was a half.
Q Well how much do you claim? A How much would it be?
Q If your grandfather was a half, how much would your father be?
A He would be a third or a fourth.
Q If he was a fourth, how much would you be? A About a sixteenth, is it?
Q What is the half of a fourth? A I can't absolutely tell; I don't know nothing.
Q Is it about an eighth? A Yes.
Q You think then, you have about an eighth? A Yes.
Q Has your father, through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A I can't tell you whether he was or not.
Q Are you married? A I am a widow.
Q Have you any children under twenty-one years of age and unmarried?
A No, I aint got but one and she is twenty-eight.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw nation in the Indian Territory? A No, I don't guess it is; we have had our name there one time and it was done by fraud and we was out of it.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A Yes.
Q How long ago was it? A Six or seven years.
Q You made application to the Choctaw tribal authorities? Yes, we made application to this here man, but he was a fraud and he is in the Pen. now.
Q Did you ever go to the council-? A No, we-.
Q Did you ever appear before the Choctaw Council and make application?
A No, just before this man; he was all; I don't know his name.
Q What was he doing-? A He pretended to be getting up our claims.
Q Was he an attorney? A He claimed he was.
Q Well, you just gave him your case and papers-? A Yes.
Q You didn't make application to the Council then? A No only that man
Q Well, you said a while ago your names were on the rolls--? A No, I misunderstood.

- Q Did you or any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A I don't know whether I did.
- Q Did you ever make such application? A No.
- Q Did you authorize any one for you? A No, I never knew I could get in there in it--I was raised in the nation with the Choctaw Indians.
- Q Have you ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article of that treaty? A No.
- Q Article fourteen of the treaty of 1830 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 to the Agent his intention 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 may be 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 land 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 claiming 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." Do you claim under that article? A yes.

- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No, not as I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe in 1830 when the treaty of Dancing Rabbit Creek was entered in to between the United States and the Choctaw tribe of Indians? A Well, my grand-father was named Daniel Davis, and my father was named Paul Davis.
- Q Did they or one of them in live in Mississippi in 1830? A Yes.
- Q Which one? A Both of them.
- Q Have you any evidence showing that such ancestors were residents and recognized members of the Choctaw tribe at that time? A No. I am the oldest evidence there is but one cousin.
- Q Did this ancestor, or either of them, if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi or Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1835 to 1838? A No.
- Q If they did not remove with the other members of the tribe, did they or either of them, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A

- A I declare I can't tell you--I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No, not that I know of.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

A yes.

Affidavit of T.H. Parkman offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; affidavit of Susie Lord offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q Would you like time in which to file additional evidence? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this claim.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same will be made to the secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant is apparently a white woman.

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 all proceedings had in the above entitled cause on June 18, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

D. W. Livebaugh
Notary Public.

Muskogee, Indian Territory June 14, 1902.

Melinda Williams,
Cottondale, Texas.

Dear Madam:

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

Benjamin F. Davis, et al.,	N.C.R.	2617
Alice Edwards,	N.C.R.	1800
David V. Edwards, et al.,	N.C.R.	1801
Isham Edwards, et al.,	N.C.R.	1802
Eliza Edwards, et al.,	N.C.R.	1804
Benjamin P. Davis, et al.,	N.C.R.	2612
Paul Sanderford, et al.,	N.C.R.	2613
Mattie Hiblett, et al.,	N.C.R.	2614
Henry H. Davis, et al.,	N.C.R.	2615
James K. Davis, et al.,	N.C.R.	2616
George S. Davis, et al.,	N.C.R.	2618
John T. Sanderford, et al.,	N.C.R.	2619
Robert M. Davis, et al.,	N.C.R.	2620
Susan M. McLaughlin, et al.,	N.C.R.	2621
Melissa J. McLaughlin, et al.,	N.C.R.	2622
Rena L. Hossley, et al.,	N.C.R.	2623
Bettie Willingham,	N.C.R.	2624
Mary J. Looney, et al.,	N.C.R.	2625
Charley Davis,	N.C.R.	2626
John K. Davis,	N.C.R.	2627
Melinda Williams,	N.C.R.	2610
Matilda R. Ferguson, et al.,	N.C.R.	2611
Ada A. Morris, et al.,	N.C.R.	2628
Delila Dixon, et al.,	N.C.R.	2624

These applications were made under the provision of the act of Congress of June 28, 1896 (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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis, (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della K. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Rezie Davis, Walter Davis, Melvin Davis, Susan K. McLaughlin, Austin C. McLaughlin, Sirmie McLaughlin, Jennie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Mernon McLaughlin, Homer McLaughlin, Bennie McLaughlin, Rena L. Moseley, Clifton Moseley, Jennie V. Moseley, Roy Moseley, Bettie Willingham Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda K. Ferguson, John Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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)

James D. [Signature]

Acting Chairman.

Registered.

COPY

H.C.B. 2610

Muskogee, Indian Territory, November 15, 1902.

Melinda Williams,

Cottondale, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

Tammie P. Davis
Acting Chairman.

MISSISSIPPI
M. L. Williams
REFUSED

DECISION RENDERED. JUN 4 1902

NO. 10000 APPLICANT
JUN 14 1902

NO. 10000 APPLICANT
JUN 14 1902

REC.
JUN 14 1902

AS. 10000 APPLICANT
NOV 5 1902

NO. 10000 APPLICANT
NOV 17 1902

NO. 10000 APPLICANT
NOV 17 1902

2617

IDENTIFICATION AS 2610
MISSISSIPPI CHOCTAW.

For Identification as a Mississippi Choctaw.

Date JUN 19 1900

Name Melinda Williams

Age 67 Blood 1/8

Post Office, Cottondale, Texas.

Father: Paul Davis (dead)

Mother: Eunice Davis ..

* Claims through father

~~Children:~~

Claims for self alone.

Stenographer

Henry S. Hains

Choctaw MCR 2611

Metilda E Ferguson

MCR 2611

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, June 12, 1901.

43611

In the matter of the application of Matilda E. Ferguson for the identification of herself and her two minor children as Mississippi Choctaws.

Matilda E. Ferguson having been first duly sworn on her oath testified as follows:

Examination by the Commission:

- Q What is your name? A Matilda E. Ferguson.
- Q What is your age? A Fifty-three.
- Q What is your post-office address? A Rustace Texas.
- Q How long have you lived there? A Well, I have been living there, I reckon, about twenty year.
- Q Where did you live before you lived there? A In Mississippi.
- Q Were you born in Mississippi? A Yes.
- Q And lived there until you moved to Texas? A Yes.
- Q What is your father's name? A Paul Davis.
- Q Is he living? A No.
- Q What is your mother's name? A Eunice Davis.
- Q Is she living? A No.
- Q Through which one of your parents do you derive your Choctaw blood? A My father.
- Q How much Choctaw blood do you claim? A I claim one eighth.
- Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A Well, I don't know; I wasn't old enough then; I got this oldest sister of mine—
- Q Well, were they ever enrolled in this territory? A No.
- Q Are you married? A No, I am a widow.
- Q What was your husband's name? A Len Ferguson.
- Q Have you any children under twenty-one years of age and unmarried for whom you wish to make application? A Yes I have two.
- Q Give the names and ages of these children. A One is nineteen, Jehu Sanderford, going on nineteen; Minnie Sanderford is sixteen.
- Q You are the mother of these children? A Yes.
- Q What is the name of their father? A Gray Sanderford.
- Q Is he living? A No.
- Q Is your name or are the names of these children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No, I don't guess they are.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or them to be enrolled as members of that tribe? A No, nothing only what my sister told you a while ago.
- Q Well, you didn't make application to the tribal authorities of the Choctaw Nation? A No.
- Q Did you, or did any one for you in or then in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No, I reckon not.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the

- United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States for yourself or your children to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A All but that one we made--.
- Q Well, you didn't make any application to any authorities? A No.
- Q Then this the first? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q You are familiar with the provisions of that article? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors? A No.
- Q What was the name of your ancestors or ancestor who was residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in Mississippi in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Well, my father was named Paul Davis and my grand-father was Daniel Davis.
- Q Have you any evidence showing that they were recognized members of the Choctaw tribe of Indians in 1830? A Our cousins say that he can.
- Q Did these ancestors or either of them, if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Yes, my cousin says he can.
- Q Well, that is not what I asked you- I asked you if either of these ancestors removed from the territory occupied by the old Choctaw Nation to the present Choctaw Nation in Indian Territory at the time when all the other Indians came West from 1833 to 1838?
- A No, I reckon not.
- Q If they did not remove with the other members of the tribe, did either one of them within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No, I don't know anything about that.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of your application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits as under that article of that treaty?
- A We have got affidavits.

Affidavit of Susie Lord offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case;
 Affidavit of T.N. Parkmen offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q Do you want time in which to file additional evidence in this case?
 A Yes.

Thirty days from the date of this application in which to file any additional evidence in support of this application.

The decision of the Commissioner as to your application for the identification of yourself and your names children will be determined at the earliest possible date and should it come to pass be the Secretary of the Interior, conformable to the provisions of the 21st Section of the Act of Congress of July 10, 1900, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

Henry G. Hains being duly sworn on his oath states that as stated earlier to the Commission to the Five Civilized Tribes he reported in said all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July, 1901.

W. H. Hirschbaugh
Notary Public

Kuskogee, Indian Territory June 14, 1902.

Matilda K. Ferguson,
Kustace, Texas.

Dear Madam:

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

Benjamin V. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry W. Davis, et al.,	M.C.R.	2615
James R. Davis, et al.,	M.C.R.	2616
George G. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Mosley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda K. Ferguson, et al.,	M.C.R.	2611
Ada A. Morris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

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

M. E. F. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry K. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Simmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas F. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merman McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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,

Tame Dinby.

Registered.

Acting Chairman.

M.C.R. 2641

60
Muskogee, Indian Territory, November 15, 1902.

Matilda E. Ferguson,
Bustace, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

Tamm Dixie
Acting Chairman.

No. 2541

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name *Matilda O Ferguson*

Age *53* Blood *1/8*

Post Office, *Eustace, Texas*

Father: *Paul Davis (dead)*

Mother: *Eunice Davis "*

Claims through *father*

Husband: *Ron Ferguson dead*

Children:

Sanderford

John Sanderford 19

Minnie Sanderford 16

Father: *Gray Sanderford (dead)*

Claims for herself and two children.

Stenographer

Henry G. Hains.

J. W. Tallos, Raleigh, Miss
to Mrs. Matilda E. Sanford.

This letter was received at this office without any other communication to show from whom it came or why it was sent. Our records do not show that any person by the name of Sanford has ever applied for identification as Mississippi Choctaw Parties by the name of Sanderford, from Eustace, Texas applied for identification on June 12, 1901, and with this party was a Matilda M. Ferguson who applied for the identification of herself and two children, Jehu Sanderford and Minnie Sanderford, as Mississippi Choctaws. These were the children of a former husband, Gray Sanderford, and it is thought this is the person from whom the letter comes. She was not asked to furnish marriage license and certificate at the time of her appearance, as the children claiming their Choctaw blood through her, it was not thought necessary.
Atoka, July 10, 1901.

AB

Marilda L. Ferguson et al

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE ...

1926 11

NOTICE ...

RECORD

JUN 11 1902

ACTION

NOV 5 1902

NOTICE OF ... ACTION ...

NOTICE OF ... ACTION FOR ...

RECORD ...

Choctaw MCR 2612

Benjamin F Davis

MCR 2612

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ATOKA, I. T. JUNE 12, 1901.

#2612

In the matter of the application of Benjamin F. Davis for the identification of himself and his three minor children as Mississippi Choctaws.

Benjamin F. Davis having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Benjamin F. Davis.
Q What is your age? A Twenty-nine.
Q What is your post-office address? A Painesprings, Texas.
Q How long have you lived there? A About twenty years.
Q Where did you live before you lived there? A Mississippi.
Q Born in Mississippi? A Yes.
Q And lived there until you moved to Texas twenty years ago? A Yes.
Q What is your father's name? A R.M. Davis
Q Is he living? A Yes.
Q What is your mother's name? A Nancy J. Davis.
Q Is she living? A Yes /
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A He has been recognized.
Q Well, has he been recognized by the Choctaw tribal authorities or by the authorities of the United States? A By the authorities of the United States. *
Q In what way? A Well, he was just known by the authorities of the United States.
Q Well, in what way was he recognized as a member-? A Well, by evidence.
Q Well, did they put him on the rolls? A No, they didn't put him on the rolls.
Q Did they give him any certificate to show that he was Indian, a member of the tribe? A No, yes, only affidavits, evidence, you knew.
Q Well, how did the authorities of the United States--?
A Well, I mean the citizens of the United States.
Q Then the authorities of the United States never recognized your father as a member of the Choctaw tribe of Indians? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Myra Davis.
Q Do you make application on behalf of your wife? A I don't understand that.
Q Do you make application for your wife? A No.
Q She is a white woman and has no claim to Indian blood? A No, she don't claim any.
Q Have you any children in your family for whom you wish to make application at this time? A Yes, three.
Q Give the names and ages. A Della, six; Annie, four; and Ellie, two.
Q Is that all? A Yes.

- Q? Are you the father? A Yes.
- Q What is the name of their mother? A Myra Davis.
- Q When and where were you married to Myra Davis? A Parker County, Texas, in '93.
- Q Did you obtain a license to marry? A Yes.
- Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A By ordained minister.
- Q Have you your marriage license and certificate and did you desire to offer same in evidence? A I haven't any marriage license and certificate with me.

It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of your application on behalf of your minor children.

- Q Is your name or are the names of your children on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
- W Did you ever make application to the Choctaw tribal authorities in Indian Territory to have yourself or children enrolled as members of that tribe? A No.
- Q Did you or any one for you or your children, in 1896, make application to the Commission to the Five Civilized tribes for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or them to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes, I guess so.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Great-grandfather was named Daniel Davis and then my grandfather was named Paul Davis.
- Q Have you any evidence showing that these ancestors were recognized members of the Choctaw tribe at that time? A Yes, this one, Paul, I have evidence of.
- Q Did these ancestors, or either of them, if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi or Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A No.
- Q If they did not remove with the other members of the tribe did either one of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No, they didn't any move there in the expiration of that time.
- Q They didn't what? A They wasn't none that moved here in the expiration of that time.
- Q Did they within six months after the ratification of the treaty of 1830 go to the Indian Agent to the Choctaw Indians there in Mississippi and tell him that they didn't want to come West but wanted to stay in Mississippi and become citizens of the United

States? A They wanted to stay in Mississippi and become citizens of the United States.

- Q Did they go to the Indian Agent and tell him--? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements that you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.
- Q Do you want any time in which to file such evidence? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence in support of this application.

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined at the earliest possible date and report of same be made to the secretary of the Interior, conformable to the provisions of the 21st. section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

A. H. Linsbaugh
Notary Public.

Muskogee, Indian Territory, June 22, 1901.

Mr. B. F. Davis,

Paynespring, Texas,

Dear Sir:

The Commission is in receipt of marriage license and certificate between B. F. Davis and Miss M. E. Gibbs, which you offer for filing in support of your application for the identification of yourself and children as Mississippi Choctaws. The same has been duly filed with the other records in this case.

Yours truly,

Muskogee, Indian Territory, September 3, 1901.

Mr. Benjamin F. Davis,
Payne Springs, Texas.

Dear Sir:

Receipt is hereby acknowledged of joint affidavit of
W. A. Lingle and N. M. Mathews in regard to the marriage of Benjamin
F. Davis and Mary Ann Varner. Also letter of John D. Evans and
J. P. Henderson with reference thereto, which are offered for filing
in support of the application of Benjamin F. Davis for the identifi-
cation of himself and minor children as Mississippi Cheetaws.

The same have been filed and made a part of the record in
this case.

Yours truly,

M.C. 2612

Muskogee, Indian Territory June 14, 1902.

Benjamin F. Davis,
Paynespring, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Niblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James H. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert H. Davis, et al.,	M.C.R.	2620
Susan M. McLauchlin, et al.,	M.C.R.	2621
Melissa J. McLauchlin, et al.,	M.C.R.	2622
Rena I. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda B. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

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

B. F. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glenn Edwards, William Harlan Edwards, Isham Edwards, Mottie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Bevera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Laudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Sirmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merton McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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 Dwyer

Act ng Chairman.

Registered.

Miss. Choctaw R2613

Muskogee, Indian Territory, June 24, 1902.

B. P. Davis,
Caviness, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 20, asking if your application for identification as a Mississippi Choctaw has been allowed.

In reply to your letter you are advised that on June 11, 1902, the Commission rendered its decision refusing your application for the identification of yourself and your minor children as Mississippi Choctaws, and on June 14, 1902, you were advised of this decision by registered mail at Paynesprings, Texas, and on the same date the record in the case was forwarded to the Secretary of the Interior. You will be advised at a later date of the action taken by the Secretary of the Interior.

Yours truly,

W.C.R. 2613.

Muskogee, Indian Territory, September 4, 1902.

B.F. Davis,

Bustace, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 1st inst., enclosing letter of the Commission to you dated September 8, 1901, acknowledging receipt of the joint affidavit of V.A. Lingle and N.M. Mathews in regard to the marriage of Benjamin F. Davis and Mary Ann Varner; and letter of John D. Evans and J.P. Henderson.

You ask to be informed whether the documents referred to have been filed with the record in your case. You further ask if Nick Keen has been given his "right in the Choctaw Nation?"

In reply, you are informed that the joint affidavit of V.A. Lingle and N.M. Mathews, and the letter of John D. Evans and J.P. Henderson with reference to the marriage of Benjamin F. Davis and Mary Ann Varner were, on September 8, 1901, duly filed with the record in your case.

You are further advised that it appears from the records of the Commission that Nicholas Keen, 71 years of age, residence

B F D E

Caradan, Texas, is an applicant for the identification of himself and his minor grandchildren as Mississippi Choctaws.

The Commission has not up to this time rendered a decision in this case, but it is probable that a decision will be rendered in the near future when the applicant 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.

The letter of the Commission to you dated September 8, 1901, is herewith returned to you.

Yours truly,

Enc. B.I. 126.

Acting Chairman.

M.C.R. 2612

Maskogee, Indian Territory, November 15, 1902.

Benjamin F. Davis,
Paynespring, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

Thomas G. Bailey
Acting Chairman.

M C R 2612

Muskogee, Indian Territory, October 1, 1903.

Benjamin F. Davis,
Daphne, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th ultimo, in which you ask to be advised relative to securing a re-hearing in the matter of your application for identification as a Mississippi Choctaw.

In reply you are informed that motions for re-hearings are granted in those cases 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 Choctaw Nation in 1830 and heads of families, and, as such, complied or attempted to comply in person or by proxy, with the provisions of article 14 of 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 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; in others the applicant can accomplish the same result by showing that an ancestor of theirs was identical in person with one of the

B F D 2

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 re-hearings should be addressed to the Department through the Commission 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,

Chairman.

For Identification as a Mississippi Choctaw.

Date JUN 19 1901

Name Benjamin F. Davis

Age 29 Blood 1/16

Post Office, Payne Spring, Tex

Father: R. M. Davis

Mother: Nancy J. Davis

Claims through Father

Wife: Mira Davis
(no claim for her)

Children:

Della Davis	6
Annie "	4
Ellie "	2

Claims for himself and three children

Stenographer

Henry G. Hains

Benjamin F. Davis et al

REFUSED

DECISION RENDERED JUN 4 1902

NO. 10000
N 10000

NO. 10000
FEDERAL ATTORNEYS

MESSAGE

ACTIONAL INVESTIGATION DEPT. OF INTERIOR

NOV 5 1902

NO. 10000
FEDERAL ATTORNEYS
NOV 13 1902

NO. 10000
FEDERAL ATTORNEYS
AND INVESTIGATION
AL ACTION
OF CHOCTAW
NOV 13 1902

REFER TO R. O. R. 2617

18/03 PO Lapine Texa

18/03 PO Lapine Texa

Choctaw MCR 2613

Paul Sanderford

MCR 2613

Department of the Interior/
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

2613

In the matter of the application of Paul Sanderford for the identification of himself and his minor children as Mississippi Choctaws.

Paul Sanderford being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Paul Sanderford.
Q What is your age? A Twenty-six.
Q What is your post-office address? A Toto, Texas.
Q How long have you lived there? A I have lived there in Texas about twenty years.
Q Where did you live before you lived in Texas? A Mississippi.
Q Were you born in Mississippi? A Yes.
Q Born and lived there until you moved to Texas about 20 years ago?
A Yes.
Q What is your father's name? A Gray Sanderford.
Q Is he living? A No.
Q What is your mother's name? A Matilda Ferguson.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your wife's name? A Annie Sanderford.
Q Do you make application on behalf of your wife? A No.
Q Have you any children in your family for whom you wish to make application at this time? A Yes, two.
Q Give the names and ages of these children? A Maudie, four and Ethel, eleven months.
Q You are the father of these children? A Yes.
Q What is the name of their mother? A Annie Sanderford.
Q When and where were you married to her? A Parker County, Texas, in '95.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by any official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A No.

It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of the application made for your minor children.

- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you or did any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 16, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.

- Q Have you ever made application prior to this time to either the Choctaw tribal authorities, or the authorities of the United States for yourself or your children to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis, great-grandfather; and Paul Davis my grandfather.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe at that time? A No.
- Q Did they, if Choctaw Indians, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A No.
- Q If they did not remove with the other members of the tribe did either one of them within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No, not as I know of.
- Q Have any of your ancestors ever claimed or received any benefits any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or that they ever received any benefits under that article of that treaty? A No.
- Q Do you want to file any such evidence? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of his application.

The decision of the Commission as to your application for the identification of himself and his other children as Mississippi Choctaws will be determined at the earliest possible date and report of same be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled case on June 12, 1901, and that the above and foregoing is a full, true and correct

transcript of his stenographic notes in said case on said date.

Henry J. Harris

Subscribed and sworn to before me this 15 day of July, 1894.

R. W. Linbaugh
Notary Public

Muskogee, Indian Territory, June 22, 1901.

Mr. Paul Sanderford,

Toto, Texas,

Dear Sir:

The Commission is in receipt of marriage license and certificate between P. D. Sanderford and Annie Wilson, and the same has been duly filed with the other records in support of your application for the identification of yourself and your minor children as Mississippi Choctaws.

Yours truly,

Muskogee, Indian Territory, September 9, 1901.

Mr. Paul Sanderford,
Toto, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 19, in which you ask to be advised if the papers which you have offered for filing in support of your application for identification as a Mississippi Choctaw are in proper form.

In reply to your letter you are advised that it appears from our records that on June 18, 1901, Paul Sanderford appeared before the Commission at Atoka, Indian Territory and applied for the identification of himself and two minor children as Mississippi Choctaws. On that date the affidavits of B.F. Davis and G.S. Davis were presented and filed. These affidavits are in proper form. No other evidence has been offered for filing in support of this application. 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 allowed to do so and the same will be made a part of the record in your case.

Yours truly,

M.C. 2613

M.C. 2613
M.C. 2614

Muskogee, Indian Territory, February 27, 1902.

P. D. Wenderford,
Eustace, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the nineteenth instant, advising the change in your post office address and that of H. P. Niblett. The proper post office addresses have been made a matter of record with the Commission.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory June 14, 1902.

Paul Sanderford,
 Rustace, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Niblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Mosley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

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

P. S. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Charles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLaughlin, Austin C. McLaughlin, Simmie McLaughlin, Lennie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Mermon McLaughlin, Homer McLaughlin, Bennie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Nabel Dixon and Ava Dixon, 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,

ASIGNED

James Dixon

Registered.

Acting Chairman.

CCP:

M.C.R. 2613

Muskogee, Indian Territory, November 15, 1902.

Paul Sanderford,
Eustace, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

(Sic)

Tamo Dinby
Acting Chairman.

For Identification as a Mississippi Choctaw.

Date JUN 19 1901

Name Paul Sanderford

Age 26 Blood 1/16

Post Office, Tolo, Texas

Father: Gray Sanderford (dead)

Mother: Matilda Ferguson

Claims through mother

Wife: Annie Sanderford
(No claim for her)

Children:

Maudie Sanderford 4

Ethel " 11 mo

Claims for himself and
two minor children

Stenographer

Henry G. Hains

Paul Sanderford et al.

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE OF APPEAL. JUN 14 1902

NOTICE OF APPEAL. ATTORNEYS

DEPARTMENT. JUN 14 1902

ACTION. NOV 5 1902

NOTICE OF APPEAL. ACTION. NOV 14 1902

NOTICE OF APPEAL. ACTION FOR CHOCTAW AND CHICKASAW NATIONS.

REFER TO M. C. R. 2617

Choctaw MCR 2614

Mattie Niblett

MCR 2614

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

#2614

In the matter of the application of Mattie Niblett for the identification of herself and her two minor children as Mississippi Choctaws.

Mattie Niblett having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Mattie Niblett.
Q What is your age? A Twenty-three
Q What is your post-office address? A Agnes, Texas.
Q How long have you lived there? A I have lived there in Agnes, Texas, near a year.
Q Where did you live before that? A I lived three year in the territory, Chickasaw Territory, and moved back there and lived there, and before I went to the territory, I lived there at Agnes.
Q How long did you live in Texas? A Twenty-three years.
Q Were you born in Texas? A No.
Q Where were you born? A In Mississippi.
Q About how old were you when you moved to Texas? A About three months.
Q What is your father's name? A Gray Sanderford.
Q Is he living? A No.
Q What is your mother's name? A Matilda Ferguson.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A My mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Mike Niblett.
Q Do you make application on behalf of your husband? A No.
Q He is a white man? A Yes.
Q And makes no claim to Indian blood? A No.
Q Have you any children for whom you wish to make application at this time? A Yes; two.
Q Give the names and ages. A Clarence Niblett, four years; Rudolph Niblett, seven months.
Q You are the mother of these children? A Yes.
Q What is the name of their father? A Mike Niblett.
Q When and where were you married to Mike Niblett? A Parker County, Texas, in '95.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you, or did any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States for yourself or your children to be admitted or enrolled as citizens of the Choctaw Nation? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the

2---Mattie Niblett

Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.

- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No, not as I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis, my great-grandfather; and Paul Davis, my grand father.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe of Indians at that time? A No.
- Q Did these ancestors if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A No.
- Q IF they did not remove with the other members of the tribe, did they or either one of them, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A I don't know whether they did or not.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No, I guess not.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.
- Q Do you want to file any such evidence? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence in support of this application.

- Q Are there any additional statements you want to make in support of this application? A No.

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined at the earliest possible date and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 12,

3--Mattie Elliott

1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said case on said date.

Henry G. Haine

Subscribed and sworn to before me this 15 day of July 1901.

W. H. Baugh
Notary Public

Muskogee, Indian Territory, July 24, 1901.

Mattie Niblett,

Agnes, Texas,

Dear Madam:

Receipt is hereby acknowledged of marriage license and certificate of M. T. Niblett and Mattie Sandeford of the 13th of October, 1895. The same has been filed with the records of the Commission in the matter of the application for identification of yourself and children as Mississippi Choctaws.

Yours truly,

Commissioner in Charge.

MC 2614.

M.C. 2613
M.C. 2614

Muskogee, Indian Territory, February 27, 1902.

P. D. Sanderford,
Eustace, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the nineteenth instant, advising the change in your post office address and that of M. F. Niblett. The proper post office addresses have been made a matter of record with the Commission.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory June 14, 1902.

Mattie Niblett,

Kustace Texas.

Dear Madam:

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Niblett, et al.,	M.C.R.	2614
Henry R. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Helinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Morris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

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

M. N. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Charles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Naudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belya Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Palsey Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLaughlin, Austin C. McLaughlin, Simmie McLaughlin, Lennie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Hermon McLaughlin, Homer McLaughlin, Bonnie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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. Doby.

Registered.

Act'ng Chairman.

M.C.R. 2614

3077

Muskogee, Indian Territory, November 15, 1902.

Mattie Hiblett,

Bustass, Texas.

Dear Madam

You are hereby notified that on the 5th 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 Benjamin P. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

(SIGNED)

Tams Bixby.
Acting Chairman.

For Identification as a Mississippi Choctaw.

Date JUN 19 1907

Name Mattie Niblett

Age 23 Blood 1/16

Post Office, Agnes, Texas

Father, Gray Danderford (dead)

Mother: Matilda Ferguson

Claims through mother

Husband: Mike Niblett
(no claim for him)

Children:

Clarence Niblett 4

Rudolph " 7 mo.

Claims for herself and two children

Stenographer

Henry G. Hains

Mattie Niblett et al

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE TO APPEAR AND ANSWER

NOTICE TO APPEAR AND ANSWER ATTORNEYS
FOR THE DEFENSE

RECEIVED JUN 14 1902

ACTION APPROVED NOV 5 1902

NOTICE TO APPEAR AND ANSWER ACTION NOV 15 1902

NOTICE TO APPEAR AND ANSWER ACTION NOV 15 1902

REFER TO NO. 2617

4-20-02

Choctaw MCR 2615

Henry H Davis

MCR 2615

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

#2615

In the matter of the application of Henry H. Davis for the identification of himself and his minor children as Mississippi Choctaws. Henry H. Davis having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Henry H. Davis.
Q What is your age? A Fifty-one years.
Q What is your post-office address? A Paynespring, Texas.
Q How long have you been there? A I have been in Texas twenty-three year.
Q Where did you live before you lived in Texas? A Mississippi.
Q How long did you live in Mississippi? A About twenty-five years.
Q Were you born in Mississippi? A Yes.
Q And lived there until you moved to Texas? A Yes.
Q And have lived in Texas ever since? A Yes?
Q What is your father's name? A Aleck N. Davis.
Q Is he living? A No.
Q What is your mother's name? A Delilah Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A I don't know.
Q Are you married? A Yes.
Q What is your wife's name? A Lucy J. Davis.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A I want to as an inter-marriage.
Q Do you want to make application for her as an inter-married Mississippi Choctaw? A Yes, I don't make application for her as a Choctaw by blood. No, I don't want to make any application for her.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application at this time?
A Yes.
Q Give their names and ages. A Belva Davis, (Girl), fifteen; Betty C. Davis, thirteen; Mary N. Davis, five; Beaura Davis, (Boy), one.
Q These are all your children? A Yes.
Q What is the name of their mother? A Their mother? Lucy J. Davis.
Q When and where were you married to Lucy J. Davis? A In Mississippi in '75.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A By minister.
Q Have you your marriage license and certificate and do you want to offer same in evidence? A I do in thirty days from this time.
Q Is your name or are the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A Not that I know of.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or your children to be enrolled as members of that tribe? A No.
Q Did you, or did any one for you or for your children, in 1896, make application to the Commission to the Five Civilized Tribes

Henry H. Davis---2

for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A I don't know.

- Q Did you make such application in 1896? A No.
- Q Did you authorize any one to make one for you? A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or them to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the fourteenth article of the treaty of 1830? A I don't know.
- Q Are you familiar with the provisions of that article of that treaty? A No.
- Q I will read it, so that all of you can hear it; article fourteen of the treaty of 1830 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 to the Agent his intention 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 may be living with him over ten years of age, and a quarter section to such child as may be under ten years, to adjoin the location of the parent. If they reside upon said land 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 claiming 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." Do you claim under this article of this treaty?

- A As far as I understand it I do.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A I don't think they have.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, my grandfather; and Daniel Davis, great-grandfather.
- Q Have you any evidence showing that such ancestors were ever recognized members of the Choctaw tribe at that time? A I don't know.
- Q Did these ancestors if Choctaw Indian-- A I think I do have evidence, I have this paper.
- Q Did these ancestors remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A No, I think not.
- Q If these ancestors did not remove with the other members of the tribe, did either one of them, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.

Henry H. Davis---3

- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A Nothing, only that I have some evidence.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provision of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article? A Yes.

Affidavit of Susie Lord offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; affidavit of T.M. Parkman offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q Do you wish time in which to file additional evidence? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of his application.

The decision of the commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Lincoln
Notary Public.

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, Indian Territory, July 18, 1901.

TESTIMONY OF HENRY H. DAVIS

IN the matter of the application of Henry H. Davis et al. for identification as Mississippi Choctaws heard at Atoka, I.T., June 12, 1901, M.C.R. 2615

In the matter of the application of Delila Dixon et al. for identification as Mississippi Choctaws, heard at Atoka, I.T., July 18, 1901, M.C.R. 2884.

In the matter of the application of Ada A. Norris et al. for identification as Mississippi Choctaws, heard at Atoka, I.T. July 18, 1901. M.C.R. 2985.

Henry H. Davis being first duly sworn as a witness in these cases testified as follows:

Examination by the Commission:

- Q What is your name? A Henry H. Davis.
Q What is your age? A Fifty one.
Q What is your post office address? A Paynesprings, Texas.
Q You are the identical Henry H. Davis who made application before the Commission on June 12, 1901, for identification as a Mississippi Choctaw? A Yes.
Q Are you acquainted with the applicants, Delila Dixon and Ada A. Norris? A Yes they are our daughters.
Q They claim their Choctaw blood through you, do they? A Yes.
Q What is your father's name? A Nelson Davis; A.N. Davis, we call him.
Q What is your mother's name? A Delila Davis.
Q Through which one of your parents do you claim your Choctaw blood? A My father.
Q Were your father and mother married? A Yes.
Q Have you any evidence of that fact? A I have not the evidence, but I can get it I suppose; for in this case the Court house was burned up; if I could get the affidavits would that answer?
Q If you offer the affidavits of two disinterested persons who were present at the wedding of your father and mother the Commission will accept that. A I can get it.
Q If you secure that evidence you would like to have it filed also in your case would you? A Yes.
Q And have your children who are now making application have the benefit of that evidence? A Yes.
Q What was Nelson Davis' father's name? A Paul Davis.
Q And what was his mother's name? A Unie Davis.
Q Through which one of ~~Nelson Davis~~ parents of Nelson Davis did he get his Choctaw blood? A His father, Paul Davis.
Q Were Paul Davis and Unie Davis married? A Yes I think so.
Q Would you be able to get evidence of their marriage? A I don't know, unless I can get the license; it is a long time ago.
Q Is there anybody living who knew Paul Davis and Unie Davis at this time? A There are persons who knew them but whether they knew them at the time of their marriage I don't know.
Q Would you get affidavits of people who knew them and that they lived together as man and wife and were so regarded by the people among whom they lived; if you can get that you can file it. A Yes.
Q Of course the license and certificate or certified copies thereof would be better. A Yes.

Q Paul Davis then is the ancestor through whom you and your children claim your Choctaw blood? A Yes.

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

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

Q Has you any evidence of that? A Yes.

Q What kind of evidence? A The evidence that was filed when we was here on the 13th. June.

Q Affidavits? A Yes; while I don't believe that this evidence identifies them exactly as living in Mississippi in 1830, but they knew them; there is parties that did know them in 1830, but whether that evidence covers them or not--

Q You understand that it is very material to these cases that you have evidence on these points? A Yes.

Q Did Paul Davis come West with the other Choctaw Indians between 1833 to 1838? A No.

Q You would be able to get evidence on that point? A Yes.

Q Did he go to the Indian agent there within six months after the treaty of 1830 was ratified and tell him that he wanted to stay in Mississippi and become a citizen of the United States? A I have no evidence of that, but I can get it I think; he did not.

Q He did not go to the Indian agent? A No.

Q Why would you want to get evidence of that? A 'Cause he didn't; he never went to the Indian agent at all; that's my opinion of it; a great many of these Choctaws were you know afraid; they were ignorant, or something of the fact.

Q Well, your efforts to get evidence on that point will, of course, be just to find out the state of the facts exactly? A Yes; we know that under the Choctaw blood we are entitled but as far as what our grandparents did on that respect I don't know.

Q Could you get the oral testimony of these witnesses you spoke of before the Commission? A Yes, I suppose so.

Q Could you get the witnesses here before the Commission to testify as you are now? A I don't know.

Q Could you get them before the Commission at its office in Meridian, Mississippi? A Yes, I suppose we could.

Q Did you know your grandfather, Paul Davis, personally? A Yes.

Q Is he dead? A Yes.

Q How long has he been dead? A Died about in 376.

Q Do you know how old he was when he died? A He claimed to be 63 years old I think.

Q Do you remember when he died? A Yes, I was present when he died.

Q Is there any other statement you can think of to make in regard to your daughters' claim? A I think not; we want time for this evidence you spoke of.

Q I made a statement to each of them about that. Did Paul Davis or any of your ancestors get any land in Mississippi under the fourteenth article of the treaty of 1830? A I think not; if they ever did I never heard of it.

Q Did any of them ever get any land from the Government under the treaty of 1830? A No.

Q Did any of them ever get any scrip from the Government under this treaty? A No.

Q You have no records in your family to show that any of them ever get any land or scrip--? A No.

Q Would you like to have a copy of this additional testimony to be filed with your application? A Yes.

Q Would you like to have a copy of this statement of yours today filed with your case? A Yes.

Q Would you like to have a copy of the testimony of these other witnesses of whom you are speaking filed with your case if you bring them before the Commission to testify orally? A Yes.

Q You will be permitted to have a copy filed in your case if you bring them before the Commission in person.

To applicants:

Q Is there anything more you would like to have brought out by your father? A No.

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 on July 18, 1901.

Henry G. Hains

Subscribed and sworn to before me this 31 day of August, 1901.

D. W. Linebaugh

Notary Public.

Muskogee, Indian Territory, July 20, 1901.

Mr. Henry H. Davis,
Paynesprings, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of June 26, .
inclosing certified copy of marriage license and certificate between
Henry Davis and Lucy Jane McAleer, which you offer for filing in sup-
port of your application for the identification of yourself and your
minor children as Mississippi Choctaws. The same has been made a
part of the record in your case.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, October 15, 1901.

Henry H. Davis,

Payne Springs, Texas.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 8, 1901, in which you state that you find the name of Paul Davis appears on the roll signed P. Davis, and that you can make proof that he, (Paul Davis) invariably signed his name P. Davis, and that if the Commission thinks necessary you can make such proof at once.

In reply to your letter you are advised that it appears from our records that on June 12, 1901, Henry H. Davis appeared before the Commission at Atoka, Indian Territory, and applied for the identification of himself and four minor children as Mississippi Choctaws.

If you wish to offer any further evidence in support of your application, you will be permitted to do so, and the same will be made a part of the record in your case.

Yours truly,

Acting Chairman.

M.O. 2615

Muskogee, Indian Territory, November 23, 1901.

Henry H. Davis,
Payne Springs, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twentieth instant, with which you forward the joint affidavit of Daniel Keen, I. J. Edwards, and T. H. Parkman, which you offer for filing in support of the application for identification as Mississippi Choctaws of the descendants of Paul Davis. The same has been duly filed and made a part of the record in your case, and will receive consideration in the disposition of the application.

Yours truly,

Acting Chairman.

MC 2615

COPY.

M.C.R. 2615

Muskogee, Indian Territory June 14, 1902.

Henry H. Davis,

Paynespring, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Jehan Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Hattie Wiblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James R. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena I. Monale, et al.,	M.C.R.	2623
Hettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda K. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stat. 498) which is as follows:

H. H. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Lynn Edwards, William Charles Edwards, Isham Edwards, Mertie Lyda Edwards, Kliza Edwards, Otha Edwards, Arthur Edwards, Hola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niolet, Clarence Niolet, Rudolph Niolet, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert H. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLaughlin, Austin C. McLaughlin, Girnie McLaughlin, Lennie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Mermon McLaughlin, Homer McLaughlin, Rennie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John F. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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. Doby

Registered.

Acting Chairman.

M.C.P. 2615

COPY.

Muskogee, Indian Territory, November 15, 1902.

Henry H. Davis,
Paynespring, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

(SIGNED)

Tamc Sindy
Acting Chairman.

No. 2615

For Identification as a Mississippi Choctaw.

Date 1061 21 MNT

Name Henry N. Davis

Age 51 Blood 1/6

Post Office, Payne Springs, Tex

Father: Aleck N. Davis (dead)

Mother: Delilah " "

Claims through father

Wife: Lucy J. Davis
(no claim for her)

Children:

Belva Davis F 15

Bettie C " 13

Mary E " 8

Beahre " M 1

Claims for himself and
four minor children.

Stenographer

Henry G. Hains

Henry H. Davis et al

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE

NOTICE OF DEPARTMENTAL ACTION
FOR C...

RECORD COPY

ACTION

NOV 5 1902

NOTICE
FOR

FROM

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FOR A...
AND...

REFER TO M. C. R. 2617

Choctaw MCR 2616

James E. Davis

MCR 2616

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

43616

In the matter of the application of James E. Davis for the identification of himself and his minor children as Mississippi Choctaws. James E. Davis being duly sworn testifies as follows:

Examination by the Commission:

- Q What is your name? A James E. Davis.
Q What is your age? A Thirty one.
Q What is your post-office address? A Rustace, Texas.
Q How long have you lived there? A In Texas, about 18 years.
Q Where did you live before you lived in Texas? A Mississippi.
Q How long did you live in Mississippi? A About 13 years.
Q Were you born in Mississippi? A I was born in Mississippi.
Q And lived there until you moved to Texas? A Yes.
Q What is your father's name? A Aleck N. Davis.
Q Is he living? A No.
Q What is your mother's name? A Delilah Davis?
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No, not that I knew of.
Q Are you married? A Yes.
Q What is your wife's name? A Martha J. Davis.
Q Do you make application on behalf of your wife? A No.
Q Have you any children in your family for whom you wish to make application at this time? A Yes.
Q How many? A Three.
Q Give their names and ages? A Gracie T. Davis, ten; Victoria Davis, eight; Della M. Davis, three.
Q These are all your children? A Yes.
Q What is the name of their mother? A Martha J. Davis.
Q When and where were you married to her? A In Texas, 1890.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you wish to offer same in evidence? A Not at present; no.

It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of the application made on behalf of your minor children.

- Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory for yourself or your children to be enrolled as members of that tribe? A No.
Q Did you, or did any one for you or for your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.

2---James M. Davis

- Q Have you or your children ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw tribe? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes, I suppose so, if I understand it.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, grandfather; and Daniel Davis, my great-grandfather.
- Q Have you any evidence showing that such ancestor was recognized members of the Choctaw tribe at that time? A I think so.
- Q Did these ancestors if Choctaw Indians remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Not as I know of.
- Q If they did not remove with the other members of the tribe, did they, or either of them, within six months after the ratification of the treaty of 1830 signify his intention to the United States Indian Agent to the Choctaw Indians in Mississippi to remain in Mississippi and become a citizen of the United States? A I don't know whether he did or not.
- Q Have any of your ancestors ever received or claimed any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not as I know of.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?
- A Nothing more than these affidavits.

Affidavit of T.M. Parkman offered in evidence by applicant, marked Exhibit A, filed and made a part of the record in this case; affidavit of Susie Lord offered in evidence by applicant, marked Exhibit B, filed and made a part of the record in this case.

- Q Do you want to file any additional evidence in support of this application? A Not at present; in thirty days time.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined at the earliest possible date (for identification as Mississippi (see laws) - and report of the same to be made to the Secretary of the Interior, conformable to the provisions of the 31st Section of the Act of Congress of Jan. 28, 1900, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. ...
Notary Public.

Muskogee, Indian Territory, June 21, 1901.

Mr. J. E. Davis,

Kustago, Texas,

Dear Sir:

The Commission is in receipt of certified copy of the marriage license and certificate between J. E. Davis and M. J. McLaughlin, and the same has been filed in support of your application for the identification of yourself and children as Mississippi Choctaws.

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, August 14, 1901.

Mr. James E. Davis,
Eustace, Texas.

Dear Sir:-

Receipt is hereby acknowledged of affidavits of F.E. Tuttle and M.G. Humphrey in regard to the marriage of Alex H. Davis and Delilah Davis, which you offer for filing in support of your application for identification of yourself and children as Mississippi Choctaws. The same have been duly filed and made a part of the record in support of the application of James E. Davis et al., for identification as Mississippi Choctaws.

Yours truly,

M.C. 2616.

Muskogee, Indian Territory June 14, 1902.

James M. Davis,
Rustace, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isam Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James R. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda B. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2628
Delila Dixon, et al.,	M.C.R.	2684

These applications were made under the provision of the act of Congress of June 29, 1898 (30 Stats. 495) which is as follows:

Acting Chairman

J. E. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Martie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan H. McLauchlin, Austin C. McLauchlin, Simmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Mermon McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John H. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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)

Tame Dixey.

ACTING CHAIRMAN.

Registered.

H.C.R. 2616

COPY

Muskogee, Indian Territory, November 15, 1902.

James H. Davis,
Mustang, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

Tame Bibby
Acting Chairman.

No. 2116

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name James E. Davis

Age 31 Blood 1/16

Post Office, Eustace Texas.

Father: Alect N. Davis (dead)

Mother: Delilah " "

Claims through father

Wife: Martha J. Davis
(no claim for her)

Children:

Gracie T. Davis 10

Victoria " 8

Della M. " 3

Claims for himself and
three children

Stenographer

Henry G. Hains

James E. Davis et al

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE TO APPLICANT
JUN 10 1902

NOTICE TO ATTORNEYS
FOR OFFICIALS OF FOREIGN NATIONS

RECORDED
JUN 14 1902

ACT ON A
NOV 5 1902

NOTICE OF DEPARTMENTAL ACTION
NOV 15 1902

NOTICE OF APPOINTMENT OF
FOR THE POSITION OF
AND OFFICIALS OF FOREIGN NATIONS

REFERRED TO R.O.F. 2617

Choctaw MCR 2617

Benjamin F Davis

MCR 2617

See MCR 1804, 1800, 1801, 1802
2612, 2613, 2614, 2615, 2616, 2618
2619, 2620, 2621, 2622, 2623, 2624
2625, 2626, 2627, 2611, 2610, 2984, 2985

IDENTIFICATION NO. A MISSISSIPPI CHOCTAW. R. 2617

Benjamin F. Davis et al

Revised

DECISION RENDERED. JUN 4 1902

NO. 1804. 1800. 1801
JUN 3 1902

NOTICE FOR REFEYS

REC'D JUN 11 1902

ACT. FOR NOV 3 1902

NOV 11 1902

NOTICE OF APPEAL ACTION
FOR THE CHOCTAW

REF. 1804. 1800. 1801
1802. 2612. 2613. 2614. 2615.
2616. 2618. 2619. 2620. 2621.
2622. 2623. 2624. 2625. 2626
2627. 2611. 2610. 2984. 2985

W.F.

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

In the matter of the application of Benjamin F. Davis,
et al., for identification as Mississippi Choctaws, consolidating
the applications of

Benjamin F. Davis, et al.,	M C R 2617
Alice Edwards,	M C R 1800
David V. Edwards, et al.,	M C R 1801
Isham Edwards, et al.,	M C R 1802
Eliza Edwards, et al.,	M C R 1804
Benjamin F. Davis, et al.,	M C R 2612
Paul Sanderford, et al.,	M C R 2613
Mattie Niblott, et al.,	M C R 2614
Henry H. Davis, et al.,	M C R 2615
James F. Davis, et al.,	M C R 2616
George S. Davis, et al.,	M C R 2618
John T. Sanderford, et al.,	M C R 2619
Robert M. Davis, et al.,	M C R 2620
Susan M. McLaughlin, et al.,	M C R 2621
Melissa J. McLaughlin, et al.,	M C R 2622
Rena L. Moseley, et al.,	M C R 2623
Bettie Willingham,	M C R 2624
Mary J. Looney, et al.,	M C R 2625
Charley Davis,	M C R 2626
John K. Davis,	M C R 2627
Melinda Williams,	M C R 2610
Matilda E. Ferguson, et al.,	M C R 2611
Ada A. Norris, et al.,	M C R 2985
Delila Dixon, et al.,	M C R 2984

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with the page occupied by each
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Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

#2617

In the matter of the application of Benjamin F. Davis for the identification of himself and his minor children as Mississippi Choctaws.

Benjamin F. Davis having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Benjamin, F. Davis.
Q What is your age? A Sixty-four.
Q What is your post-office address? A Eustace, Texas.
Q How long have you lived there? A About twenty years in that County in Texas.
Q Where did you live before? A I was born and raised in Mississippi.
Q You were born in Mississippi and lived there until you moved to Texas? A Yes.
Q What is your father's name? A Paul Davis.
Q Is he living? A No.
Q What is your mother's name? A Eunice Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A He was 1/4.
Q How much do you claim? A One sixteenth, I believe-no, one eighth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A Not that I knew of.
Q Are you married? A Yes.
Q What is your wife's name? A My wife is dead; her name was Mary A. Davis.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application at this time? A Yes.
Q Give their names and ages? A Michael J. Davis- eighteen; Luther Davis- fourteen; Georgia Davis-(Girl), eleven; that's all.
Q These are your children? A Yes.
Q What is the name of their mother? A Mary Ann Davis.
Q When and where were you married to her? A In '69 in Mississippi.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes, I haven't them with me.
- It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of the application for your minor children.
- A I can get them if the Court huse aint burned--
- Q Is your name or the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities

- in Indian Territory for yourself or your children to be enrolled as members of that tribe? A No.
- Q Did you or any one for you or your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 18, 1896? A No.
- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities, or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No, not a thing.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that ever I knowed of.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis, grandfather; Paul Davis was father's name.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe at that time? A Yes.
- Q Did these ancestors if Choctaw Indians remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1835? A No.
- Q If they did not remove with the other members of the tribe, did either of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Yes, I guess so.
- Q Do you know that he did? A Yes, I know he did.
- Q How do you know that he did? A Well, they said he stayed there.
- Q Did he go to the Indian agent within six months after the ratification of the treaty and tell him that he wanted to stay there and become a citizen of the United States? A Not that I know of.
- Q Have any of your ancestors ever claimed or received any benefits and land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements that you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Yes.

HKN. F. Davis---2

Affidavit of Susie Lord offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; affidavit of F.N. Parkman offered in evidence by applicant marked Exhibit "B" filed and made a part of the record in this case.

Q Do you want time in which to offer any further evidence in support of this claim? A Well, no- not as I know of: well, yes I do.

Thirty days time is allowed applicant in which to file marriage license and certificate or certified copies thereof and any other evidence in support of this case.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linebaugh
Notary Public

V.J.
Q&A
C.V.W

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

-----|-----

In the matter of the application of Benjamin F. Davis, et al., for identification as Mississippi Choctaws, consolidating the applications of

Benjamin F. Davis, et al.,	M C R 2617
Alice Edwards,	M C R 1800
David V. Edwards, et al.,	M C R 1801
Isham Edwards, et al.,	M C R 1802
Elisa Edwards, et al.,	M C R 1804
Benjamin F. Davis, et al.,	M C R 2612
Paul Sanderford, et al.,	M C R 2613
Mattie Hiblett, et al.,	M C R 2614
Henry H. Davis, et al.,	M C R 2615
James H. Davis, et al.,	M C R 2616
George S. Davis, et al.,	M C R 2618
John T. Sanderford, et al.,	M C R 2619
Robert M. Davis, et al.,	M C R 2620
Susan M. Metchlin, et al.,	M C R 2621
Melissa J. Metchlin, et al.,	M C R 2622
Rena L. Moseley, et al.,	M C R 2623
Bettie Willingham,	M C R 2624
Mary J. Leoney, et al.,	M C R 2625
Charley Davis,	M C R 2626
John K. Davis,	M C R 2627
Melinda Williams,	M C R 2610
Matilda H. Ferguson, et al.,	M C R 2611
Ada A. Norris, et al.,	M C R 2985
Delila Dixon, et al.,	M C R 2984

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

It appears from the record herein that applications for identification as Mississippi Choctaws were made by Benjamin F. Davis for himself and his three minor children, Michael J., Lather

and Georgia Davis; by Alice Edwards for herself; by David V. Edwards for himself and his two minor children, Glynn and William Harles Edwards; by Isham Edwards for himself and his minor child, Mertie Lyda Edwards; by Eliza Edwards for herself and her seven minor children, Otha, Arthur, Nola, Mattie, Devera, Thomas and Chester Edwards; by Benjamin F. Davis (number 2) for himself and his three minor children, Della, Annie and Ellie Davis; by Paul Sanderford for himself and his two minor children, Maudie and Ethel Sanderford; by Mattie Niblett for herself and her two minor children, Clarence and Rudolph Niblett; by Henry H. Davis for himself and his four minor children, Belva, Betty C., Mary E. and Beaura Davis; by James E. Davis for himself and his three minor children, Gracie T., Victoria and Della M. Davis; by George S. Davis for himself and his two minor children, Lucy J. and Paley Davis; by John T. Sanderford for himself and his three minor children, Ivy, Roy and Ora Sanderford; by Robert M. Davis for himself and his four minor children, William S., Isaac, Walter and Melvin Davis; by Susan M. McLaughlin for herself and her six minor children, Austin C., Simmie, Lennie, Aletha, Thomas P. and Susie J. McLaughlin; by Melissa J. McLaughlin for herself and her four minor children, Chester, Herman, Homer and Bessie McLaughlin; by Rena L. Moseley for herself and her three minor children, Clifton, Jessie V. and Roy Moseley; by Bettie Willingham for herself; by Mary J. Leoney for herself and her minor child, Texas Leoney; by Charley Davis for himself; by John K. Davis for himself; by Melinda Williams for herself; by Matilda E. Ferguson for herself and her two minor children, John Sanderford and Minnie Sanderford;

3.

by Ada A. Norris for herself and her minor child, Henry Norris; and by Delila Dixon for herself and her two minor children, Mabel and Ava Dixon, 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 descendants of one Paul Davis, who is alleged to have been an one fourth blood Choctaw and to have resided in Mississippi in 1830, but it appears from the evidence submitted that Aleck N. or A. Nelson Davis, a son of the said Paul Davis and a less remote alleged Choctaw ancestor of some of the applicants herein, was living in 1830, and hence those applicants herein who are descendants of the said Aleck N. or A. Nelson Davis cannot rely upon the compliance of a more remote common ancestor, to-wit, the said Paul Davis, with the provisions of article fourteen of the treaty of eighteen hundred and thirty, but must show such compliance on the part of the said Aleck N. or A. Nelson Davis.

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

4.

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., 521.)

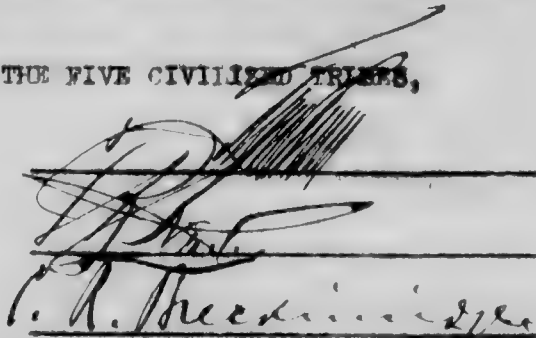
~~It does not appear from the testimony and evidence offered~~
in support of said applications or from the records in the possession of the Commission, relating to persons who complied or attempted to comply with the provisions of article fourteen of the treaty of eighteen hundred and thirty and to persons who heretofore were claimants thereunder, that the said Paul Davis or the said Aleck N. (A. Nelson) Davis, or any 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, (5 Stat., 180) and August 23, 1842, (5 Stat., 513).

It is therefore the opinion of this Commission that the evidence in this case is insufficient to determine the identity of Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin E. Davis (number 2), Della Davis, Annie Davis, Ellie Davis, Paul Ganderford, Maudie

5.

Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beure Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Faley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan H. McLauchlin, Austin C. McLauchlin, Bimmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merton McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, John Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,



C. H. McLaughlin

Muskogee, Indian Territory,

Commissioners.

JUN 4 1902

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

ALLISON L. AYLESWORTH,
SECRETARY.

(Copy)

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, July 1, 1901.

Mr. B. F. Davis,
Eustace, Texas,

Dear Sir:

The Commission is in receipt of letter of June 20, 1901, from J. W. Tullos, Clerk of Circuit Court for Smith County, Mississippi, addressed to you, with reference to the burning of the Court house and the destruction of the marriage records. It is presumed that you desire to have this filed with the papers in your application for the identification of yourself and children as Mississippi Choctaws, and the same has been made a part of the record in this case.

Yours truly,

MC 2617

Huskogee, Indian Territory June 14, 1902.

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

Gentlemen:

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Niblett, et al.,	M.C.R.	2614
Henry R. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLauchlin, et al.,	M.C.R.	2621
Melissa J. McLauchlin, et al.,	M.C.R.	2622
Rena L. Meseloy, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Leoney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2612
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

These applications were made under the provision of the

N. M. & C. #2

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 in this case is insufficient to determine the identity of Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaufre Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della . . . Davis, George C. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert K. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan H. McLauchlin, Austin C. McLauchlin, Sirmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merton McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jennie V. Moseley, Roy Moseley, Bettie Willingham Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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)

James S. [unclear]

Acting Chairman.

COPY

M.C.R. 2617

Muskogee, Indian Territory June 14, 1902.

The Honorable,

The Secretary of the Interior:

Sir:

There is transmitted herewith the record in the consolidated case of Benjamin F. Davis, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of June 4, 1902.

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2618
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Niblett, et al.,	M.C.R.	2614
Henry K. Davis, et al.,	M.C.R.	2615
James K. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan K. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Mosley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610

Secretary, p 2

4/14/1902

#2

Matilda B. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2983
Delila Dixon, et al.,	M.C.R.	2984

The Commission has the honor to report that the principal applicants in the several separate applications, and the attorneys for the Choctaw and Chickasaw Nation 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.

Through the Commissioner of
Indian Affairs.
1 enclosure.

Commissioner in Charge.

COPY.

H.C.R. 2617

Muskogee, Indian Territory June 14, 1902.

Benjamin F. Davis,
Bustace, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	H.C.R.	2617
Alice Edwards,	H.C.R.	1800
David V. Edwards, et al.,	H.C.R.	1801
Isham Edwards, et al.,	H.C.R.	1802
Eliza Edwards, et al.,	H.C.R.	1804
Benjamin F. Davis, et al.,	H.C.R.	2612
Paul Sanderford, et al.,	H.C.R.	2613
Mattie Hiblett, et al.,	H.C.R.	2614
Henry H. Davis, et al.,	H.C.R.	2615
James H. Davis, et al.,	H.C.R.	2616
George S. Davis, et al.,	H.C.R.	2618
John T. Sanderford, et al.,	H.C.R.	2619
Robert M. Davis, et al.,	H.C.R.	2620
Susan M. McLaughlin, et al.,	H.C.R.	2621
Melissa J. McLaughlin, et al.,	H.C.R.	2622
Rena L. Moseley, et al.,	H.C.R.	2623
Bettie Willingham,	H.C.R.	2624
Mary J. Leoney, et al.,	H.C.R.	2625
Charley Davis,	H.C.R.	2626
John K. Davis,	H.C.R.	2627
Melinda Williams,	H.C.R.	2610
Matilda R. Ferguson, et al.,	H.C.R.	2611
Ada A. Morris, et al.,	H.C.R.	2628
Delila Dixon, et al.,	H.C.R.	2624

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats. 498) which is as follows:

B. F. D. #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 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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beare Davis, James K. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert H. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Simmie McLauchlin, Lennie McLauchlin, Alatha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Hermon McLauchlin, Honor McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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) *Fame Dixby.*

Registered.

Acting Chairman.

Land
36112-1902.

Copy.
DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.
WASHINGTON, August 9, 1902.

The Honorable,
The Secretary of the Interior.

Sir:-

I have the honor to transmit herewith the record and proceedings had before the Commission to the Five Civilized Tribes in the consolidated Mississippi Choctaw case of Benjamin F. Davis, et al.

The following cases are consolidated therein:

Benjamin F. Davis, et al.

Alice Edwards

David V. Edwards

Isham Edwards

Eliza Edwards

Benjamin F. Davis

Paul Sanderford

Mattie Niblett

Henry H. Davis,

James E. Davis

George S. Davis

John T. Sanderford

Robert M. Davis

Susan M. McLaughlin

Malissa J. McLaughlin

Anna L. Meseley

Bettie Willingham

Mary J. Looney

Charley Davis

John K. Davis

Melinda Williams

Matilda E. Ferguson

Ada A. Norris

Delila Dixon

The record shows that on June 12, 1902, Benjamin F. Davis, one of the principal applicants, testified in substance before the Commission that he was 64 years old; that he had resided in the State of Texas for about 20 years; that he was born and raised in the State of Mississippi; that his father was Paul Davis and his mother Eunice Davis; that he claims his Choctaw blood through his said father who, he avers, was a 1/4 blood Choctaw and that his ancestor who resided in the old Choctaw Nation in Mississippi and Alabama was his grandfather Daniel Davis; that he did not go west from 1833 to 1838; that he guesses he signified his intention to the United States Agent to remain in Mississippi and become a citizen of the United States, but dont know, and alleges that his ancestor never received any land in Mississippi under the 14th Article of the treaty of 1830. X

A note by the Commission avers that the applicant has the appearance of a white man.

The affidavit of Sasie Lord is filed by said applicant and she

avens that she is 73 years old and has lived in the State of Mississippi all her life, that she has known the claimant all his life, also his father, Paul Davis, and his grandfather Daniel Davis.

Affiant T.M. Parkman alleges the same facts in substance as the said Susie Lord.

The next principal applicant, Alice Edwards testifies that her father, James Edwards is a white man, that her mother, Eliza Edwards is of Choctaw blood and a daughter of Paul Davis who was a son of Daniel Davis, and avers that she reckons he was her ancestor who resided in Mississippi at the time of the treaty of 1830. There seems to be no other material facts testified to by this claimant.

The affidavit of Daniel Keen, T.M. Parkman, and the joint affidavits of J.M. Phillips, Daniel Keen, T.M. Parkman and Susan Lord are all filed in support of claimant's application and only attempt to show that the claimant is a descendant of Paul and Daniel Davis whom affiants claim were part Choctaw by blood.

The next principal applicants, David V. Edwards and Isham Edward are shown to be children of said Eliza Edwards and submit the same evidence as their sister the said Alice Edwards.

Eliza Edwards is the next principal applicant and she testifies she is 82 years old; that she has always lived in Mississippi, that Paul Davis was her father, that he was 84 years old when he died in 1830, that his father died before the Indians went west, that his said father was living in Mississippi when the treaty was made, that he never got any land under said treaty to her knowledge; that he owned land but bought it from a Mr. McGee. Susie Lord, Daniel

Keen, T.M. Parkman and I.M. Phillips all made affidavits as to claimants descent and Choctaw blood.

Benjamin F. Davis is the next principal applicant and says he is a son of R.M. Davis, that Paul Davis was his grandfather and Daniel Davis his greatgrandfather through which ancestor he claims.

Paul Sanderford and Mattie Niblett, principal applicants, testify they are children of Gray Sanderford and Matilda Ferguson, that they get their Choctaw blood through their mother, that their grandfather was Paul Davis and their great grandfather, Daniel Davis. They seem to know no additional facts of interest to the case.

Henry H. Davis, the next principal applicant is examined twice by the Commission and claims through the same ancestors as the principal applicants aforesaid, but has nothing of value to add as to the merits of his claim.

James E. Davis, George S. Davis, John T. Sanderford, Robert M. David, Susan M. McLanchlin, Melissa J. McLanchlin, Rena L. Mosely, Bettie Willingham, Mary J. Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Ada A. Norris and Delila Dixon the other principal applicants claim to be descendants of the said Paul Davis and Daniel Davis.

The office can find no evidence in the record which tends to prove that any of the ancestors named by the applicants ever complied with the provisions of the 14th article of the treaty of 1830.

In fact they make no claim that they did so comply and the

office records do not show that any Paul Davis or Daniel Davis ever received land or scrip under the provisions of the said 14th article.

The office records show that Ho-te-o -ka, a Choctaw woman, complied with the provisions of said article, and that she was 31 years old at the date of the treaty, also that she had two children - one "Davis" aged about 3 years and one "Betty" aged about one year at said date.

This is the only Davis on the 14th article list of claimants and his father "was called James or Jim Sunna"

It is apparent from the record evidence that this "Davis" was not the ancestor of any of these applicants for if living he would only be about 75 years old at this date.

The office therefore concludes that these applicants have failed to prove that they are entitled to be identified as Mississippi Choctaws with rights in the lands of the Choctaw Nation and therefore approves the decision of the Commission rejecting their several applications and recommends that said decision be affirmed by the Department.

Very respectfully,

Your obedient servant,

Acting Commissioner.

W.C.B.

-C'g.-

D.C. 21523

COPY

J.W.H.

DEPARTMENT OF THE INTERIOR.
I.T.D. 4870-1902
File 896-1898
1895.

WASHINGTON.

FHE.

November 5, 1902.

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

Gentlemen:

June 14, 1902, you transmitted the record in the consolidated case involving the application of Benjamin F. Davis for himself and his three minor children, Michael J., Luther and Georgia Davis; of Alice Edwards for herself; of David V. Edwards for himself and his two minor children, Glynn and William Harles Edwards; of Isham Edwards for himself and his minor child, Mertie Lyda Edwards; by Eliza Edwards for herself and her seven minor children, Otha, Arthur, Nola, Mattie, Devera, Thomas and Chester Edwards; of Benjamin F. Davis (number 2) for himself and his three minor children, Della, Annie and Ellie Davis; of Paul Sanderford for himself and his two minor children, Maudie and Ethel Sanderford; of Mattie Niblett for herself and her two minor children, Clarence and Rudolph Niblett; of Henry H. Davis for himself and his four minor children, Belva, Betty G., Mary E. and Beaura Davis; of James E. Davis for himself and his three minor children, Gracie T., Victoria and Della M. Davis; of George S. Davis for himself and his two minor children, Lasy J. and Paley Davis; of John T. Sanderford for himself and his

three minor children, Ivy, Roy and Ora Sanderford; of Robert M. Davis for himself and his four minor children, William S., Essie, Walter and Melvin Davis; of Susan M. McLauchlin for herself and her six minor children, Austin G., Simmie, Lennie, Aletha, Thomas P. and Susie J. McLauchlin; of Melissa J. McLauchlin for herself and her four minor children, Chester, Mermon, Homer and Bennie McLauchlin; of Rena L. Moseley for herself and her three minor children, Clifton, Jessie V. and Roy Moseley; of Bettie Willingham for herself; of Mary J. Looney for herself and her minor child, Texas Looney; of Charley Davis for himself; of John T. Davis for himself; of Melinda Williams for herself; of Matilda E. Ferguson for herself and her two minor children, Jehu Sanderford and Minnie Sanderford; of Ada A. Norris for herself and her minor child, Henry Norris; and of Delila Dixon for herself and her two minor children, Mabel and Ava Dixon, for identification as Mississippi Choctaws, including your decision of June 4, 1902, refusing to enroll the applicants.

It is alleged that these applicants are the descendants of one Paul Davis, son of one Daniel Davis, a 1/2 blood Choctaw Indian. It is claimed that both of said ancestors resided in the old Choctaw Nation in Mississippi in 1830. Certain of these applicants trace their descent through one Aleck Nelson Davis to the said Paul Davis. It appears that Alec Nelson Davis was also a resident of Mississippi in 1830.

The testimony as furnished by the record fails to show that any of the alleged ancestors ever complied or attempted to comply with the provisions of article 14 of the treaty of September

27, 1830, or, was entitled to receive the benefits of said article, or even claimed to be so entitled, either under the treaty itself or under the provisions of the acts of March 3, 1837 (5 Stat., 180) or August 23, 1842 (5 Stat., 513). In as much as these applicants are claiming under said article 14, it cannot be held that they have established any right thereunder, by virtue of the testimony which they have submitted.

August 9, 1902, reporting in the matter, the Acting Commissioner of Indian Affairs stated

"the office records show that Ho-te-o-ka, a Choctaw woman, complied with the provisions of said article (fourteen), and that she was 31 years old at the date of the treaty, also that she had two children- one "Davis" aged about 3 years and one "Betsy" aged about one year at said date. This is the only Davis on the 14th article list of claimants and his father' was called James or Jim Sunna.' It is apparent from the record evidence that this 'Davis' was not the ancestor of any of these applicants for if living he would only be about 75 years old at this date."

As certain of these applicants are now nearly 70 years of age, it is impossible to believe that the said Davis is identical with any of their alleged ancestors. In said report the Acting Commissioner of Indian Affairs recommended that your action be approved, and for the reasons herein stated, the Department concurs therein and your decision is hereby affirmed. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

F.L. Campbell,

Acting Secretary.

1 inclosure.

END.

COPY.

Maskogee, Indian Territory, November 15, 1902.

Mansfield, McMurray & Gerniah,

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

Gentlemen:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by mail on the 14th day of June, 1902.

Respectfully,

James G. ...
Acting Chairman.

M.C.R. 2617

COPY.

Muskogee, Indian Territory, November 15, 1902.

Benjamin F. Davis,
Eustace, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

(SIGNED)

James D. Doby

Acting Chairman.

Consolidated Case
of
Benjamin F. Davis
et al
McR. 2617.

Daniel Davis
father of

Paul Davis, 14, Dead
Eunice Davis, Dead

Matilda Davis, 53, 18
married
Gray Sanderford, (Dead)
Lon Ferguson, (Dead)

B.F. Davis, 64, 18
wife
Mary A. Davis (Dead)

George S. Davis, 50, 18
wife
Sarah A. Davis,

Eliza Davis 50, 18
married
James J. Edwards.

John J. Sanderford, 29 1/16
wife
Martha Sanderford

Paul Sanderford, 26, 1/16
wife
Annie Sanderford

Mattie Sanderford, 23, 1/16
married
Mike Niblett

John Sanderford, 19
Minnie Sanderford 16

Mary J. Davis, 26 1/16
married
Amos Looney

Charley Davis, 23, 1/16
Michael J. Davis, 18,
Luther Davis, 14,
Georgia Davis, 11

John K. Davis, 28, 1/16
Bettie Davis, 19, 1/16
married
W. H. Willingham
Lucy J. Davis, 17
Polly Davis, 12.

David V. Edwards, 26 1/16
wife
Ora Edwards,
Isham Edwards, 24, 1/16
wife
Gussie Edwards

Alice Edwards 22, 1/16

Otho Edwards, 11
Arthur Edwards, 11
Nola Edwards, 15
Mattie Edwards, 13
DeVau Edwards, 11
Thomas Edwards, 9
Chester Edwards, 5

Joy Sanderford, 5.
Roy Sanderford, 3
Ora Sanderford, 6, 20-

Maudie Sanderford, 4
Ethel Sanderford, 11, 20-

Clarence Niblett, 1
Rudolph Niblett, 7, 20-

Veran Looney, 14

Glynn Edwards, 2
William Harles Edwards, 1

Myrtie Edwards 15, 20-

Daniel Davis
father of

Paul Davis 14 Dead
wife
Eunice Davis, Dead

Aleck H. Davis 15 Dead
wife
Delilah Davis

Robert M Davis 55 15
wife
Laura Davis
Nancy J. Davis

Malinda Davis 67 15
married
William

Henry A Davis 51 14
wife
Lucy Davis

James E. Davis 31 14
wife
Martha Davis

Susan Davis 40 14
married
Charley C. McLaughlin

Mena L Davis 28 11
married
Andrew J. Mosely

Melissa J. Davis 33 16
married
W. D. McLaughlin

Benjamin F Davis 28
wife
Myra Davis

William S. Davis, 17
Essie Davis, 11
Walter Davis, 8
Melvin Davis, 4

Delila Davis 23 1321
married
Ambrose L. Davis

Ada U. Davis, 21 1321
married
Billy Norris

Bilva Davis, 15
Dolly C. Davis, 13
Mary E. Davis, 5
Caire Davis, 1

Tracie T. Davis 10
Victoria Davis 8
Ella M. Davis 5

Arleston McLaughlin 13
Simmie McLaughlin 11
Lennie McLaughlin 9
Altha McLaughlin 8
Thomas P. McLaughlin 6
Lucie J. McLaughlin 3

Clifton Mosely 8
Jesse V. Mosely 5
Roy Mosely 5 mos.

Chester McLaughlin, 11
Mormon McLaughlin, 7
Homer McLaughlin, 4
Bennie McLaughlin, 11 mos.

Ella Davis, 6
Annie Davis, 4
Ella Davis, 3

Mabel Lison, 2
Ava Lison, 4 mos.

Henry Morris, 1

For Identification as a Mississippi Choctaw.

Date **JUN 12 1901**Name *Benjamin F. Davis*Age *64* Blood *1/8*Post Office, *Eustace, Texas*Father: *Paul Davis (dead)*Mother *Eunice Davis*Claims through *father*Wife: *Mary A. Davis (dead)*

Children:

*Michael J. Davis 18**Luther " 14**Georgie " F 11**Claims for himself and
three minor children.*

Stenographer

Henry G. Hains

Choctaw MCR 2618

George S Davis

MCR 2618

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

2619

In the matter of the application of George S. Davis for the identification of himself and his two minor children as Mississippi Choctaws.

George S. Davis having been first duly sworn testified as follows

Examination by the Commission:

- Q What is your name? A George S. Davis.
Q What is your age? A Fifty-one.
Q What is your post-office address? A Rustace, Texas.
Q How long have you lived there? A About two years.
Q Where did you live before that? A Wise County, Texas.
Q How long did you live in Texas? A About twenty-four years.
Q Where did you live before you moved to Texas? A Mississippi.
Q Born in Mississippi and lived there until you moved to Texas? Yes.
Q What is your father's name? A Paul Davis.
Q Is he living? A No.
Q What is your mother's name? A Eunice Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One eighth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A I don't know.
Q Are you married? A Yes.
Q What is your wife's name? A Sarah A. Davis.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application at this time? A Yes; two.
Q Give their names and ages. A Lucy J. Davis- seventeen; Paley Davis (Girl), twelve.
Q You are the father of these children? A Yes.
Q What is the name of their mother? A Sarah A. Davis.
Q When and where were you married to her? A In Mississippi in '74.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A Yes, I haven't them with me.
Q Is your name or are the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or your children to be enrolled as members of that tribe? A No.
Q Did you or any one for you or your children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.

George S. Davis--2

- Q Have you ever made application prior to this time for yourself or them to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not as I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis, my grandfather, and Paul Davis my father.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe at that time? A I guess I have.
- Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A No.
- Q If they did not remove with the other members of the tribe, did either of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw tribe in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Not that I know of.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know of.
- Q Are there any additional statements you wish to make? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?

Affidavit of Susie Lerd offered in evidence by applicant marked Exhibit "A", filed and made a part of the record in this case; affidavit of T.M. Parkman offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q Do you want to file any further evidence in support of this claim?
A I may in thirty days.

Thirty days time is allowed applicant in which to file additional evidence in support of this claim.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of same made to the Secretary of the Interior conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

George S. Harrison

Henry G. Hains being duly sworn on his oath states that in transcription of the deposition of the late William H. Hains he reported in full all proceedings had in the above entitled case on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said case on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. M. Lambaugh
Notary Public

W. H. HAINES

W. H. HAINES

Muskogee, Indian Territory, June 29, 1901.

Mr. George S. Davis,
Mustace, Texas,

Dear Sir:

The Commission is in receipt of certified copy of the marriage license and certificate between George S. Davis and Sarah Sanderford, which you offer for filing in support of your application for the identification of yourself and your minor children as Mississippi Choctaws. The same has been duly filed in this case.

Yours truly,

MC 2618

Acting Chairman.

Muskogee, Indian Territory, November 26, 1901.

George S. Davis,
Eustace, Texas,

Dear Sir:

Receipt is hereby acknowledged of your letter of the twenty second instant, inclosing affidavit of Malinda Williams which you offer for filing in support of your application for the identification of yourself and your minor children as Mississippi Choctaws. The same has been filed with the record in your case.

Yours truly,

Acting Chairman.

MC 2618

Muskogee, Indian Territory June 14, 1902.

George S. Davis,
Mustace, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2616
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert K. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham	M.C.R.	2624
Mary J. Leoney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Della Dixon, et al.,	M.C.R.	2984

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

G. S. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Charles Edwards, Isaac Edwards, Bertie Lynn Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis Annie Davis, Ellie Davis, Paul Sanderford, Audie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Helva Davis, Betty L. Davis, Mary E. Davis, Beure Davis, James R. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert K. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Fannie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Kermon McLauchlin, Homer McLauchlin, Bessie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda K. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Morris, Henry Morris, Delila Dixon, Mabel Dixon and Ava Dixon, 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) *Tame Dixey.*

Registered.

Acting Chairman.

M.O.R. 2618

COPI

Muskogee, Indian Territory, November 16, 1902.

George E. Davis,

Bustaco, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

James H. ...

Acting Chairman.

No. 2618

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name George S. Davis

Age 31 Blood 1/8

Post Office, Eustace, Texas

Father: Paul Davis (dead)

Mother: Eunice Davis "

Wife: Claims through father
Sarah A. Davis ✓
(no claim for her)

Children:

Lucy J. Davis 17

Paley " F 12

Claims for himself and
two minor children

Stenographer

Henry S. Harris

MISSISSIPPI
George S. Davis et al

REFUSED

DECISION RENDERED. JUN 4 1902

JUN 13 1902

NO. 10000
FOR THE STATE OF MISSISSIPPI

RECORDED

ACTED

NOV 5 1902

JUN 10 1902

NOV 1 1902

FILED
AT THE CLERK'S OFFICE
OF THE SUPREME COURT
OF THE STATE OF MISSISSIPPI

REFER TO M. C. R.

Choctaw MCR 2619

John T Sanderford

MCR 2619

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

#2619

In the matter of the application of John T. Sanderford for the identification of himself and his minor children as Mississippi Choctaws.

John T. Sanderford being duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John T. Sanderford.
Q What is your age? A Twenty-nine.
Q What is your post-office address? A Poolville, Texas.
Q How long have you lived there? A Six years.
Q Where did you live before that? A I lived in Wise County.
Q How long have you lived in Texas? A About twenty-four years.
Q Where did you live before you moved to Texas? A Mississippi.
Q Born in Mississippi? A Yes.
Q And lived there until you moved to Texas? A Yes.
Q What is your father's name? A Gray Sanderford.
Q Is he living? A No.
Q What is your mother's name? A Matilda Ferguson.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Mother.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your mother thorough whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A Not that I know of.
Q Are you married? A Yes.
Q What is your wife's name? A Martha Sanderford.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q Have you any children in your family for whom you wish to make application at this time? A Yes; Ivy, five; Roy, three, and Ora six months.
Q These are all your children? A Yes.
Q What is the name of their mother? A Martha Sanderford.
Q When and where were you married to her? A I was married in '98, in Parker County, Texas.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A I haven't got them with me.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? Or are the names of your children? A No, not as I know of.
Q Have you ever made application to the Choctaw tribal authorities for yourself or them to be enrolled as members of that tribe? A No.
Q Did you or anyone for you or your children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? No.

2---John T. Sanderford

- Q Have you ever made application prior to this time for yourself or them to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, my grandfather and Daniel Davis my great-grandfather.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe at that time? A No.
- Q Did these ancestors if Choctaw Indians remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Not that I know of.
- Q If they did not remove with the other members of the tribe, did either of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw tribe in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements that you desire to make in support of this application? A Yes.
- Q Well, what are they? A Let's hear the question again.
- Q Are there any additional statements you desire to make in support of this application? A Well, none unless it is that I want to make an affidavit and put it in here.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied with or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits as under that article of that treaty? A No.
- Q You say that you want time in which to file some affidavits? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

Henry G. Hains being duly sworn on his oath states that as sten-

John T. Sanderford--2

together to the Commission to the Five Civilized Tribes be reported
in full and proceedings had in the above entitled case on June 12,
1901, and that the above and foregoing is a full, true and correct
transcript of his stenographic notes in said case on said date.

Henry G. Hains

Subscribed and sworn to before me this 25 day of July, 1901.

W. H. Lawrence
Notary Public

Muskogee, Indian Territory, June 22, 1901.

Mr. John T. Sanderford,
Poolville, Texas,

Dear Sir:

The Commission is in receipt of marriage license and certificate between J. T. Sanderford and Martha Bullard, which you offer for filing in support of your application for the identification of yourself and your minor children as Mississippi Choctaws, and the same has been duly filed with the records in that case.

Yours truly,

Acting Chairman.

MC 2619

COPY

M.C.R. 2619

Muskogee, Indian Territory June 14, 1902.

John T. Sanderford,
Poolville, Texas.

Dear Sir:-

You are hereby advised that on the 4th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Benjamin F. Davis, et al., embracing the following applications for identification as Mississippi Cherokees:

Benjamin F. Davis, et al.,	M.C.R.	2617
Allice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isiah Edwards, et al.,	M.C.R.	1802
Bliss Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hobbett, et al.,	M.C.R.	2614
Henry B. Davis, et al.,	M.C.R.	2615
James B. Davis, et al.,	M.C.R.	2616
George B. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Gusun W. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Morris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

These applications were made under the provision of the act of Congress of June 28, 1838 (30 Stat. 496) which is as follows:

J. T. R. 22

"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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Lynn Edwards, William Charles Edwards, Isham Edwards, Martie Lyda Edwards, Eliza Edwards, Otis Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Faudie Sanderford, Ethel Sanderford, Mattie Hiblett, Clarence Hiblett, Rudolph Hiblett, Henry H. Davis, Nolve Davis, Betty C. Davis, Mary E. Davis, Beure Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Kacie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Elsie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Gusie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merton McLauchlin, Homer McLauchlin, Bessie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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)

Fame Dixie.

Registered.

Acting Chairman.

COPY.

M.C.R. 2619

Muskogee, Indian Territory, November 15, 1902

John T. Sanderford,
Poolville, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

Tamo Ditty
Acting Chairman.

A MISCELLANEOUS ACT

John T. Sanderford et al.

RECEIVED

DECISION RENDERED JUN 4 1902

NOT

RECEIVED

JUN 11 1902

RECEIVED

RECEIVED

RECEIVED

RECEIVED

NOV 5 1902

RECEIVED

NOV 1 1902

NOTICE OF APPEAL FROM DECISION
OF THE BOARD OF APPEALS
AND OF CERTAINATIONS.

FEB 10 1902

No. 2519

For Identification as a Mississippi Choctaw.

Date **JUN 12 1901**

Name *John T. Sanderford*

Age *29* Blood *1/16*

Post Office, *Poolville Texas.*

Father: *Gray Sanderford (dead)*

Mother: *Matilda Ferguson*

Claims through *mother*

Wife: *Martha Sanderford*
(no claim for her)

Children:

<i>Ivy Sanderford</i>	<i>5</i>
<i>Roy</i>	<i>3</i>
<i>Oral</i>	<i>6 m</i>

Claims for himself and three children.

Stenographer

Henry G. Hains

Choctaw MCR 2620

Robert M Davis

MCR 2620

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

42620

In the matter of the application of Robert M. Davis for the identification of himself and his minor children as Mississippi Choctaws. Robert M. Davis having been duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Robert M. Davis.
Q What is your age? A Fifty-five.
Q What is your post-office address? A Paynespring~~s~~, Texas.
Q How long have you lived there? A I have lived there first and last about 23 years.
Q How long have you lived in Texas? A Twenty-three years, well I have lived in Indian Territory five years and in Texas all the balance of that time.
Q How long have you lived in Texas this last time? A Two years.
Q And where did you live before that? A Up close to Ardmore, I.T.
Q How long did you live in Indian Territory? A Five years.
Q And where did you live before you lived in Indian Territory? that time? A I lived in Texas.
Q How long that time? A About fourteen or fifteen years.
Q And where before that? A Mississippi.
Q How long? A Born and raised there.
Q And lived there until you moved to Texas the first time? A Yes.
Q What is your father's name? A Paul Davis.
Q Is he living? A No.
Q What is your mother's name? A Eunice Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A He claimed 1/4; I claim one eighth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the authorities of the United States? A I think not.
Q Are you married? A Yes.
Q What is your wife's name? A Nancy J. Davis.
Q Is she living? A Yes.
Q Do you make application on behalf of your wife? A No.
Q Have you any children in your family under twenty-one years of age and unmarried for whom you wish to make application at this time? A Yes, I have four.
Q Give the names and ages of these children. A William S. Davis, 17; Essie Davis, 11; Walter Davis, 8; Helvin Davis, 4.
Q You are the father of these children? A Yes.
Q What is the name of their mother? A Nancy J. Davis.
Q When and where were you married to her? A Mississippi in '71.
Q Did you obtain a license to marry? A Yes.
Q Were you married by an ordained minister or by an official authorized to perform the marriage ceremony? A Ordained minister.
Q Have you your marriage license and certificate and do you desire to offer same in evidence? A No, I haven't here.

It will be necessary for the Commission to be supplied with evidence of your marriage to your wife in support of your application on behalf of your minor children.

- Q Is your name or are the names of your children on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or them to be enrolled as members of that tribe? A No.
- Q Did you or any one for you or for your children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A No.
- Q Have you ever been admitted you or your children to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
- Q Have you ever made application prior to this time for yourself or them to either the Choctaw tribal authorities, or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw nation? A No.
- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors--? A If they have I don't know anything about it.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in Mississippi in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis was my grandfather and Paul Davis my father.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe of Indians at that time? A Yes.
- Q Did they, if Choctaw Indians, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A No.
- Q If they did not remove with the other members of the tribe did they or either of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Not as I knew of
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know anything about.
- Q Are there any additional statements that you desire to make in support of this application? A Nothing only that I want thirty days.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A Yes.

Affidavit of Susie Lord offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; affidavit of T.M. Parkman offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q You say you want time in which to file additional evidence in support of this claim? A Yes.

Henry G. Hains is allowed to file any additional evidence in support of his claim.

The decision of the Commission as to your application for the land claim of your father and your mother as mentioned above will be determined at the hearing, the date and report of same to be given by the secretary of the Interior, conformable to the provisions of the Act, Session of the 46th Congress of June 25, 1880, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July, 1901.

R. H. Lanebaugh
Notary Public.

Muskogee, Indian Territory, July 24, 1901.

Mr. R. M. Davis,
Eustace, Texas,

Dear Sir:

There has been received at this office a communication from J. W. Tullos, Clerk of the Circuit Court, Raleigh, Mississippi, addressed to Mr. R. M. Davis, Eustace, Texas. It is supposed that same has been forwarded to the Commission relative to your inability to supply evidence of your marriage to Nancy Davis, in the matter of the application for the identification of yourself and your children as Mississippi Choctaws. The letter received at this office is forwarded to you herewith with the instructions that it will be necessary that conclusive evidence of your marriage to Nancy Davis be furnished the Commission in the matter of your application for the identification of your children. In view of your inability to furnish certificate from the court in which your marriage license and certificate have been recorded, the affidavits of two disinterested parties who were present at your wedding will be received and considered.

Yours truly,

MC 2620
Inclosure AB 2-24

Commissioner in Charge.

Muskogee, Indian Territory, December 28, 1901.

R. M. Davis,

Payne Springs, Texas,

Dear Sir:

Receipt is hereby acknowledged of the letter of the sixteenth instant from J. W. Tullos, Clerk of the Circuit Court of Smith County, Mississippi, in which he states that in 1892 the court house in that county was burned and the marriage records destroyed.

This letter has been filed with the record in support of your application for the identification of yourself and your minor children as Mississippi Choctaws. You should procure from the Clerk of the Circuit Court for that county and state a certificate, with his seal attached thereto, to the effect that the records of that county were destroyed by fire.

Yours truly,

MC-2620

Commissioner in Charge.

Muskogee, Indian Territory, December 4, 1901.

Robert M. Davis,

Payne Springs, Texas,

Dear Sir:

Receipt is hereby acknowledged of the affidavits of Mattie Sanderford and M. J. Green, which have been offered for filing in support of your application for the identification of yourself and your minor children as Mississippi Choctaws. The same have been filed with the records in your case, but cannot be accepted by the Commission as conclusive evidence of your marriage to Nancy J. Sanderford, unless some reason is shown why a certified copy of the court record of such marriage is not submitted in support of your application.

Yours truly,

Acting Chairman.

MC 2620

Muskogee, Indian Territory, January 23, 1902.

E. E. Davis,

Business, Texas.

Dear Sir:

Receipts hereby acknowledged of the certificate of J. W. Hall, Circuit Clerk of Smith County, Mississippi, in the destruction of the marriage records of that county by fire in 1892. This certificate, together with the affidavits heretofore filed by you of M. S. Green and Mattie Sanderford as witnesses of your marriage to E. J. Sanderford, has been accepted as evidence of your marriage and will be filed with the records in support of your application for the identification of yourself and your minor children as Mississippi Choctaws.

Yours truly,

Acting Chairman.

MC 3688

COPY.

M.C.R. 2620

Muskogee, Indian Territory June 14, 1902.

Robert M. Davis,

Paynespring, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Elisa Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Leoney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Helinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2628
Delila Dixon, et al.,	M.C.R.	2684

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stats. 495) which is as follows:

R. M. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellis Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry K. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James R. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Sissie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Mermon McLauchlin, Homer McLauchlin, Rennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Morris, Henry Norris, Dollie Dixon, Mabel Dixon and Ava Dixon, as Choctaw Indians entitled to rights in the Choctawlands 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. Dwyer

Registered.

Acting Chairman.

M.C.R. 2620

COPY.

Muskogee, Indian Territory, November 15, 1902.

Robert M. Davis,

Paynespring, Texas.

Dear Sir:-

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

James Dickey
Acting Chairman.

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name Robert M. Davis

Age 53 Blood 1/8

Post Office, Payne Springs, Tex

Father: Paul Davis (dead)

Mother: Eunice Davis "

Claims through father
Wife Nancy J. Davis
(no claim for her)

Children:

- William D Davis 17
- Essie " 11
- Walter " 8
- Melvin " 4

Claims for himself and four minor children

Stenographer

Henry G Hains

Robert M. Davis et al

REF USE

DECISION RENDERED. JUN 4 1902

NOTICE OF DECISION MADE APPLICANT.

K... JULY 1 1902

NOTICE OF DECISION MADE APPLICANT.

RECORD FORWARDED OFFICE

JUN 11 1902

NOTICE OF DECISION MADE APPLICANT.

NOV 5 1902

NOTICE OF DECISION MADE APPLICANT.

NOV 1 1902

NOTICE OF DECISION MADE APPLICANT.
FORWARDED TO OFFICE OF INDIAN AFFAIRS
AND OF INDIAN NATIONS

REFER TO M. C. R. 2617

Choctaw MCR 2621

Susan M McLaughlin

MCR 2621

Department of the Interior/
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

42621

In the matter of the application of Susan M. McLaughlin for the identification of herself and her six minor children as Mississippi Choctaws.

Susan M. McLaughlin having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Susan M. McLaughlin.
Q What is your age? A Forty.
Q What is your post-office address? A Paynespring, Texas.
Q How long have you lived there? A Eighteen years.
Q Where did you live before that? A I was born and raised in Mississippi.
Q And lived there until you moved to Texas? A Yes.
Q What is your father's name? A Aleck N. Davis.
Q Is he living? A No.
Q What is your mother's name? A Delilah Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No; I don't know.
Q Are you married? A Yes.
Q What is your husband's name? A Charley C. McLaughlin.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children in your family under twenty-one and unmarried for whom you wish to make application at this time? A Yes.
Q How many? A Six.
Q Give the names and ages of these children. A Austin C.-thirteen; Jimmie (Boy), -eleven; Lemmie (Girl)-, nine; Alotha (Girl), -eight; Thomas P.- six; Susie J.- three.
Q These are all your children? A Yes.
Q What is the name of their father? A Charley C. McLaughlin.
Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
Q Have you ever made application for yourself or your children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No.
Q Did you or did any one for you or for your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application for yourself or them prior to this time to be admitted or enrolled by the Choctaw tribal authorities or the authorities of the United States as citizens of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever

Susan M. McLaugh---2

- made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors? A No.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and recognized members of the Choctaw Nation in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, my grandfather and Daniel Davis, my great-grandfather.
- Q Have you any evidence showing that such ancestors were ever recognized members of the Choctaw tribe at that time? A I haven't got none like they have but I could get them if these want do for them.
- Q You can have time; either to get certified copies of the papers filed in their cases or to have new ones made.
- Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the other members of the Choctaw tribe from 1833 to 1838? A I don't know.
- Q If they did not remove with the other members of the tribe, did either of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No, not as I know of.
- Q Are there any additional statements you desire to make in support of this application? A I want proof if it takes proof; my aunt here and uncles would be my proof if you would take it. No, I will just take time.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.
- Q Did you say that you wanted time in which to file additional evidence? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence in support of her claim.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white woman.

Henry G. Hains being first duly sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said

Subscribed and sworn to before me this

Henry G. Haines

day of

Subscribed and sworn to before me this 15 day of July, 1901.

William K. Knight
Notary Public

WALTER P. APPENDIX

WALTER P. APPENDIX

Muskogee, Indian Territory, June 24, 1901.

Mr. C. C. McLaughlin,
Paynespring, Texas,

Dear Sir:

The Commission is in receipt of certified copy of marriage license and certificate between C. C. McLaughlin and S. H. Davis, which you offer for filing in support of the application of Susan H. M. McLaughlin for the identification of herself and her minor children as Mississippi Choctaws. The same has been made a part of the record in this case.

Yours truly,

Acting Chairman.

MC 2621

COPY.

M.C.R. 2621

Muskogee, Indian Territory June 14, 1902.

Susan M. McLaughlin,
Paynespring, Texas.

Dear Madam:

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Kattie Niblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2616
James B. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beure Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Sirmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merton McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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,

AS AT

James H. Hodge,

Registered.

Acting Chairman.

M.C.R. 2621

COPY.

Muskogee, Indian Territory, November 15, 1902.

Susan M. McLaughlin,
Paynespring, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

(SIGNED)

Samuel D. Dixey
Acting Chairman.

No. 2821

For Identification as a Mississippi Choctaw.

JUN 19 1991

Date

Name Susan M. McLaughlin

Age 40

Blood

1/6

Post Office, Payne Springs, Texas.

Father: Alex N. Davis (Dead)

Mother: Delilah Davis "

Claims through father

Husband: Charley C. McLaughlin
(no claim for him)

Children:

Austin C. McLaughlin	13
Arminie	" M 11
Lennie	" F 9
Uletha	" F 8
Thomas P.	" 6
Susie J.	" 3

Claims for herself and 6
minor children

Stenographer

Henry G. Hains

A MISDEMEANOR

Susan M. McLaughlin et

REFUSED

DECISION RENDERED.

JUN 4 1902

NO. 111 DECISION MADE BY APPLICANT.

JUN 13 1902

NOTICE OF DEBARKMENT TO ATTORNEYS
FOR CHOCTAW AND CHICKALAW NATIONS

RECORD FORWARDED BY MAIL

JUN 14 1902

ACTION APPROVED

RECEIVED

NOV 5 1902

NOTICE OF DEPARTURE ACTION
FORWARDED BY MAIL

NOV 15 1902

NOTICE OF DEPARTURE ACTION
FORWARDED BY MAIL FOR CHOCTAW
AND CHICKALAW NATIONS.

REFER TO M. C. R. 2617

Choctaw MCR 2622

Melissa J McLaughlin

MCR 2622

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

#2622

In the matter of the application of Melissa J. McLauchlin for the identification of herself and her minor children as Mississippi Choctaws.

Melissa J. McLauchlin having been first duly sworn on her oath testified as follows:

Examination by the Commission.

- Q What is your name? A Melissa J. McLauchlin.
Q What is your age? A Thirty-three years old.
Q What is your post-office address? A Paynespring, Texas.
Q How long have you lived there? A About 22 or 23 years.
Q Where did you live before? A Mississippi.
Q Born in Mississippi and lived there until you moved to Texas?
A Yes.
Q What is your father's name? A Robert M. Davis.
Q Is he living? A Yes.
Q What is your mother's name? A Laura Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood?
A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States?
A No, I don't think he has.
Q Are you married? A Yes.
Q What is your husband's name? A W.D. McLauchlin.
Q Is he living? A Yes.
Q Do you make application for him? A I guess not.
Q Have you any children for whom you wish to make application at this time? A Yes; four.
Q Give the names and ages? A Chester McLauchlin, eleven; Hermon McLauchlin (Boy), seven; Homer McLauchlin, four; Bennie McLauchlin, eleven months.
Q These are all your children? A Yes.
Q What is the name of their father? A W.D. McLauchlin.
Q Is your name or are the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application for yourself or your children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of the Choctaw tribe? A No, not exactly.
Q What do you mean by "exactly"? Well, we started to one time and got afraid and quit.
Q Did you ever make application to the Council? A No.
Q How far did you go with that? A No ways.
Q Did you ever make any application? A No.
Q Did you or did any one or you or for your children, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or for your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as

- citizens of the Choctaw Nation? A No.
- Q Is this the first application of any description you have ever made?
A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis grandfather; and Daniel Davis my great-grandfather.
- Q Have you any evidence showing that they were recognized members of the Choctaw tribe at that time? A Nothing only this paper.
- Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Not that I know of.
- Q If they did not remove with the other members of the tribe, did either of them within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A I don't know.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provision of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?
A These is all I have.

Affidavit of Susie Lord offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; Affidavit of T.M. Parkman offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q Do you want time in which to file additional evidence in support of this claim? A Well, I don't know.
- Q If you don't want time just say so; and if you do, say so. A I guess I do.

Thirty days time is allowed applicant in which to file any additional evidence in support of her application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white woman.

Walter H. Haskins

Henry G. Hains being duly sworn on his oath states that as stenographer by the commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

Walter H. Haskins
Notary Public.

Muskogee, Indian Territory, June 24, 1901.

Mr. W. D. McLaughlin,

Paynespring, Texas,

Dear Sir:

The Commission is in receipt of certified copy of the marriage license and certificate between W. D. McLaughlin and M. J. Davis, which you offer for filing in support of the application of Melissa J. McLaughlin for identification of herself and her minor children as Mississippi Choctaws. The same has been made a part of the record in this case.

Yours truly,

Muskogee, Indian Territory June 14, 1902.

Melissa J. McLauchlin,
 Pappaspring, Texas.

Dear Madam:

You are hereby advised that on the 4th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Benjamin F. Davis, et al., embracing the following applications for identification as Mississippian Choctaws:

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLauchlin, et al.,	M.C.R.	2621
Melissa J. McLauchlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

These applications were made under the provision of the act of Congress of June 20, 1898 (30 Stats. 495) which is as follows:

M. J. L. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harlos Edwards, Isham Edwards, Mertie Lyda Edwards, Elise Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin P. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Melva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James F. Davis, Gracie F. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Ray Sanderford, Ora Sanderford, Robert W. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan E. McLauchlin, Austin C. McLauchlin, Sissie McLauchlin, Lennie McLauchlin, Alotha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Merton McLauchlin, Homer McLauchlin, Bennie McLauchlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, John Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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)

Tamm Dixey

Registered.

Acting Chairman.

COPY.

M. O. B. 2602

Muskogee, Indian Territory, November 15, 1902.

Melissa J. McLaughlin,
Paynespring, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

(SIGNED)

Tamm Dickey
Acting Chairman.

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name *Melissa J McLaughlin*

Age 33 . Blood 1/16

Post Office *Payne Spring Texas*

Father: *Robert M. Davis*

Mother: *Laura Davis (dead)*

Claims through *father*

Husband: *A. S. McLaughlin*
(no claim for him)

Children:

<i>Chester McLaughlin</i>		<i>11</i>
<i>Murmon</i>	<i>" M</i>	<i>7</i>
<i>Homer</i>	<i>"</i>	<i>4</i>
<i>Bennie</i>	<i>"</i>	<i>11 mo</i>

Claims for herself and four minor children

Stenographer

Henry H. Haines.

Melissa J. McLaughlin

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE OF DECISION TO APPLICANT
JUN 11 1902

NOTICE OF DEPARTMENTAL ACTION
FOR CHOCTAW AND CHICKASAW NATIONS

RECORD FORWARDED DEPARTMENT.

JUN 11 1902

ACTION APPROVED BY DEPARTMENT OF INTERIOR.

NOV 5 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED BY DEPARTMENT

NOV 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED BY ATTORNEY FOR CHOCTAW
AND CHICKASAW NATIONS

NOV 15 1902

REFER TO M. C. N. 2617

Choctaw MCR 2623

Rena L Moseley

MCR 2623

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

42623

In the matter of the application of Rena L. Moseley for the identification of herself and her minor children as Mississippi Choctaws.

Rena L. Moseley having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Rena L. Moseley.
Q What is your age? A Twenty-eight.
Q What is your post-office address? A Paynespring, Texas.
Q How long have you lived there? A Eighteen years.
Q Where did you live before you lived there? A Mississippi.
Q Were you born in Mississippi? A Yes.
Lived there until you moved to Texas? A Yes.
Q And have lived in Texas continuously ever since? A Yes.
Q What is your father's name? A Aleck N. Davis.
Q Is he living? A No.
Q What is your mother's name? A Delilah Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood?
A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the authorities of the United States? A No, not as I know of.
Q Are you married? A Yes.
Q What is your husband's name? A Andrew J. Moseley.
Q Is he living? A Yes.
Q Do you make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application at this time? A Yes.
Q How many? A Three.
Q Give their names and ages. A Clifton Moseley, eight; Jessie V. Moseley, (Boy), five; Roy Moseley, five months.
Q These are all your children? A Yes.
Q What is the name of their father? A Andrew J. Moseley.
Q Is your name or are the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for yourself or your children to be enrolled as members of that tribe? A No.
Q Did you or did any one for you or your children in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 20, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or for them to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.
Q Is this the first application of any description you have ever made? A Yes.

Rena L. Mosley---2

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, my grandfather and Daniel Davis, my great-grandfather.
- Q Have you any evidence showing that such ancestors were ever recognized members of the Choctaw tribe at that time? A Yes.
- Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A Not that I know of.
- Q If they did not remove with the other members of the tribe, did either one of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No, I don't think they have.
- Q Are there any additional statements you desire to make in support of this application? A No, I guess not.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty?
- A That's all I have got- just witnesses.

Affidavit of T.M. Parkman offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; affidavit of Basie Lord offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record in this case.

- Q Do you want time in which to file any additional evidence in support of this case? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of her application.

The decision of the Commission as to your application for the identification of yourself and your minor children as Mississippi Choctaws will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently is a white woman.

Henry G. Wains being duly sworn on his oath states that as sten-

agrees to the contents of the above entitled notes as reported
in all proceedings had in the above entitled case on June 12,
1901, and that the above and foregoing is a full, true and correct
transcript of the stenographic notes in said case on said date.

Henry G. Harris

Subscribed and sworn to before me this 15 day of July, 1901.

W. L. ...
Notary Public

Muskogee, Indian Territory, July 26, 1901.

Rena L. Hossly,
Payne Springs, Texas.

Dear Madam:

Receipt is hereby acknowledged of the marriage license and certificate of A. J. Hossly and R. L. Davis, of the 6th of January 1890, also, the joint affidavit of J. L. Phillips and Daniel Keane, offered by you for filing in the matter of the application for identification of yourself and minor children as Mississippi Choctaws. The same have been duly filed with the records of the Commission and will receive consideration in the disposition of your application.

Yours truly,

Commissioner in charge.

MO-2423

COPY.

M.C.R. 2622

Muskogee, Indian Territory June 14, 1902.

Ben L. Koseley,

Paynespring, Texas.

Dear Madam:

You are hereby advised that on the 4th day of June 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Benjamin F. Davis, et al., embracing the following applicants for identification as Mississippi Choctaws:

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Klissa Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2618
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Siblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. Kolauchlin, et al.,	M.C.R.	2621
Melissa J. Kolauchlin, et al.,	M.C.R.	2622
Ben L. Koseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2626
Charley Davis,	M.C.R.	2628
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda R. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2625
Delila Dixon, et al.,	M.C.R.	2624

These applications were made under the provision of the act of Congress of June 20, 1896 (30 Stat. 495) which is as follows:

R. L. V. #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 therefor 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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Charles Edwards, Isham Edwards, Martie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Mola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary K. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert H. Davis, William S. Davis, Marie Davis, Walter Davis, Melvin Davis, Susan M. McLaughlin, Austin C. McLaughlin, Minnie McLaughlin, Lonnie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Herman McLaughlin, Homer McLaughlin, Bennie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jchu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Della Dixon, Mabel Dixon and Ave Dixon, 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

Fame Dixby

Registered:

Acting Chairman.

M.C.R. 2623

COPY

Muskogee, Indian Territory, November 15, 1902.

Rena L. Moseley,
Paynespring, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

James Fisher
Acting Chairman.

No. 1021

For Identification as a Mississippi Choctaw.

Date JUN 19 1901

Name Rena L. Mosely

Age 28

Blood 1/16

Post Office, Payne Springs Texas

Father: Alexck N. Davis (dead)

Mother: Delilah Davis "

Claims through father

Husband: Andrew J. Mosely
(no claim for him)

Children:

Clifton Mosely 8

Jesse V " 5

Roy " 5 mo.

Claims for herself and
three children.

Stenographer

Henry G. Hains.

A MISSISSIPPI DOCUMENT

Rena L. Moseley et al

REFUSED

DECISION RENDERED. JUN 4. 1902

NO. _____

JUN 1. 1902

NO. _____ ATTORNEYS
FOR THE _____

RECORD FORWARDED BY _____

ACTION APPEALED BY _____

NOV 5 1902

NO. _____

NOV 1. 1902

NOTICE OF DEPARTMENTAL ACTION
FOR THE _____ CHOCOM
AND CHICKASAW RATIONS

REFER TO M. C.

2617

Choctaw MCR 2624

Bettie Willingham

MCR 2624

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

#2624

In the matter of the application of Bettie Willingham for the identification of herself alone as a Mississippi Choctaw.

Bettie Willingham having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Bettie Willingham.
Q What is your age? A Nineteen.
Q What is your post-office address? A Mesheim, Texas.
Q How long have you lived there? A One year.
Q Where did you live before that? A Henderson County, Texas.
Q How long have you lived in Texas? A Nineteen years.
Q Born there and have lived there all your life? A Yes.
Q What is your father's name? A George Davis.
Q Is he living? A Yes.
Q What is your mother's name? A Sarah A. Davis.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood?
A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A I don't know.
Q Are you married? A Yes.
Q What is your husband's name? A W.H. Willingham.
Q Is he living? A Yes.
Q Do you make any claim for him? A No.
Q Have you any children? A None.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw nation in Indian Territory? A I don't know.
Q Have you any reason to think that it is on any of the tribal rolls of the Choctaw nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you or any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw nation by either the Choctaw tribal authorities or the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a member of that tribe? A No.
Q Has Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes, I guess so.
Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A I don't know, I guess not.
Q I read that article a little while ago- do you claim under that article? A Well, I heard it read but I don't remember now.

Q Article fourteen of the treaty of 1830 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 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 may be 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 land 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 claiming 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." Do you claim under this article?

A Well, I don't know whether I do or not; I guess so though.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I knew of.

Q What was the name of your ancestor or ancestors who were residents of the old Choctaw nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis, my great-grandfather and Paul Davis my grand-father.

Q Have you any evidence showing that such ancestors were ever recognized members of the Choctaw tribe at that time? A No.

Q Did they, if Choctaw Indians, remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Not that I knew of.

Q If they did not remove with the other members of the tribe, did either of them within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the ~~Choctaw~~ United States?

A Not that I know of.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.

Q Are there any additional statements your desire to make at this time in support of your application? A I don't know.

Q Is there anything else you want to say? A No.

Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A

A No.

Q Do you want time in which to file evidence? A Yes.

Thirty days from the date here of is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be

noted to you at your residence address as given to you in your
affidavit.

Affidavit sworn to by a white woman.

Henry G. Davis being duly sworn on his oath states that he is
commander of the Commission for the Five Civilized Tribes in
charge of the proceedings in the above entitled case on June 14,
1902, and that the above and foregoing is a true, true and correct
statement of his knowledge as to said case on said date.

Henry G. Davis

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

W. H. Linbaugh
Notary Public.

Muskogee, Indian Territory, July 1, 1901.

Bettie Willingham,

Mosheim, Texas,

Dear Madam:

The Commission is in receipt of certified copy of the marriage license and certificate between W. H. Willingham and Bettie Davis, which you offer for filing in support of your application for identification as a Mississippi Choctaw. The same has been made a part of the record in this case.

Yours truly,

MC 2624

Muskogee, Indian Territory June 14, 1902.

Bettie Willingham,
Moshain, Texas.

Dear Madam:

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isiah Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2618
Paul Sanderford, et al.,	M.C.R.	2619
Mattie Minlett, et al.,	M.C.R.	2614
Henry R. Davis, et al.,	M.C.R.	2618
James B. Davis, et al.,	M.C.R.	2616
George B. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert K. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda B. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2625
Delila Dixon, et al.,	M.C.R.	2624

These applications were made under the provision of the act of Congress of June 28, 1898 (30 Stats. 498) which is as follows:

B. W. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mottie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary F. Davis, Beure Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della H. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert K. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLaughlin, Austin C. McLaughlin, Simmie McLaughlin, Lennie McLaughlin, Aletha McLaughlin, Thomas F. McLaughlin, Susie M. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Hermon McLaughlin, Homer McLaughlin, Bonnie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Belinda Williams, Matilda E. Ferguson, John Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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 records 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. Doby.

Registered.

Acting Chairman.

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

ALLISON L. AYLESWORTH.
SECRETARY.

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2624

Muskogee, Indian Territory, November 15, 1902.

Bettie Willingham,

Mosheim, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,



Acting Chairman.

No. 2624

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name *Bettie Willingham*

Age 19 Blood *1/16*

Post Office, ~~Waco~~ *Musheim*, Texas

Father: *George Davis*

Mother: *Sarah A Davis*

Claims through *father*

Husband: *H. H. Willingham*
(no claim for him)

~~Children:~~

Claims for herself only.

Stenographer

Henry G. Hains.

Return to Writer
no such party in this vicinity
Whereabouts Not Known

Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

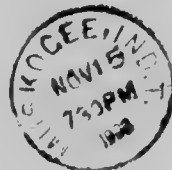
OFFICIAL BUSINESS.

Penalty for private use, \$300.

~~Battle Willingham,~~

~~McClain,~~

~~Texas~~



A MISSISSIPPI CHOCTAW

Bettie Willingham

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE FOR COURT JUN 1902

NOTICE FOR COURT

RECORDED JUN 11 1902

ACTION NOV 5 1902

NOTICE FOR COURT NOV 1902

NOTICE FOR COURT ACTION
FOR CHOCTAW AND CHICKASAW NATIONS.

REFER TO FILE 10614

Choctaw MCR 2625

Mary J Looney

MCR 2625

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

4225

In the matter of the application of Mary J. Looney for the identification of herself and minor child as Mississippi Choctaws. Mary J. Looney having been first duly sworn testified as follows:

Examined in by the Commission:

- Q What is your name? A Mary J. Looney.
Q What is your age? A Twenty-six yesterday.
Q What is your post-office address? A Hustace Texas.
Q How long have you lived there? A Eighteen years.
Q Where did you live before that? A I was born in Mississippi.
Q Born in Mississippi and lived there until you moved to Texas 18 years ago? A Yes.
Q Any you lived in Texas all the time since? A No, I lived in Parker County.
Q Is Parker County in Texas? A No.
Q Where is it-what State is it in? A I don't know.
Q Is it in Arkansas? A No.
Q Is it in Texas? A Yes.
Q Have you lived in Texas all the time these last eighteen years? A Yes.
Q What is your father's name? A B.F. Davis.
Q Is he living? A Yes.
Q What is your mother's name? A Mary A. Davis.
Q Is she living? A No.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A Amos Looney.
Q Is he living? A Yes.
Q You make application on behalf of your husband? A No.
Q Have you any children for whom you wish to make application? A I have one.
Q Give the name and age of that child. A Texas Looney (Boy), one and a half years old.
Q You are the mother of this child? A Yes.
Q What is the name of its father? A Amos Looney.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you or any one for you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 19, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application before this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No.

- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors? A No.
- Q What is the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, my grandfather and Daniel Davis, my great-grandfather.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe at that time? A No.
- Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1837 to 1838? A I don't know.
- Q If they did not remove with the other members of the tribe did either of them within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A No.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence or any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.
- Q Do you want time in which to file the evidence in your case? A Yes.

Thirty days time is allowed applicant in which to file any additional evidence in support of her application.

The decision of the Commission as to your application for the identification of yourself and your minor child as Mississippi Choctaws will be determined at the earliest possible date and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

(Applicant apparently a white woman.)

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

A. H. Lincoln
Notary Public

Muskogee, Indian Territory, June 29, 1901.

Mary J. Looney,

Bustico, Texas,

Dear Madam:

The Commission is in receipt of certified copy of marriage license and certificate between Amos Looney and M. J. Davis, which you desire to have filed in support of your application for the identification of yourself and your minor children as Mississippi Choctaws. The same has been made a part of the record in this case.

Yours truly,

MC 2625

Acting Chairman.

Muskogee, Indian Territory June 14, 1902.

Mary J. Looney,
Eustace, Texas.

Dear Madam:

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Meliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert M. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2626
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

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

M. J. L. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Charles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Niblett, Clarence Niblett, Rudolph Niblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beaura Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLauchlin, Austin C. McLauchlin, Sirmie McLauchlin, Lennie McLauchlin, Aletha McLauchlin, Thomas P. McLauchlin, Susie J. McLauchlin, Melissa J. McLauchlin, Chester McLauchlin, Hermon McLauchlin, Homer McLauchlin, Bonnie McLauchlin, Rena B. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda E. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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. [Signature]

Registered.

Acting Chairman.

COPY.

M.C.R. 2625

Mustagee, Indian Territory, November 15, 1902.

Mary J. Leoney,

Mustagee, Texas.

Dear Madam:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

W. C. DIXBY

W. C. Dixby.
Acting Chairman.

No. 2025

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name Mary J. Looney

Age 26 Blood 7/16

Post Office, Eustace, Texas

Father: B. F. Davis

Mother: Mary A. Davis (dead)

Claims through father

Husband: Amos Looney
(no claim for him)

Children:

Texas Looney M 1 1/2

Claims for herself and
one child.

Stenographer

Henry G. Hains

Mary J. Looney et al

REFUSED

DECISION RENDERED: JUN 4 1902

NOTICE OF DECISION
FOR THE UNITED STATES
JUN 14 1902

NOTICE OF DECISION
FOR THE UNITED STATES

RECORDED

ACTION TAKEN BY THE COURT
NOV 5 1902

NOTICE OF DECISION
FOR THE UNITED STATES
NOV 10 1902

NOTICE OF DECISION
FOR THE UNITED STATES

RECORDED 2617

Choctaw MCR 2626

Charley Davis

MCR 2626

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I.T. June 12, 1901.

#2626

In the matter of the application of Charley Davis for identification as a Mississippi Choctaw.

Charley Davis being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Charley Davis.
Q What is your age? A 23.
Q What is your post-office address? A Eustace, Texas.
Q Whatxishow long have you lived there? A 20 years.
Q Where did you live before that? A Mississippi.
Q How long did you live in Mississippi? A About 3 years.
Q Born in Mississippi and lived there until you moved to Texas?
Q Yes.
Q and have lived in Texas all the time ever since? A Yes.
Q What is your father's name? A B.P.Davis.
Q Is he living? A Yes.
Q What is your mother's name? A Mary Ann Davis.
Q Is she living? ANo.
Q Through which one of your parents do you derive your Choctaw blood? A My father.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A No.
Q You are making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw nation in the Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in the Indian Territory to be enrolled as a member of that tribe?
A No.
Q Did you or any one fer you in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No
Q Is this the first application of any description yiu have ever made? A Yes?
Q It is now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Y- I don't know.
Q Didn't you hearthat article read here just a few minutes ago?
A I guess so.
Q Don't you know whether you claim under it? A I don't understand it.
Q Article fourteen of the treaty of 1830 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 the treaty of 1830, 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 land 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 claiming 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." Do you claim under that article? A Yes.

Q Have you ever received any benefits as a Choctaw Indian? A No.

Q Have any of your ancestors? A No.

Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Daniel Davis, my great-grandfather and Paul Davis, my grandfather.

Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe of Indians in Mississippi at that time? A No.

Q Did these ancestors if Choctaw Indians remove from the territory occupied by the old Choctaw nation in Mississippi and Alabama to the present Choctaw nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A Not as I know of.

Q If they did not remove with the other members of the tribe, did either of them, within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw tribe of Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Not as I know of.

Q Have any of your ancestors ever claimed or received any benefits and lands in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not as I know of.

Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians at that time, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.

Q Do you want time in which to file any evidence? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same made to the Secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently white.

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 all proceedings had in the above entitled cause on June 12,

1892, and that the above and foregoing is a full, true and correct
abstract of his stenographic notes in said case on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

W. H. Linsbaugh
Notary Public

Muskogee, Indian Territory June 14, 1902.

Charley Davis,

Mustace, Texas.

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Klika Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Niblett, et al.,	M.C.R.	2614
Henry H. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert K. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Kossley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda E. Ferguson, et al.,	M.C.R.	2611
Ada A. Morris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

These applications were made under the provision of the act of Congress of June 25, 1898 (30 Stats. 495) which is as follows:

C. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Nola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Hiblett, Clarence Hiblett, Rudolph Hiblett, Henry H. Davis, Belya Davis, Potty C. Davis, Mary E. Davis, Beaurio Davis, James E. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan M. McLaughlin, Austin C. McLaughlin, Sircie McLaughlin, Lonnie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Hermon McLaughlin, Homer McLaughlin, Bennie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda K. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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)

James C. [Signature]

Registered.

Acting Chairman.

M.C.R. 2626

Muskogee, Indian Territory, November 15, 1902.

Charley Davis,

Eustace, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Very respectfully,

James D. Smith
Acting Chairman.

No. 2626

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name Charley Davis

Age 23 Blood 1/16

Post Office, Eustace, Texas

Father: B. F. Davis

Mother: Mary A. Davis (dead)

Claims through Father

~~Children:~~

Claims for self alone.

Stenographer

Henry G. Hains

A MISSISSIPPI CHOCTAW

Charley Davis

REFUSED

DECISION RENDERED. JUN 4 1902

NOTICE OF DECISION MADE TO APPLICANT.

JUN 14 1902

NO. OF IN-
FOR CHILD

NO. OF ATTORNEYS
AND OTHER AGENTS

RECORD FOR FEDERAL DEPARTMENT.

ACTION AND

INTERIOR

JUN 5 1902

NOTICE

FORWARD

JUN 11 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARD TO THE MISSISSIPPI CHOCTAW
AND CHIEF SALEMATIONS.

REFER TO M. C. R. 2

Choctaw MCR 2627

John K Davis

MCR 2627

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 12, 1901.

#2627

In the matter of the application of John K. Davis for identification as a Mississippi Choctaw.

John K. Davis having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A John K. Davis.
Q What is your age? A Twenty-three.
Q What is your post-office address? A Mustace, Texas.
Q How long have you lived there? A About 20 year.
Q Where did you live before that? A Mississippi.
Q How long did you live in Mississippi? A About three years.
Q Born in Mississippi and lived there until you moved to Texas?
A Yes.
Q And you have lived in Texas ever since? A No, I lived in the Nation one year six or seven years ago.
Q You lived in Texas all the time except this one year in Indian Territory? A Yes.
Q What is your father's name? A G.S. Davis.
Q Is he living? A Yes.
Q What is your mother's name? A Sarah A. Davis.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood? A Father.
Q How much Choctaw blood do you claim? A One sixteenth.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the authorities of the United States? A I don't know.
Q Are you married? A No.
Q Making this application for yourself alone? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of the that tribe?
A No.
Q Did you or did any one for you, in 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw nation? A No.
Q Is this the first application of any description you have ever made? A Yes.
Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
Q You are familiar with the provisions of that article of that treaty that is you heard it read here a while ago? A Yes.
Q Have you ever received any benefits as a Choctaw Indian? A No.
Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No.

- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Paul Davis, my grandfather, and Daniel Davis, my great-grandfather.
- Q Have you any evidence showing that such ancestors were recognized members of the Choctaw tribe at that time? A No.
- Q Did these ancestors, if Choctaw Indians, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1833 to 1838? A I don't know.
- Q If they did not remove with the other members of the tribe, & did they within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent to the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the United States? A I don't know.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as abeneficiaries under the provisions of the fourteenth article of the treaty of 1830? A No.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.
- Q Do you want time in which to file any evidence? A Yes.

Thirty days time is allowed applicant in which to file additional evidence in support of this application.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of same will be made to the secretary of the Interior, conformable to the provisions of the 21st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white man.

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 all proceedings had in the above entitled cause on June 12, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Lieber
Notary Public

Muskogee, Indian Territory June 14, 1902.

John K. Davis,
Rustace, Texas,

Dear Sir:-

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

Benjamin F. Davis, et al.,	M.C.R.	2617
Alice Edwards,	M.C.R.	1800
David V. Edwards, et al.,	M.C.R.	1801
Isham Edwards, et al.,	M.C.R.	1802
Eliza Edwards, et al.,	M.C.R.	1804
Benjamin F. Davis, et al.,	M.C.R.	2612
Paul Sanderford, et al.,	M.C.R.	2613
Mattie Hiblett, et al.,	M.C.R.	2614
Henry M. Davis, et al.,	M.C.R.	2615
James E. Davis, et al.,	M.C.R.	2616
George S. Davis, et al.,	M.C.R.	2618
John T. Sanderford, et al.,	M.C.R.	2619
Robert K. Davis, et al.,	M.C.R.	2620
Susan M. McLaughlin, et al.,	M.C.R.	2621
Melissa J. McLaughlin, et al.,	M.C.R.	2622
Rena L. Moseley, et al.,	M.C.R.	2623
Bettie Willingham,	M.C.R.	2624
Mary J. Looney, et al.,	M.C.R.	2625
Charley Davis,	M.C.R.	2626
John K. Davis,	M.C.R.	2627
Melinda Williams,	M.C.R.	2610
Matilda R. Ferguson, et al.,	M.C.R.	2611
Ada A. Norris, et al.,	M.C.R.	2985
Delila Dixon, et al.,	M.C.R.	2984

These applications were made under the provision of the act of Congress of June 23, 1898 (30 Stat. 496) which is as follows:

J. K. D. #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."

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 Benjamin F. Davis, Michael J. Davis, Luther Davis, Georgia Davis, Alice Edwards, David V. Edwards, Glynn Edwards, William Harles Edwards, Isham Edwards, Mertie Lyda Edwards, Eliza Edwards, Otha Edwards, Arthur Edwards, Mola Edwards, Mattie Edwards, Devera Edwards, Thomas Edwards, Chester Edwards, Benjamin F. Davis, (number 2) Della Davis, Annie Davis, Ellie Davis, Paul Sanderford, Maudie Sanderford, Ethel Sanderford, Mattie Fiblett, Clarence Fiblett, Rudolph Fiblett, Henry H. Davis, Belva Davis, Betty C. Davis, Mary E. Davis, Beauford Davis, James K. Davis, Gracie T. Davis, Victoria Davis, Della M. Davis, George S. Davis, Lucy J. Davis, Paley Davis, John T. Sanderford, Ivy Sanderford, Roy Sanderford, Ora Sanderford, Robert M. Davis, William S. Davis, Essie Davis, Walter Davis, Melvin Davis, Susan K. McLaughlin, Austin C. McLaughlin, Simmie McLaughlin, Lennie McLaughlin, Aletha McLaughlin, Thomas P. McLaughlin, Susie J. McLaughlin, Melissa J. McLaughlin, Chester McLaughlin, Mervon McLaughlin, Homer McLaughlin, Bonnie McLaughlin, Rena L. Moseley, Clifton Moseley, Jessie V. Moseley, Roy Moseley, Bettie Willingham, Mary J. Looney, Texas Looney, Charley Davis, John K. Davis, Melinda Williams, Matilda K. Ferguson, Jehu Sanderford, Minnie Sanderford, Ada A. Norris, Henry Norris, Delila Dixon, Mabel Dixon and Ava Dixon, 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

Registered.

Acting Chairman.

M.S.R. 2637

COPY

Muskogee, Indian Territory, November 15, 1902.

John K. Davis,
Bustace, Texas.

Dear Sir:

You are hereby notified that on the 5th 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 Benjamin F. Davis, et al., of which decision you were advised by registered mail on the 14th day of June, 1902.

Respectfully,

James D. ...
Acting Chairman.

A MISSISSIPPI CHOCTAW

John K. Davis

REFUSED

DECISION RENDERED. JUN 4 1902

JUN 4 1902

RECEIVED

APR 11 1902

NOV 5 1902

FORMER

NOV 11 1902

REFUSED. M. 21

No. 2077

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name John K. Davis

Age 23 Blood 1/16

Post Office, Eustace, Texas

Father: G. S. Davis

Mother: Sarah A. Davis

Claims through father

~~Children:~~

Claims for himself alone

Stenographer

Henry G. Harris

Choctaw MCR 2628

Fred Hawkins

See MCR 2314

MCR 2628

FOR IDENTIFICATION
A MISSISSIPPI CHOCTAW

Fred Hawkins et al.

RECEIVED

DECISION RENDERED JUL 22 1902

JUL 22 1902

NOTICE RE... ATTORNEYS
FOR CHOCTAW AND MISSISSIPPI NATIONS

U.S. DEPARTMENT OF THE INTERIOR

JUL 22 1902

ACT

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U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LANDS

JUL 22 1902

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LANDS

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LANDS

REFER TO D.C. H. 2314

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 10, 1901.

In the matter of the application of Fred Hawkins for the identification of himself, his wife and three minor children as Mississippi Choctaws.

Fred Hawkins, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Fred Hawkins.
Q What is your age? A Twenty eight.
Q What is your post office address? A Mobile, Alabama.
Q How long have you lived in Mobile? A About six years.
Q Where was you born? A Tuscaloosa, Alabama.
Q Have you always lived in the State of Alabama? A Yes sir.
Q Live there now? A Yes sir.
Q What is your father's name? A Flanselle Hawkins.
Q Is he living? A No sir.
Q What is your mother's name? A Paralee Hawkins.
Q Is she living? A No sir.
Q Through which one of these parents do you claim Choctaw blood?
A Paralee Hawkins, my mother.
Q How much Choctaw blood do you claim? A $3/8$.
Q Did your father have any Choctaw blood? A No sir.
Q What was his blood? A Colored man.
Q Was he a slave before the war? A Yes sir.
Q How much Choctaw blood did your mother have? A $3/4$.
Q What was the other $1/4$? A Her father was a half breed English and Indian.
Q She was a slave before the war? A No sir.
Q How did it happen that your mother, a free woman, married a colored man, a slave? A Married during the war.
Q A free woman married a slave? A Slavery was about over with when they was married; they was all declared free then.
Q ~~Has~~ your mother, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by either the Choctaw tribal authorities or the United States authorities?
A Not that I know of.
Q Are you married? A Yes sir.
Q What is your wife's name? A Annie Hawkins.
Q How old is she? A Twenty four.
Q What is her blood? A Her mother was a half Indian, and her father was mixed with white and colored.
Q What is the wife's father's name? A William Gibson.
Q Is he living? A No sir.
Q What is the wife's mother's name? A Mary Gibson.
Q Is she living? A Yes sir.
Q She claims through which parent? A Her mother.
Q How much Choctaw blood do you claim for your wife? A I don't know exactly how much; her mother was half; I suppose her mother's mother was full blood.
Q And her mother was half blood? A Yes sir.
Q How much do you claim for your wife? A Ought to be about a quarter.
Q Was your wife's father a colored man? A Yes sir; he was a colored

Fred Hawkins, et al., #2.

men.

- Q Was he a slave before the war? A Yes sir.
- Q Was your wife's mother? A Yes sir.
- Q Your wife was not living at that time? A No sir.
- Q Has your wife's mother, through whom you claim for her the right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw authorities or the United States authorities? A No sir, I don't know.
- Q When and where were you married to your wife? A In Tuscaloosa, Alabama, the 22nd day of April, 1893.
- Q Have you your marriage license and certificate with you? 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 How many? A Three.
- Q The oldest? A Lillie.
- Q How old is she? A Seven years old.
- Q The next? A Fred.
- Q How old? A Four.
- Q The next? A Ethel, three years old.
- Q Is Ammie the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Are they living with you at your home? A Yes sir.
- Q Is your name, or the name of your wife, or children, on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for your own enrollment, or the enrollment of your wife and children as members of the Choctaw tribe? A No sir.
- Q Did you, or any one for you, in 1896, under the Act of Congress of June 10, 1896, make application either for yourself, wife or children to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
- Q Have you ever made application before this time for either yourself, your wife or children? A No sir.
- Q Either to the Dawes Commission or to the Choctaw tribal authorities for citizenship or membership 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 Mississippi Choctaws, for yourself, wife and children? A Yes sir.
- Q Do you claim this right for yourself, wife and them as beneficiaries under the provisions of Article Fourteen of the Treaty of 1830? A Yes sir.
- Q Have you, or your ancestors, or your wife, or her ancestors, ever received any benefits as Choctaw Indians? A Not that I know of.
- Q Can you give the names of any of your ancestors, or your wife's ancestors, who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was made? A I know my grand father and grand mother; I don't know whether they were recognized or not.
- Q What are their names? A Zadock Love.
- Q You don't know whether they were recognized members of the Choctaw tribe of Indians in 1830? A No sir.

Fred Hawkins, et al., #3.

Q Do you know whether they understood the Choctaw language? A No sir, I don't know.

Q Did any of your ancestors, or your wife's ancestors remove from Mississippi or Alabama to the Indian Territory with the other Indians between 1833 and 1838? A None that I know of.

Q Did any of them, within six months after the ratification of the treaty of 1830, tell the United States Indian Agent living in Mississippi at that time, that they intended to stay in Mississippi and become citizens of the States? A None that I know of.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A Not as I know of.

Q Do you speak the Choctaw language? A No sir.

Q Are there any additional statements you desire to make at this time in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that any of your ancestors were, or your wife's ancestors were, in 1830, recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of Article Fourteen of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that article of that treaty? A No sir.

Q Would you like time in which to introduce this testimony?

A Yes sir.

Thirty days time from the date here of is allowed this applicant in which to file any proper documentary evidence in support of this application; also, marriage license and certificate, or certified copies thereof.

(This applicant has the appearance of a person descended from a mixed blood, in which the African predominates. There are several physical characteristics which might be indicative of Indian blood. He has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself, your wife and minor children as Mississippi Choctaws, will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, and conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

Fred Hawkins, et al.

R.S. Streit, 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 10th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi,
this 19th day of July, 1901.

[Signature]
Notary Public.

Miss. Choctaw 2623

Muskogee, Indian Territory, June 2, 1902.

Fred Hawkins,
Mobile, Alabama,

Dear Sir:

Receipt is hereby acknowledged of your letter of May 28, in which you ask whether your application for the identification of yourself and your wife, Annie Hawkins, and the proof filed by you at Meridian, Mississippi, have been received at this office.

In reply to your letter you are advised that it appears from our records that on June 10, 1901, Fred Hawkins, twenty eight years of age, son of Flausselle Hawkins and Paralee Hawkins, applied to this Commission at Meridian, Mississippi, for the identification of himself and his wife, Annie Hawkins, and his minor children, Lillie, Fred and Ethel Hawkins, as Mississippi Choctaws. It further appears that on July 6, 1901, there were offered in evidence and filed and made a part of the record in this case the affidavit of J. L. Tanner and certified copy of marriage license and certificate between Fred Hawkins and Annie Gibson. No decision has yet been reached nor opinion rendered relative to your rights as Mississippi Choctaws. As soon as such a decision is reached you will be notified

F.H. A

of the action of the Commission.

Yours truly,

Acting Chairman.

COPY.

N C R 2428

Muskogee, Indian Territory, July 22, 1902.

Fred Hawkins,
Mobile, Alabama.

Dear Sir:

You are hereby advised that on the 22nd day of July, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Georgia Samuels, et al., embracing the following applications for identification as Mississippi Choctaws:

Georgia Samuels, et al.,	N C R 2314
Shandy V. Samuels, et al.,	N C R 4767
Eveline McGuire, et al.,	N C R 2676
Maggie White,	N C R 2679
Shandy McGuire, et al.,	N C R 2675
Elizabeth Pope, et al.,	N C R 2312
Val E. Pope, et al.,	N C R 2443
Eveline Hedge,	N C R 2442
Spottswood Jones, et al.,	N C R 2315
Summers Jones,	N C R 2676
Fred Hawkins, et al.,	N C R 2628
William H. O'Hearke, et al.,	N C R 2562
Lillie Woods,	N C R 2562

These applications were made under the provisions of the act of Congress of June 22, 1902 (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".

F H 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 Georgia Samuels, Van Jones, Pink Samuels, Shandy W. Samuels, Georgia Samuels (2), Eveline McGuire, Louis McGuire, Ophelia McGuire, Maggie White, Shandy McGuire, Haywood T. McGuire, Elizabeth Pope, Cornelia Jones, Lissie Conley, Val H. Pope, Arthur L. Pope, Annie M. Pope, Evalina Hedge, Spottswood Jones, Annie Jones, John Jones, Eliska Jones, Gesna Jones, Charles Jones, Jeanette Jones, Somers Jones (dead), Carita Jones, Walter Conley, Rosa Conley, Lina Conley, Roy Conley, Maybelle Conley Georgia Jones, Summers Jones, Fred Hawkins, Annie Hawkins, Lillie Hawkins, Fred Hawkins (2), Ethel Hawkins, William H. O'Rourke, Lillie C. O'Rourke, Eva C. O'Rourke, Henry S. O'Rourke Timothy R. O'Rourke, Val P. O'Rourke and Lillie Woods 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 hereby 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.

Commissioner in Charge.

M.C.R. 2375
M.C.R. 2626

Muskogee, Indian Territory, August, 1, 1902.

Mary Gibson,

Tuscaloosa, Alabama.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 21st inst., asking to be informed of the present status of your application and the application of your daughter, Annie Hawkins, for identification as Mississippi Choctaws.

In reply you are informed that it appears from our records that you are an applicant for identification as a Mississippi Choctaw, and that application was made by Fred Hawkins for the identification of himself, his wife, Annie, and his minor children, Lillie, Fred and Ethel Hawkins, as Mississippi Choctaws.

The Commission is now considering your application and it is probable that in the near future a decision will be rendered. You will be duly notified thereof, and of the forwarding of the record to the Secretary of the Interior for his review.

The Commission on July 2, 1902, rendered its decision refusing the application for identification as Mississippi Choctaws, of Fred Hawkins, his wife, Annie, and his minor children and on the same date notified the applicants of such decision and of the

10

forwarding of the record to the Secretary of the Interior for his
review.

Yours truly,

Acting Chairman.

W O R 2020.

Muskogee, Indian Territory, August 6, 1908.

Fred Hawkins,

Mobile, Alabama.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 20th ult., relative to the decision of the Commission in the matter of your application for the identification of yourself, your wife and minor children as Mississippi Choctaws.

We can render you no further information in regard to this matter than to advise you that the Commission has refused your application for the identification of yourself, your wife and your minor children as Mississippi Choctaws, 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,

Acting Chairman.

COPY.

M.C.R. 2628

Muskogee, Indian Territory October 17, 1902.

Fred Hawkins,

Mobile, Alabama.

Dear Sir:-

You are hereby advised that on the 9th 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 Georgia Samuels, et al., of which decision you were advised by registered mail on the 22d day of July, 1902.

Respectfully,

(SIGNED)

James L. Lister
Acting Chairman.

918

No. 228

For Identification as a Mississippi Choctaw.

Date JUN 10 1901 .

Name Fred Hawkins,

Age 28 Blood 3/8

Post Office, Mobile, Ala.

Father: Hasselle Hawkins, d.

Mother: Paralee " d.

Claims through mother

wife
father, Annie Gibson (1/4) 24-
mother, Mary " 1/2

Claims thru mother -

Children: Lillie — 7
Fred 4
Ethel 3

Claims for self,
wife and children.

Stenographer R. S. Strait

@choctaw MCR 2629

Henry Gavin

MCR 2629

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 10, 1901.

In the matter of the application of Henry Gavin for the identification of himself and two minor children as Mississippi Choctaws.

Henry Gavin, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Henry Gavin.
Q What is your age? A Thirty three years old.
Q What is your post office address? A Columbus, Mississippi.
Q How long have you lived in Columbus? A About ten years.
Q Where were you born? A Noxubbee County.
Q Have you always lived in Mississippi? A Yes sir.
Q What is your father's name? A Robert Gavin.
Q Is he living? A No sir.
Q What is your mother's name? A Bettie Gavin.
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 1/4.
Q Has your mother, through whom you claim your right to be identified as a Mississippi Choctaw, ever been recognized in or enrolled as a member of the Choctaw tribe of Indians by the United States authorities or the Choctaw authorities? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Mollie Gavin.
Q Do you make any claim for her? A No sir.
Q Is she a Choctaw? A No sir, she's not a Choctaw; she's white.
Q You don't make any claim for her, do you? 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? A Arnold Gavin.
Q How old is Arnold? A He will be five years old in July.
Q The name of the next? A Eugene.
Q How old? A He is about a year and eight months old.
Q Have you any other children? A No sir.
Q Is Mollie the mother of these children? A Yes sir.
Q Are you the father? A Yes sir.
Q Were you married to her under a license? A Yes sir.
Q When and where were you married? A Columbus, Mississippi, December 12, 1894.
Q Have you your marriage license and certificate with you? A No sir.
Q You say you claim your Choctaw blood through your mother? A Yes sir.
Q Was she a half blood? A Yes sir.
Q What was her other blood? A White.
Q Your father was white? A Yes sir.
Q You have no negro blood? A No sir.

Henry Gavin, et al., #2.

Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know sir.

Q Have you ever made application to the Choctaw tribal authorities for your self and children for enrollment as Choctaw Indians? A No sir.

Q Have you ever made application to the Commission to the Five Civilized Tribes for membership 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 either the Choctaw tribal authorities, the authorities of the United States or by the United States Court in Indian Territory? A No sir.

Q Have you ever before this time made application for yourself and children for membership in the Choctaw Nation to either the Choctaw tribal authorities or the United States authorities? A No sir.

Q Is this the first application you have ever made of any kind? A Yes sir.

Q You now make application for identification as Mississippi Choctaws for yourself and children? A Yes sir.

Q Do you make this claim as Beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A None that I know of.

Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830? A No sir.

Q Did any of your ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi? A None that I know of.

Q Did any of your ancestors ever remove from Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A None that I know of.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir, none that I know of.

Q Do you speak the Choctaw language? A No sir.

Q Are there any additional statements you want to make in support of your application? A Well, no sir, I don't know of any.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that any of your ancestors were in 1830, recognized members of the Choctaw tribe of Indians, or that they ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that article of that treaty? A No sir; I desire time in which to file evidence.

Thirty days time from the date hereof is allowed applicant in which to file any proper documentary evidence in support of this application.

Henry Gavin, et al., #3.

(This applicant has the appearance and general characteristics of a ~~fair~~ white person; he does not speak or understand the Choctaw language, and has no knowledge of a compliance on the part of his ancestors with any of the provisions of the Fourteenth Article of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself and your two minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 10th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

R. S. Streit

Subscribed and sworn to before me at Meridian, Mississippi,
this 19th day of July, 1901.

Mary
Notary Public.

M.C.R. 2629

Muskogee, Indian Territory, October 16, 1902.

Henry Gavin,
Columbus, Mississippi.

Dear Sir:-

You are hereby advised that on the 13th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Bettie Gavin, et al., embracing the following applications for identification as Mississippi Choctaws.

Bettie Gavin, et al.,	M.C.R. 2209
Owen Gavin, et al.,	M.C.R. 2261
Henry Gavin, et al.,	M.C.R. 2629
Ella Nickerson, et al.,	M.C.R. 2365
Bettie Gavin, et al.,	M.C.R. 2262
Gus Gavin, et al.,	M.C.R. 2211
Maggie White, et al.,	M.C.R. 2263
Ida M. Gavin,	M.C.R. 2790
Essie Morehead,	M.C.R. 2789

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:

Henry Gavin-----2

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Bettie Gavin, Patty Gavin, Essie Gavin, Owen Gavin, Minnie Gavin, Alberta Gavin, Bobolink Gavin, Catherine Gavin, Lloyd Gavin, Nellie Gavin, Annie Gavin, Logan Gavin, Henry Gavin, Arnold Gavin, Eugene Gavin, Ella Nickerson, Walter Nickerson, Maggie Nickerson, Minnie Nickerson, Moses Nickerson, Louis Nickerson, Albert Nickerson, Bettie Gavin (2), Benjamin Gavin, Frank Gavin, Kate Juanita Gavin, Johnnie Malcolm Gavin, Gus Gavin, Lula Gavin, Maggie White, Sadie May White, Joseph Elmer White, Ida M. Gavin and Essie Morehead 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Acting Chairman

Registered.

COPY

M.C.R. 2629

Muskogee, Indian Territory, March 5, 1903.

Henry Gavin,
Columbus, Mississippi.

Dear Sir:

You are hereby notified that on the 20th 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 Bettie Gavin, et al., of which decision you were advised by registered mail on the 18th day of October, 1902.

Respectfully,

Tamb Dwyer.
Chairman.

Affidavit in support
of
Henry Gavin
V. S.

Choctaw & Chickasaw
Nations

Henry Gavin, et al
vs
Choctaw Nation.

R 2629 ————— 6/10/01.

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

FILED
SEP 20 1901


ACTING CHAIRMAN.

AFFIDAVIT IN SUPPORT OF THE APPLICATION

OF *Henry Gavin*

STATE OF *Mississippi*
County of *Nwabee*

BEFORE ME, the undersigned authority, on this day personally appeared *Count Nicholson & Henry Scott of Oleflonville* who is *70.67* years of age, and who by me being first duly sworn, on his oath states that *Henry* was well acquainted with *Alsey Hughes* the grand mother of *Henry Gavin*; that the said *Alsey Hughes* is or was *full* blood Mississippi Choctaw Indian; that he spoke the Choctaw language; that *her* color, hair, make-up, and habits were that of a Choctaw Indian. Affiant further states that the said *Henry Gavin* who has applied to the Commission to the Five Civilized Tribes to be placed on the rolls of the Mississippi Choctaw Indians is reputed and considered by all who know *him* and *his* ancestors to be part Choctaw Indian, and to the best of affiant's knowledge the said *Henry Gavin* is a *one fourth* blood Mississippi Choctaw Indian, and the direct lineal decedent of *Alsey Hughes*. We further swear that *we* have no interest, direct or indirect, in the application of *Henry Gavin* to be placed on the rolls as a Mississippi Choctaw.

WITNESS my hand this *13* day of *August* 190*1*

Attest
H. A. Hines

Count Nicholson

A. N. Marshall

Henry Scott

SUBSCRIBED AND SWORN to before me this *13* day of *August* 190*1*; and I

further certify that affiant is a credible person.

J. J. Dink

Notary Public in and for County of *Nwabee*

[SEAL.]

State of *Mississippi*

419
No. 101
For Identification as a Mississippi Choctaw.

Date JUN 10 1907

Name Henry Gavin

Age 38 - Blood 1/4

Post Office, Columbus, Miss.

Father: Robert Gavin, is d

Mother: Bettie ^{1/2 choct} _{1/2 "} l.

Claims through mother

wife Mollie - white

Children: Arnold Gavin - 5

Eugene " ²⁰ _{18 m}

Claims for self
and children

Stenographer R. J. Strick

Henry Gavin et al

1902

DECISION RENDERED OCT 7 1902

OCT 18 1902

OCT 25 1902

OCT

NOV 13 1902

FEB 20 1903

MAR 5 1903

MAR 5 1903

MAR 5 1903

Choctaw MCR 2630

Charles L Adair

See MCR 1673

MCR 2630

FOR IDENTIFICATION
A MISSISSIPPI CHOCTAW
Charles L. Adair et al

REFUSED

DECISION RENDERED JUL 9 1902

NOTICE OF REFUSAL MAILED APPLICANT:
JUL 10 1902

NOTICE OF REFUSAL TO ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS
JUL 10 1902

RECORD FORWARDED DEPARTMENT.
JUL 10 1902

ACTION APPROVED BY SECRETARY OF INTERIOR
OCT 22 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED TO APPLICANT
OCT 31 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED TO ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.
OCT 31 1902

REFER TO M. C. R. 1673

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 10, 1901.

In the matter of the application of Charles L. Adair for the identification of himself and one minor child as Mississippi Choctaws.

Charles L. Adair, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Charles L. Adair.
Q What is your age? A Thirty seven the 19th of August.
Q What is your post office address? A Maben, Mississippi.
Q How long have you lived in Maben? A Nearly all my life.
Q Born in Maben? A Well, I think I was born in Alabama.
Q What place in Alabama? A Well I don't know; I think it was somewhere in Saint Clair County; that occurred when I was too small to remember; in fact, my people moved to Mississippi when I was too small to remember about it; I don't remember of being out of the State. Of course, I have been out since I have been grown.
Q But you lived in Mississippi nearly all your life? A Yes sir.
Q And born in Alabama? A Yes sir.
Q What is your father's name? A Andrew P. Adair.
Q Is he living? A Yes sir.
Q What is your mother's name? A Mary C. Adair.
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 1/32.
Q Was your father, through whom you claim your right to identification as a Mississippi Choctaw, ever recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No sir.
Q Are you married? A Yes.
Q What is your wife's name? A Sadie.
Q Is she a white woman? A Yes sir.
Q Do you make any claim for her? A None at all.
Q Have you any children under twenty years of age and unmarried that you want to make application for? A Yes sir, one.
Q What is the name? A Helen.
Q How old is Helen? A About thirteen months old.
Q Is Sadie the mother of Helen? A Yes sir.
Q Are you the father? A I am supposed to be; I think so.
Q Is the child living with you at your home? A Yes sir.
Q Were you married to your wife under a license? A Yes sir.
Q When and where were you married? A In Whitesboro, Texas, in May 1899, I believe it was.
Q Have you your marriage license and certificate with you? A No, I haven't got it with me, but I can get it very easily.

Charles L. Adair, et al., #2.

Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.

Q Have you ever made application for yourself or child to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No sir.

Q Did you, or any one for you, or your child in 1896, under the Act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No sir.

Q Have you or your child ever been admitted to citizenship in the Choctaw Nation by either the Choctaw authorities or the United States authorities? Or the United States Court in Indian Territory? A I reckon not.

Q Have you ever made application before this time for yourself or child to either the Choctaw tribal authorities or to the United States authorities for membership in the Choctaw Nation? A No sir.

Q Is this the first application you have made? A Yes sir.

Q You now make application for yourself and child for identification as Mississippi Choctaws? A Yes sir.

Q Do you claim this right under Article Fourteen of the Treaty of 1830? A Yes, sir; I think so.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A Not that I know of. My father was raised up an orphan boy, and didn't know much about what his rights were.

Q Was he living in 1830? A I think he was born in 1832.

Q He would be living at the time of the passage of that treaty of 1830? A No sir.

Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was ratified between the Government of the United States and the Choctaw Indians? A No sir.

Q Did any of your ancestors, if Choctaw Indians, remove from Mississippi or Alabama to the Indian Territory with the other Indians at the time of the removal of the other members of the tribe between the years 1833 and 1838? A I couldn't tell you.

Q If your ancestors, did not remove, with the other Indians, at that time, did any of them, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent in Mississippi their intention to remain in Mississippi and become citizens of the States? A I couldn't tell you.

Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A I don't know.

Q Do you speak the Choctaw language? A No sir.

Q Are there any additional statements you desire to make in support of this application? A No sir, not except that the point I stated a while ago; father being raised up an orphan boy, his mother and father both being dead, he didn't know anything about his rights and didn't get them.

Q Can you give the name of any of your ancestors who were Indians, either half or full bloods? A My father lost connection with his ancestors pretty nearly; and I don't think I could.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records deeds or patents, or any other proper papers showing that any of your ancestors were in 1830,

Charles L. Adair, et al., #3.

recognized members of the Choctaw tribe of Indians, or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that article of that treaty? A No, not now. I have got some, but I haven't got them with me.

Q Would you like time in which to introduce them? A Well, I think they have been introduced already by my brother.

Q They would have to be introduced in each case; each case must depend upon its own evidence? A Well, I would just refer to them.

Q Well, I will give you time in which to introduce evidence, and you can fix it up as you please.

Thirty days from the date hereof is allowed this applicant in which to file any proper documentary evidence in support of this application. Also, marriage license and certificate, or certified copies of the same.

(This applicant has the appearance and general characteristics of a white man. In his appearance, there are no traces of Indian blood; he does not speak or understand the Choctaw language, and has no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteenth of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself and one minor child as Mississippi Choctaws, will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 10th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of July, 1901.

R. S. Streit

[Signature]
Notary Public.

COPY. M.C.R. 2630.

Muskogee, Indian Territory July 10, 1902.

Charles L. Adair,
Maben, Mississippi.

Dear Sir:-

You are hereby advised that on the 9th day of July 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Wattie McIntosh Adair, et al., embracing the following applications for identification as Mississippi Choctaws:

Wattie McIntosh Adair,	M.C.R. 1673
Mary Adair,	M.C.R. 1186
Noah Adair, et al.,	M.C.R. 1187
Charles L. Adair, et al.,	M.C.R. 2630.

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 Wattie McIntosh Adair, Mary Adair, Noah Adair, Noah Crutchfield Adair, Mary Ellen Adair, Charles L. Adair and Helen Adair, as

C. I. A. #8

Cheotaw Indians, entitled to rights in the Cheotaw 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 Bixby.

Registered.

Acting Chairman.

M. C. R. 2630

COPY.

Muskogee, Indian Territory, October 31, 1902.

Charles L. Adair,

Vaben, Mississippi.

Dear Sir:

You are hereby advised that on the 22nd 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 Wattie McIntosh Adair, et al., of which decision you were advised by registered mail on the 10th day of July, 1902.

Respectfully,

SIGNED

Acting Chairman.

#920

No. 2630

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Charles L. Adair

Age 36 - Blood 1/32

Post Office, Maben, Miss.

Father: Andrew P. Adair, l

Mother: Mary C. " l.

Claims through father.
wife Sadie - w

No claim for her.

Children:

Helen - 1 yr.

Examined for self
and children

Stenographer R. S. Street

Choctaw 2631 (MCR)

(Jacket Missing)

MCR 2631

EMPTY

Choctaw MCR 2632

Buck Snow

MCR 2632

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 11, 1901.

In the matter of the application of Buck Snow for the identification of himself, his wife and three minor children as Mississippi Choctaws.

Buck Snow, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A Buck Snow.
Q What is your age? A I will be thirty two the tenth of this coming December.
Q What is your post office address? A Egypt, Mississippi.
Q How long have you lived there? A All my days.
Q Were you born there? A Yes sir.
Q What is your father's name? A Weed Snow.
Q Is he living? A No sir.
Q What is your mother's name? A Martha Snow.
Q Living? A No sir.
Q Through which one of these parents do you claim Choctaw blood?
A Both sides.
Q How much do you claim? A Half.
Q How much do you claim through your father? A 1/8.
Q What was his other blood? A Negro.
Q Three quarters negro and one quarter Choctaw? A Yes sir. I suppose so; I wasn't old enough when he died to know much about it.
Q And how much Indian blood did your mother have? A Three quarters, I was told.
Q One quarter what? A Negro, I suppose I wasn't old enough to know.
Q You were not old enough to know much Choctaw blood she had? A Only what the old citizens tell me.
Q You know just as much about the negro as the Choctaw, don't you?
A They always called her part Choctaw Indian.
Q And you was always called part negro too, wasn't you? A Yes sir.
Q Were your father and mother slaves? A I wasn't old enough to know.
Q No, you wasn't old enough to know your grand father was part Indian, but don't ~~know~~ you know? A Yes sir, my father was a slave.
Q What was your mother? A I don't know.
Q Didn't you ever hear that she was? A No sir.
Q Did you ever hear that she wasn't? A No sir.
Q Who was your father's master? A I think old Doctor Gillispie.
Q Who was your mother's master? A I don't know sir.
Q You were not old enough? A No sir.
Q Have your parents, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A No sir.
Q Are you married? A Yes sir.

Buck Snow, et al., #2.

- Q What is your wife's name? A Annie B. Snow.
- Q Is she living? A Yes sir.
- Q How old is she? A She was born in January 5, 1874; about twenty seven years.
- Q How much Choctaw blood do you claim for her? A 1/4.
- Q What is her father's name? A Jackson Woodard.
- Q What was her mother's name? A Edie Woodard.
- Q Is she living? A Yes sir.
- Q Is Jackson Woodard living? A Yes sir.
- Q Through which does she claim her Choctaw blood? A Her father's side.
- Q She claims 1/4? A Yes sir.
- Q How much Choctaw blood do you claim Jackson Woodard had? A About a half.
- Q What was the other half blood? A Negro.
- Q What was her mother's blood? A Negro.
- Q Were they slaves before the war? A I don't know sir.
- Q Didn't you ever hear? A No sir, he wasn't raised in this country.
- Q Who wasn't? A Her father.
- Q Where was he raised? A I don't know sir. He come here from some foreign country.
- Q How could he be a Mississippi Choctaw, if he came from some other State? A That's what they said; they said he wasn't raised here.
- Q Did you ever hear that his parents, any of them were formerly Mississippi Choctaws, and then went from Mississippi or Alabama to some other State? A No sir, I didn't hear anything about that.
- Q You don't know how it happened then that he came to be a Mississippi Choctaw and didn't live in Mississippi? A That's his claim.
- Q But you say he came from some other State; he wasn't born in Mississippi? A I don't suppose he was.
- Q You don't know much about it? A No sir. No more than what he claims.
- Q How much do you know of his half Choctaw? A That's his claim I said.
- Q You don't know any more except what he claims? A No sir.
- Q And you don't know any more about your wife's Choctaw blood, except what she claims? A No sir.
- Q Have you any children under twenty one years of age and unmarried? A Yes sir.
- Q What is the name of the oldest? A Buck Snow Jr. He was named for me.
- Q How old is he? A Born in 1896, five years old.
- Q What is the name of the next? A Delia A. Snow.
- Q How old? A Born in 1898, July 26th.
- Q The next? A Anna L. Snow
- Q How old? A Born the 28th of September 1900.
- Q Is your wife the mother of these children? A Yes sir.
- Q Are you the father? A Yes sir.
- Q Are they living with you at your home? A Yes sir.
- Q Have your wife's parents, through whom you claim for her the right to be identified as a Mississippi Choctaw, ever been recognized in any way, or enrolled as members of the Choctaw tribe of Indians by the United States authorities or the Choctaw tribal authorities in Indian Territory? A Not that I knew of.
- Q Were you married under a license? A Yes sir.
- Q How long have you been married to her? A Married on the 9th of January 1896.

Buck Snow, et al., #3.

Q Where? A Chickasaw County.

Q In this State? A No, I married in Monroe County, Alabama.

Q Have you your marriage license and certificate with you that you would like to introduce? A Yes sir.

Q Is your name, or the name of your wife, or children, on any of the tribal rolls of the Choctaw Nation in Indian Territory? A Not that I know of.

Q Have you ever made application for yourself, your wife or children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No sir.

Q Did you, or any one for you, or your wife, in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.

Q Have you or your wife or children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw authorities or the United States authorities, or the United States Court in Indian Territory? A No sir.

Q Have you ever before this time made application for citizenship in the Choctaw Nation for yourself, your wife or children to either the Choctaw authorities or to the United States authorities? A No sir.

Q Is this the first application of any kind you have made? A Yes sir.

Q Do you now seek to be identified as Mississippi Choctaws? A Yes sir.

Q You make this claim for yourself, wife and children? A Yes sir.

Q Do you claim this right as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or any of your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give me the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was ratified between the United States and the Choctaw tribe of Indians? A No sir.

Q Do you know whether any of your ancestors, or your wife's ancestors removed from Mississippi or Alabama to the Indian Territory with the other Indians between 1833 and 1838? A I don't know sir.

Q Did any of your ancestors, or your wife's ancestors, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent of the Choctaws in Mississippi, their intention to remain in Mississippi and become citizens of the States? A No sir.

Q Did any of your ancestors or your wife's ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir, I was raised ---

Q Do you speak the Choctaw language? A No sir.

Q You have not lived among the Indian? A No sir, I was raised among the colored and the whites without my parents.

Q Are there any additional statements you desire to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors or your wife's ancestors were in 1830, recognized member of the Choctaw tribe of Indians or that any of them ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit

Buck Snow, et al., #4.

Q. Did you or ever received any benefits under that article of that treaty? A. Yes sir.

The affidavit of Henry Huggins is presented by applicant, received, filed, marked Exhibit "A", and made a part of the record in this case.

Affidavit of H.M. Harrison presented by the applicant, received, filed, marked Exhibit "B", and made a part of the record in this case.

Certified copy of an entry pertaining to the marriage of Buck Snow and Annie B. Woodard presented by the applicant, received, filed, marked Exhibit "C", and made a part of the record in this case.

Do you want time in which to introduce more testimony? A.

R.N. Coffee, attorney for the applicant, asks leave to file proper documentary evidence in support of this claim within thirty days from this date.

Permission is granted to the attorney for applicant to file any proper documentary evidence in support of this application within a period of thirty days from the date hereof.

(This applicant has the appearance and general characteristics of a negro; he has no knowledge of the Choctaw language, and no knowledge of a compliance on the part of his ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time or the identification of yourself, wife and children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior conformable to the provisions of Section Twenty One of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 11th day of June, 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Meridian, Mississippi, this 26th day of July, 1901.

R. S. Streit
[Signature]
Notary Public.

COPY.

Muskegee, Indian Territory, April 18, 1903.

Buck Snow,
Egypt, Mississippi.

Dear Sir:

You are hereby advised that on the 18th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of George Snow, et al., embracing the following applications for identification as Mississippi Choctaws:

George Snow, et al.,	M C R 2329
Matilda Anderson, et al.,	M C R 2633
Buck Snow, et al.,	M C R 2632

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 George Snow, Jimmy Snow, Lennie Snow, Lula Snow, Oscar Snow, Brady Snow, Adeline Snow, Eddie Snow, Belle Snow, Colonel Snow, Ulyseus Snow, Matilda Anderson, Jesse Anderson, Buck Snow, Annie B. Snow, Buck Snow, Jr., Delia A. Snow, and Anna L. Snow as Choctaw Indians entitled to rights in the Choctaw lands under the

B S 2

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,

SIGNED:

Tams Bixby.
Chairman.

Registered.

M.O.R. 2632.

COPY.

Muskogee, Indian Territory, August 19, 1903.

Buck Snow,

Egypt, Mississippi.

Dear Sir:

You are hereby notified that on the 5th 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 George Snow, et al., of which decision you were advised by registered mail on the 18th day of April, 1903.

Respectfully,

(SIGNED)

T. B. Needles.
Commissioner in Charge.

Buck Snow et al.

EXHIBITION RECORDS APR 1 1912

2922

No.

For Identification as a Mississippi Choctaw.

Date Nov 1, 1901

Name Buck Snow

Age 31 — Blood 1/2

Post Office Egypt, Miss

Father: Wesley Snow ^{3/4 neg. 1/4 chok} d

Mother: Martha ^{3/4 chok 1/4 neg.} d

Claims through both parents.
Wife Annie B. Snow ^(1/4) 27
father Jackson Woodard ^{1/2} 27
Mother Eddie l
Wife claim from father.

Children: Buck Snow Jr. 5-
 Lelia A. 3
 Anna L. 1

Claims for self
wife and children

Stenographer R. S. Street

Choctaw MCR 2633

Matilda Anderson

MCR 2633

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 11, 1901.

In the matter of the application of Matilda Anderson for
the identification of self and husband as Mississippi Choctaws.

Matilda Anderson, having been first duly sworn, upon her
oath testified as follows:

Examination by the Commission.

- Q What is your name? A Matilda Anderson.
Q What is your age? A About forty years old. I don't know nothing
about slavery time.
Q What is your post office address? A Egypt, Mississippi.
Q Where were you born? A Born in Chickasaw County.
Q In what State? A Mississippi.
Q Have you always lived in Mississippi? A Yes sir.
Q You were born in Chickasaw County? A Yes sir.
Q Have you always lived in that county? A Yes sir.
Q What is your father's name? A Henderson Gillispie.
Q Is he living or dead? A Dead.
Q What is your mother's name? A Sarah Taylor.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim Choctaw blood?
A My ma and my pa both had it.
Q How much Choctaw blood do you claim? A People tells me I 'm
half by my mammy's and daddy's side.
Q How much Choctaw blood did your father have? A Half Choctaw.
Q What was his other blood? A I don't know sir.
Q How much Choctaw blood did your mother have? A Her grand daddy,
he was 3/4, that made her half, didn't it?
Q Well, do you claim she was one half Choctaw? A Yes sir.
Q And the grand daddy was 3/4? A Yes sir.
Q What was her other blood? A I don't know sir.
Q You haven't any white blood have you? A No sir.
Q How much negro blood did your father have? A I don't know sir;
I know he had some.
Q You say you know he had one half Choctaw; what was the other
half? A I say he was negro.
Q Well, how much? A Half.
Q What was the other blood of your mother besides Choctaw? A Negro.
Q Was your father a slave before the war? A No sir, I don't think
he was.
Q Do you know? A No sir, I don't know.
Q Don't know whether he was owned by someone? A Dr. Gillispie owned
him.
Q Was your mother a slave? A Yes sir, she was a slave.
Q Were you a slave? A No sir, I wasn't big enough to be a slave.
Q You are forty years old? A I was owned by Dr. Gillispie.
Q Have your parents, through whom you claim your right to be identi-
fied as a Mississippi Choctaw, ever been recognized in any way or
enrolled as members of the Choctaw tribe of Indians by either the
Choctaw tribal authorities or the United States authorities? A No sir.

Matilda Anderson, et al., #2.

- Q Are you married? A Yes sir.
- Q Have you any children? A No sir.
- Q Do you want to make application for your husband? A Yes sir.
- Q Is he Choctaw? A Yes sir, part.
- Q What is his name? A Jesse Anderson.
- Q How old is he? A I don't know exactly.
- Q About how old? A About fifty I reckon.
- Q What is his father's name? A He aint got no father living.
- Q Don't ~~know~~ you know what his name was? A No sir.
- Q Is he living? A No sir, he aint living.
- Q What is his mother's name? A I don't know sir, she aint living either.
- Q Through which one of his parents does he claim Choctaw blood?
- A Through his mother.
- Q How much? A 1/4.
- Q What is the rest of his blood? A Negro.
- Q Was he a slave before the war? A Yes sir.
- Q Were his parents? A Yes sir.
- Q Have your husband's parents, through whom you claim for him, the right to identification as a Mississippi, ever been recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities in Indian Territory? A No sir.
- Q Have you any children? A No sir.
- Q You claim for yourself and husband? A Yes sir.
- Q Were you married to your husband by an ordained minister and under a license? A Yes sir.
- Q About how long have you been married to him? A About fourteen or fifteen years.
- Q Is your name on any of the Choctaw tribal rolls in Indian Territory? A No sir.
- Q Have you ever made application for yourself or husband to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No sir.
- Q Did you or any one for you, or your husband, in 1896, make application to the Commission to the Five Civilized Tribes for 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, or your husband, in the Choctaw Nation by either the Choctaw tribal authorities, or the United States authorities or the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this time for yourself or husband to either the Choctaw tribal authorities or the United States authorities to be admitted or enrolled as citizens of the Choctaw Nation? A No, sir.
- Q Is this the first application you have made of any description? A Yes sir.
- Q You now make application for identification as Mississippi Choctaws for yourself and husband? A Yes sir.
- Q Do you claim this right for yourself and husband as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.
- Q Have you or your husband ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the name of any of your ancestors who were recognized members of the Choctaw tribe of Indians in 1830, at the time of the ratification of the Treaty of Dancing Rabbit Creek? Between the

Matilda Anderson, et al., 3.

United States Government and the Choctaw tribe of Indians? A Billy Snow was my grand father on my mother's side.

Q What was he? A 3/4 Indian.

Q Did he or any of your ancestors go with the Other Indians when the Government removed them from Mississippi and Alabama to the Indian Territory between the years 1833 and 1834? A No sir.

Q You don't know whether any of your people went to the Territory? A No sir.

Q Did any of your ancestors within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent living in Mississippi at that time, their intention to remain in Mississippi and become citizens of the States? A I don't know sir.

Q Did any of your ancestors receive or claim any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir.

Q Do you speak the Choctaw language? A No sir.

~~Q You have not lived among them, have you? A No sir.~~

Q You have been among what class of people? A Negroes.

Q How does it happen, if your father and mother both had Choctaw blood, why were they slaves? A I don't know; they bought my grand father with the blanket.

Q Who did they buy your grand father from? A I don't know sir; from the Indians.

Q Indians didn't sell Indians, did they? A I don't know; that's what they told me.

Q Does your husband understand the Choctaw language? A I don't know.

Q Is there anything further you want to say in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other proper papers showing that any of your ancestors, or your husbands ancestors were, in 1830, recognized members of the Choctaw tribe of Indians, or that they ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of Dancing Rabbit Creek, or ever received any benefits under that Article of that Treaty? A Yes sir.

Affidavit of H.H. Harrison, presented by applicant, received filed, marked Exhibit "A" and made a part of the record in this case.

Joint Affidavit of John Buck Gillispie and Alfred Gillispie presented by applicant, received, filed, marked Exhibit "B" and made a part of the record in this case.

J.M. Coffee, attorney for applicant, asks leave to file written evidence in support of this application within a period of thirty days from this date.

Permission is granted to the attorney for applicant to file proper documentary evidence in support of this application within a period of thirty days from this date.

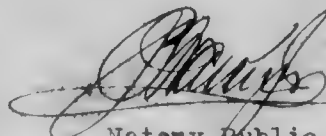
Matilda Anderson, et al., #4.

(This applicant appears to be a full blood negro, having all the physical characteristics of a member of that race. She does not understand the Choctaw language, and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article Fourteen of the Treaty of 1830.)

The decision of the Commission as to the application you make at this time for the identification of yourself and husband as Mississippi Choctaws will be determined at the earliest possible date, conformable to the provision of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. S. Streit, 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 11th day of June, A.D. 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Meridian, Mississippi,
this 26th day of July, 1901.


Notary Public.

COPY.

Muskogee, Indian Territory, April 18, 1903.

Matilda Anderson,
Egypt, Mississippi.

Dear Madam:

You are hereby advised that on the 18th day of April, 1903, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of George Snow, et al., embracing the following applications for identification as Mississippi Choctaws:

George Snow, et al.,	M C R 2328
Matilda Anderson, et al.,	M C R 2633
Buck Snow, et al.,	M C R 2632

These applications were made under the provision of the act of Congress of June 28, 1896 (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 Snow, Jimmy Snow, Lonnie Snow, Lula Snow, Oscar Snow, Brady Snow, Adalina Snow, Eddie Snow, Belle Snow, Colonel Snow, Ulyseus Snow, Matilda Anderson, Jesse Anderson, Buck Snow, Annie

M A 2

B. Snow, Buck Snow, Jr., Delia A. Snow, and Anna L. Snow 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,

(SIGNED)

James Bixby.

Chairman.

Registered.

M.C.R.2633.

COPY.

Muskogee, Indian Territory, August 19, 1903.

Matilda Anderson,

Egypt, Mississippi.

Dear Madam:

You are hereby notified that on the 5th 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 George Snow, et al., of which decision you were advised by registered mail on the 18th day of April, 1903.

Respectfully,

(SIGNED)

I. B. Needles.
Commissioner in Charge.

#923

No

For Identification as a Mississippi Choctaw.

Date JUN 11 1901

Name Matilda Anderson

Age 40 - Blood 1/2

Post Office, Egypt, ~~Miss~~ Miss.

Father: Henderson Gillespie, d.

Mother: Sarah Taylor, d.

Claims through both parents

Husband - Jesse Anderson 1/4 Choctaw blood

Father - don't know - d.

Mother - don't know - d.

He claims thro' mother.

~~XXXXXX~~

Claims for self & husband

Stenographer R. J. Straub

Matilda Anderson et al.

DECISION RENDERED APR 16 1902

2328

Choctaw MCR 2634

Varina Lowe

MCR 2634

Department of the Interior.
Commission to the Five Civilized Tribes.
Atoka, I. T. June 13, 1901.

#2634

In the matter of the application of Varina Lowe for the identification of herself and her three minor children as Mississippi Choctaw Varina Lowe having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Varina Lowe.
Q What is your age? A Twenty-eight.
Q What is your post-office address? A Longrove, Texas I. T.
Q How long have you lived there? A It is three years in December.
Q Where did you live before that? A I lived in Cherokee Nation, I was born in Texas.
Q How long have you lived in the territory? A Seven years.
Q And where did you live before you came to the Indian Territory?
A In Texas.
Q Born in Texas? A Yes.
Q And lived there all your life until you came to the Territory?
A Yes.
Q What is your father's name? A David James.
Q Is he living? A Yes.
Q What is your mother's name? A Mary James.
Q Is she living? A Yes.
Q Through which one of your parents do you derive your Choctaw blood?
A My father.
Q How much Choctaw blood do you claim? A One thirty-second.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe by either the Choctaw tribal authorities or the authorities of the United States? A No.
Q Are you married? A Yes.
Q What is your husband's name? A John Lowe.
Q He is living? A Yes.
Q Do you make any application for him? A No.
Q Have you any children in your family for whom you wish to make application at this time? A Yes- three.
Q Give the names and ages of these children. A Floy Lowe, six; Guida Lowe, three; and Sager Lowe (Boy), three months.
Q These are all your children? A Yes.
Q What is the name of their father? A John Lowe.
Q When and where were you married to John Lowe? A Haskell County, Texas, '91.
Q Is your name on or are the names of any of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application for yourself or your children to the Choctaw tribal authorities in Indian Territory to be enrolled as members of that tribe? A No.
Q Did you, or did any one for you in 1896, make application, for you or your children, to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes, or by judgment of the United States Court in Indian Territory? A No.
Q Have you ever made application prior to this time for yourself or your children to either the Choctaw tribal authorities or the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No.

- Q Is this the first application of any description you have ever made? A Yes.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your right as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Are you familiar with the provisions of that article of that treaty? A No, I am not.
- Q Article fourteen of the treaty of 1830 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 claiming 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."

- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A Not that I know of.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw nation? A John James, my great-grandfather.
- Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw tribe at that time? A No, I haven't any except this- (showing paper).
- Q Did this ancestor, if a Choctaw Indian, remove from the territory occupied by the old Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe from 1835 to 1838? A Not that I know of.
- Q If he did not remove with the other members of the tribe, did he, within six months after the ratification of the treaty of 1830, signify to the United States Indian Agent to the Choctaw Indians in Mississippi his intention to remain in Mississippi and become a citizen of the United States? A Yes, my grandparents went from Mississippi to-
- Q Well, I said did this great-grandfather within six months after the ratification of the treaty of 1830 go to the Indian Agent there in Mississippi and tell him he wanted to stay there and become a citizen of the United States? A I don't know that he did.
- Q Have any of your ancestors ever claimed or received any land in Mississippi as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Not that I know of.
- Q Are there any additional statements you desire to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written evidence of any description, copies of records, deeds or patents, or any proper papers, showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830, or that they ever received any benefits under that article of that treaty? A No.
- Q You have no papers that you want to file? A Yes, the paper, proof and witnesses; that's all I have.

Affidavit of James Tynes offered in evidence by applicant, marked Exhibit "A", filed and made a part of the record in this case; affidavit of John Lewis and J.R. Nelson, offered in evidence by applicant, marked Exhibit "B", filed and made a part of the record; affidavit of Mary G. Davis offered in evidence by applicant, filed and marked Exhibit "C"; affidavit of Jonas Franier offered in evidence by applicant filed and marked Exhibit "D"; affidavit of E.P. James offered in evidence by applicant, filed, marked Exhibit "E" and made a part of the record in this case.

The decision of the Commission as to your application for the identification of yourself and your minor children will be determined at the earliest possible date and a report of the same will be made to the Secretary of the Interior, conformable to the provisions of the 31st. Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you at your post-office address as given by you in your testimony.

Applicant apparently a white woman.

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 all proceedings had in the above entitled cause on June 13th 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on said date.

Henry G. Hains

Subscribed and sworn to before me this 15 day of July 1901.

R. H. Linbaugh
Notary Public.

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

ALLISON I. AYERSWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING

M C R 2634

OPY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 31, 1902.

Martha Loma,

Lone Grove, Indian Territory.

Dear Madam:

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 Enoch P. James, et al., embracing the following applications for identification as Mississippi Choctaws:

Enoch P. James, et al.,	M. C. R.	4882
Gid T. James, et al.,	M. C. R.	518
Lemuel Ed James,	M. C. R.	519
Enoch Polk James,	M. C. R.	862
Mary Caroline Davis,	M. C. R.	936
Mary Caroline Pettit, et al.,	M. C. R.	937
Callie Morrow, et al.,	M. C. R.	940
Tennessee Lytle, et al.,	M. C. R.	1266
Mellie Jameson, et al.,	M. C. R.	1267
Marion Shields Foster, et al.,	M. C. R.	1273
Ida F. Bassham, et al.,	M. C. R.	1354
Tima Lanham, et al.,	M. C. R.	1355
Nellie T. Elrod,	M. C. R.	1376
Amanda Cantrell, et al.,	M. C. R.	1377
James B. Jones,	M. C. R.	1378
John M. Cantrell,	M. C. R.	1379
George W. Jones,	M. C. R.	1380
James E. Jones, et al.,	M. C. R.	1381
Leona E. Boswell, et al.,	M. C. R.	1388
Laura B. Cantrell,	M. C. R.	1389
Ida T. McReynolds, et al.,	M. C. R.	1390
Dovie Elrod,	M. C. R.	1391
Ida Harshbarger,	M. C. R.	1392
John W. James, et al.,	M. C. R.	1393
Lee J. Cantrell,	M. C. R.	1394
John T. Elrod,	M. C. R.	1395
David C. James, et al.,	M. C. R.	1396
Enoch James,	M. C. R.	1397
Ninnie Jones, et al.,	M. C. R.	1398
Eugene G. Pettit,	M. C. R.	1402
David James, et al.,	M. C. R.	2670
C. James, et al.,	M. C. R.	2671
Etta James,	M. C. R.	2672

Fred James.,	M. C. R. 2673
Varina Lowe, et al.,	M. C. R. 2634
Loyed Price Foster, et al.,	M. C. R. 5053
Melvin Foster,	M. C. R. 5054
William N. Foster,	M. C. R. 5055
Minnie Iradell May,	M. C. R. 5056
Molly B. Cane,	M. C. R. 5057

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 Enoch P. James, Vila James, Ollie Lee James, Vernon James, Gid T. James, Gail James, Lemuel Ed James, Enoch Polk James, Mary Caroline Davis, Mary Caroline Pettit, Estella Pettit, William Pettit, Callie Morrow, Leland Morrow, Lillian Morrow, Mell Morrow, Tennessee Lytle, David C. Lytle, George Lee Lytle, Everett Lytle, Harry Lytle, Timma Lytle, Beatrice Lytle, Mellie Jameson, Violet Jameson, Jasper Jameson, Marion Shields Foster, Edna Foster, Ida F. Bassham, Eugene M. Bassham, Fannie L. Bassham, Tina Lanham, Earl B. Lanham, Ray Lanham, Elbert Lanham, Nellie T. Elrod, Amanda Cantrell, Perry C. Cantrell (Jr.), Davietta Cantrell, James B. Jones, John M. Cantrell, George W. Jones, James E. Jones, Ola B. Jones, Lola L. Jones, Leona E. Boswell, Bird Boswell, Laura B. Cantrell, Ida T. McReynolds, Allen McReynolds, Laura D. McReynolds, Dovie Elrod, Ida Harshbarger, John W. James, Virgil C. James, Beulah M. James, Lee J. Cantrell, John T. Elrod, David C. James, Bonny James, Ollie M. James, Otis James, Enoch James, Ninnie Jones, John B. Jones, Edward W. Jones, Eugene G. Pettit, David James, Owaaisa James, Ophelia James, Lavina James, Lem James, Alta James, Hawley James, C. James, Bessie May James, Etta James, Fred James, Varina Lowe, Floy Lowe, Ouida Lowe, Sager Lowe, Loyed Price Foster, Alice Pearl Foster, Melvin Foster, William N. Foster, Minnie Iradell May, and Molly B. Cane 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 Enoch P. James for the identification of his wife, Amanda C. James, 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,

T. ... Bird

Acting Chairman.

Registered.

COPY.

M C R 2634

Muskogee Indian Territory, November 17, 1902.

Varina Lowe,

Lone Grove, Indian Territory.

Dear Madam:

You are hereby notified that on the 6th 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 Enoch P. James, et al., of which decision you were advised by registered mail on the 31st day of May, 1902.

Respectfully,

(SIGNED).

Tamo Dixby.
Acting Chairman.

MCR-2634

Muskogee, Indian Territory, October 19, 1906.

Varina Lowe,

Lone Grove, Indian Territory.

Dear Madam:

You are hereby notified that on September 26, 1906, the Secretary of the Interior denied a motion, filed June 2, 1906, by J. O. Pool, for review and readjudication of the consolidated Mississippi Choctaw case of Enoch P. James et al., of which the application for the identification of yourself and children is a part.

Respectfully,

Commissioner.

POOR ORIGINAL -
BEST AVAILABLE COPY

REFER IN REPLY TO THE FOLLOWING:

100-2634

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

Muskogee, Indian Territory, March 16, 1907.

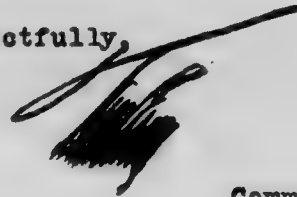
Varina Lowe,

Lone Grove, Indian Territory.

Dear Madam:-

You are hereby notified that the Secretary of the Interior, on March 4, 1907, denied a motion filed with the Department by Kappler & Merillat, attorneys at law, Washington, D. C., for a rehearing in the consolidated Mississippi Choctaw case of Enoch P. James et al.

Respectfully,



Commissioner.

No. _____

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name Varina Lowe

Age 28 Blood 1/32

Post Office, Lone Grove, L. T.

Father: David James L

Mother: Mary James L

Claims through father

Husband: John Lowe
(no claim for him)

Children:

Floy Lowe 6

Octida " 3

Sager " M 3 mo.

Claims for herself and
three minor children

Stenographer

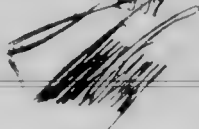
Henry G. Hains.

1174M



PHILADELPHIA PA

MAY 18 1947



Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOCOE, IND. TER.



2634

Var... Lowe,

... above, Indian Territory.

Varina Lowe et al

REFUSED

DECISION RENDERED. MAY 13 1902

MAY 20 1902

NOT

FOR

MAY 20 1902

RECEIVED

ACTED NOV 6 1902

FOR NOV 10 1902

NOT OF APPLICANT

NOT NOV 10 1902

REFUSED 4882

@hoctaw MCR 2635

Willie Crowell

MCR 2635

FOR IDENTIFICATION
A MISSISSIPPI DOCUMENT R. 2025

Willie Crowell

DECISION RENDERED. NOV 1 1902

NOV 1 1902

NOV 1 1902

NOV 1 1902

JAN 1 1903

JAN 1 1903

NOT
FOR
AND OTHER INFORMATION

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

In the matter of the application of Willie Crowell for
identification as a Mississippi Choctaw , M C R 2635.

List of papers forwarded to the Secretary of the Interior,
comprising the record in the application of Willie Crowell.

	Page.
Original application of Willie Crowell before the Dawes Commission for identification as a Mississippi Choctaw	1
Affidavit of Berry Johnson and W. H. Hamilton	4
Decision of the Commission refusing the application of Willie Crowell for identification as a Mississippi Choctaw	5

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 12th, 1901.

In the matter of the application of Willie Crowell for identification as a Mississippi Choctaw.

Said Willie Crowell, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Willie Crowell.
Q What is your age? A Forty-nine.
Q What is your postoffice address? A Parkersburg, Chickasaw County, Mississippi.
Q How long have you lived at Parkersburg? A I have been living there about ten years. That is my nearest postoffice.
Q Where were you born? A In Alabama.
Q What part of Alabama? A Sumter County, Alabama.
Q How long did you live there? A I don't know, sir.
Q About when did you remove from Alabama to Mississippi? A I don't know that either.
Q Did you ever live in any other states except Alabama and Mississippi? A No sir.
Q Can you give me any idea when you came from Alabama to Mississippi? A No sir.
Q Don't you know how long you have lived in Mississippi? A No sir.
Q What is your father's name? A I don't know, sir. I just know my mother's name and grandmothers.
Q Do you know if your father is living or dead? A No sir, I don't know.
Q What is your mother's name? A Her name was Annie Crowell.
Q Is she living? A No sir, dead.
Q Through which one of your parents do you claim Choctaw blood?
A From my mother.
Q How much do you claim? A One quarter.
Q Do you know what your father's blood was? A No sir.
Q Do you know what your mother's blood was? A She was part Indian and part negro.
Q How much Indian? A One-half.
Q One half Choctaw? A Yes sir, her grandmother was full blood and she was always called by the people a half Indian.
Q Do you know whether you derive any negro or Choctaw blood through your father? A No sir, I don't know.
Q You get one-half Choctaw and one-half negro from your mother, do you? A Yes sir.
Q Was your father a slave before the war? A I don't know, sir.
Q Was your mother? A My mother was.
Q And were you? A Yes sir.
Q You were quite a boy at the close of the war? A Yes sir.
Q You remember about the time of the emancipation? A Yes sir.
Q Were you living in Mississippi at that time, do you know, or Alabama? A We was living in Mississippi when the surrender.
Q And have lived here since? A Yes sir.
Q Has your mother, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal authorities or the United States authorities? A No sir.

Willie Crowell--2

- Q Are you married? A Yes sir.
- Q Do you make any application for your wife? A No sir.
- Q What is her blood? A She is a negro.
- Q Have you any children you want to make application for? A No sir, I have got one but she is grown.
- Q Have you ever made application to the Choctaw Tribal authorities in the Indian Territory to be enrolled as a member of that Tribe? A No sir.
- Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Did you or did anyone for you in 1896 make application to the Commission to the Five Civilized Tribes for 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 either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application before this time to either the Choctaw Tribal authorities or the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No sir.
- Q Is this the first application of any description you have ever made? A Yes sir.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim your rights as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir. My grandmother wasn't a slave.
- Q She wasn't a slave? A No sir.
- Q Your mother's mother? A Yes sir.
- Q How did your mother become a slave? A I don't know.
- Q How do you know your mother's mother wasn't a slave? A She would come to my house; she would visit backwards and forwards until after we moved from Alabama. I don't know what become of her.
- Q Do you know whether your mother's father was a slave? A I don't know.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Have you ever? A No sir.
- Q What were the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi or Alabama and acknowledged members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was entered into between the United States Government and the Choctaw Tribe of Indians? A My mother's mother was named Annie; I don't know what her other name was.
- Q Your grandmother's name was Annie, and that is all the name you know? A Yes sir.
- Q Do you know any other ancestors or the names of any of them? A No sir.
- Q Do you know if your grandmother Annie was a full blood Choctaw Indian? A Well, that is what my mother said.
- Q Was she a slave or a free woman? A My grandmother was a free woman.
- Q Was she a recognized member of the Choctaw Tribe of Indians in Mississippi or Alabama in 1830? A I don't know, I guess so.
- Q What makes you think so? A I said, not as I knows of.
- Q Did any of your ancestors remove from the territory occupied by

Willie Crowell--3

the Choctaw Tribe of Indians in Mississippi and Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A Not as I know of.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the States? A Not as I know of.

Q Did any of your ancestors ever claim or receive any land in Mississippi under article 14 of the treaty of 1830? A Not as I know of.

Q Do you speak the Choctaw language? A No sir.

Q Is there anything further you want to say now in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir.

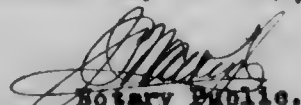
Mr. L. P. Hudson, attorney for applicant, requests additional time in which to file documentary evidence in support of this application.

Permission is granted Mr. L. P. Hudson, attorney for applicant, to file written evidence in support of this application provided the same is offered for filing within thirty days from the date hereof.

This applicant appears to be a person descended from a mixed ancestry of negro and Choctaw blood in which the negro blood seems to predominate; the Choctaw blood is indicated by his features which are sharply defined and clean cut. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the ~~xxx~~ Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and report of the same made to the Secretary of the Interior conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Miles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause heard at Meridian, Mississippi, June 12th, 1901, and that the above and preceding is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.
Subscribed and sworn to before me this the 11th day of July, 1901, at Meridian, Mississippi.


Notary Public.

*EK
COW.*

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

In the matter of the application of Willie Crowell for
identification as a Mississippi Choctaw, H C R 2235.

DECISION.

It appears from the record herein that application for
identification as a Mississippi Choctaw was made to this Commission
by Willie Crowell for himself under the following provision of
the act of Congress approved June 28, 1898, (30 Stats., 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 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 said applicant claims 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 a descend-
ant of one Annie, 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 said applicant has never 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 Annie, 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 Willie Crowell as a Choctaw Indian entitled to rights in the

Shawnee lands under the provisions of said article fourteen of the Treaty of eighteen hundred and thirty, and that the application for his identification as such should be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(SIGNED)

Tame Bixby.

Acting Chairman.

(SIGNED)

T. B. Neelley.

Commissioner.

(SIGNED)

C. H. Brockinridge.

Commissioner.

Muskogee, Indian Territory,

NOV 1 1902

Y C R 2635.

COPY.

Muskogee, Indian Territory November 1, 1902.

Willie Crowell,

Parkersburg, Mississippi.

Dear Sir:-

You are hereby advised that on the 1st day of November 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Willie Crowell an applicant for identification as a Mississippi Choctaw.

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 Willie Crowell as a Choctaw Indian 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 his 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

W C -2

case, together with such arguments, will be forwarded for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Fame Kirby.
Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory November 1, 1902.

Hansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that on the 1st day of November 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Willie Crowell an applicant for identification as a Mississippi Choctaw.

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

Said decision concluded as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Willie Crowell as a Choctaw Indian 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 his identification as such should be refused, and it is so ordered."

You are further advised that the applicant in this case has 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

M M & C -2

Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

Tamo Dixby.
Acting Chairman.

COPY.

Muskogee, Indian Territory, November 17, 1902.

The Honorable,
The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the case of Willie Crowell an applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of November 1, 1902.

The Commission has the honor to report that the 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,

Tama Dixie
Acting Chairman.

Through the Commissioner
of Indian Affairs.
Enc. M C R 2635.

-:- COPY -:-

D.C. 573

EAF.

ITD.7859-1902.

DEPARTMENT OF THE INTERIOR,

L.R.S.

WASHINGTON.

January 3, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

November 17, 1902, you transmitted the record in the matter of the application for identification of Willie Crowell as a Mississippi Choctaw.

The applicant claims to be a descendant of one Annie, who is alleged to have been a full blood Choctaw Indian.

The record fails to show that Crowell has ever been admitted or enrolled as a citizen of the Choctaw Nation, or that said Annie or a less remote ancestor of the applicant complied or attempted to comply with article 14 of the treaty of September 27, 1830, or with either of the acts of March 3, 1857 (5 Stat., 180), and August 23, 1848 (5 Stat., 513). You refused the application November 1, 1902.

The Commissioner of Indian Affairs forwarded the papers December 18, 1902, and recommended that your decision be approved. A copy of his letter is inclosed.

Having carefully reviewed the whole record, the Department hereby affirms your decision.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

-- COPY --

Land.
69862--1902.

DEPARTMENT OF THE INTERIOR

Office of Indian Affairs,

Washington, December 18, 1902.

The Honorable

The Secretary of the Interior.

Sir:

There is transmitted herewith a report made November 17, 1902, by the Acting Chairman of the Commission to the Five Civilized Tribes, forwarding the record in the matter of the application of Willie Growell, for identification as a Mississippi Choctaw, claiming rights under the provisions of the 14th article of the treaty of 1830. November 1, 1902, the Commission held that the applicant was not entitled to identification.

Descent is claimed from Annie through Annie Growell, her daughter, it being claimed that Annie was a member of the Choctaw tribe of Indians in 1830, and complied or attempted to comply with the provisions of the 14th article of the treaty of 1830. The applicant is not a full blood Choctaw Indian.

An examination of the records of this office fails to show that Annie or Annie Growell received a patent for land under the provisions of article 14 of the treaty of 1830 or complied or attempted to comply with the provisions of said article; neither

does it appear that she applied to the Commissions under the Acts of March 3, 1837 and August 23, 1842, for an adjudication of her rights, if she had any, as a Choctaw Indian.

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

Very respectfully,

W. A. Jones,

Commissioner.

G.T.G.(E.)

OPY. H.C.R. 2635.

Muskogee, Indian Territory, January 16, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 3d day of January, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application of Willie Crowell for identification as a Mississippi Choctaw, of which decision you were advised by mail on the 1st day of November, 1902.

Respectfully,

(SIGNED)

L. D. Jackson

Commissioner in charge.

COPY. U.C.R. 2635.

Muskogee, Indian Territory, January 16, 1903.

Willie Crowell,

Parkersburg, Mississippi.

Dear Sir:

You are hereby notified that on the 3d day of January, 1903, 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 1st day of November, 1902.

Respectfully,

[Signature]
Commissioner in charge.

#924

No. 2005

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name *Willie Crowell.*

Age *49* Blood *1/4*

Post Office, *Parkersburg, Miss.*

Father: (*don't know*) —
1/2 choct. 1/2 negro

Mother: *Annie Crowell, d*

Claims through *mother.*

~~Children:~~

Claims for self alone.

Stenographer

J. S. Miles

Choctaw MCR 2636

George McNamee

MCR 2636

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

In the matter of the application of George McNamee, et al., for identification as Mississippi Choctaws, consolidating the applications of:

George McNamee, M.C.R. 2636
Henry N. McNamee, et al., M.C.R. 6119
Sam Neal, et al., M.C.R. 2638.

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

	Page.
Original application of George McNamee before the Dawes Commission for identification as a Mississippi Choctaw.....	1
Joint affidavit of John Blue and Isarbelermery.....	4
Decision of the Commission in the matter of the application of George McNamee.....	5
Original application of Henry N. McNamee, et al., before the Dawes Commission for identification as Mississippi Choctaws....	8
Certified copy of the marriage certificate between H. N. McNamee and Florence Laws.....	14
Affidavit of Alph McNamee.....	15
Original application of Sam Neal, et al., before the Dawes Commission for identification as Mississippi Choctaws.....	16
Joint affidavit of Mrs. Amandy Neal and T. C. Morgan.....	20
Certified copy of the marriage license between Sam Neal and Jane McNamee.....	21
Joint affidavit of Edmond Nothan and Taylor McIntosh.....	22
Decision of the Commission refusing the applications in the consolidated case of George McNamee, et al., applicants for identification as Mississippi Choctaws.....	26

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 12th, 1901.

In the matter of the application of George McNamee for
identification as a Mississippi Choctaw.

Said George McNamee, being first duly sworn, testified as
follows:-

Examination by the Commission.

- Q What is your name? A George McNamee.
Q What is your age? A About forty-two years old.
Q What is your postoffice address? A Neals, Mississippi.
Q How long have you lived at Neals? A Been there about thirty
years.
Q Where were you born? A Near Buena Vista, Mississippi.
Q What County? A Choctaw County.
Q You have always lived in Choctaw County, Mississippi, then?
A Yes sir.
Q What is your father's name? A Alfred McNamee.
Q Is he living or dead? A Living.
Q What is your mother's name? A Margaret McNamee.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim Choctaw blood?
A Through each one.
Q How much Choctaw blood do you claim? A Well, I claim one-half.
Q Was your father one-half Choctaw Indian? A Yes sir.
Q What was his other blood? A Negro, I suppose.
Q And was your mother one-half Choctaw? A Yes sir.
Q What was her other blood? A Well, combination of negro and
white.
Q Were either of your parents slaves before the war? A Yes sir.
Q Both slaves? A Yes sir.
Q Slaves in Mississippi? A Yes sir.
Q Have your parents, through whom you claim your right to be iden-
tified as a Mississippi Choctaw ever been recognized in any way or
enrolled as members of the Choctaw Tribe of Indians by either the
Choctaw Tribal authorities or by the authorities of the United
States? A Not to my knowledge.
Q Are you married? A No sir.
Q You have no children? A No sir.
Q You make application for yourself alone, do you? A Yes sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation
in the Indian Territory? A No sir.
Q Have you ever made application to the Choctaw Tribal authorities
in the Indian Territory to be enrolled as a member of that tribe?
A No sir.
Q Did you or did anyone for you in 1896 under the Act of Congress
of June 10, 1896, make application to the Commission to the Five
Civilized Tribes for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation
by either the Choctaw Tribal authorities, the Commission to the Five
Civilized Tribes or by the United States Court in Indian Territory?
A No sir.
Q Have you ever made application before this time to either the
Choctaw Tribal authorities or the authorities of the United States
to be admitted or enrolled as a citizen of the Choctaw Nation? A
No sir.

George McNamee--2

- Q Is this the first application of any kind that you have ever made? A Yes sir.
- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.
- Q Do you claim your right as a beneficiary under the provisions of the 14th article of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q What was the name of your ancestor or ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was ratified between the United States Government and the Choctaw Indians? A I can't remember more than Dicy, my father's grandmother. Her other name I don't know.
- Q That was your father's mother? A Yes sir.
- Q Is that all the names you remember? A Yes sir, that is all he told me. He was taken away when he was a boy and he lost his mother when he was about ten years old.
- Q His blood was a mixture of negro and Choctaw? A Yes sir, that he thought that his Indian blood was a disgrace.
- Q How did he happen to be a slave? A He was taken at Natchez and was carried away.
- Q Was he a slave before he was spirited away, or was he formerly free and then stolen and sold? A He said he didn't know; he was quite a small boy when he was taken away from his mother.
- Q Was his mother a slave? A He said he didn't know.
- Q How much Indian blood do you remember she had? A Well, he acknowledged that he knew her to be a half Indian.
- Q If his mother was half, he would be a fourth and you wouldn't be one-half from him then? A Well, they claim for him, those that knew him said he was half Indian.
- Q As far as you know, your father was half? A Yes sir.
- Q You have no positive knowledge or proof of it? A No sir.
- Q Have you any evidence showing that either of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830? A No sir.
- Q Did any of your ancestors, if Choctaw Indians, remove from the territory occupied by the Choctaw Nation in Mississippi or Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians between the years 1833 and 1838? A I have no knowledge of that.
- Q If these ancestors did not remove with the other members of the Tribe, did they within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to stay in Mississippi and become citizens of the United States? A I don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A Not to my knowledge.
- Q Do you speak the Choctaw language? A No sir.
- Q Never have been brought up among the Choctaws? A No sir.
- Q Are there any additional statements that you want to make in support of your application? A No sir.
- Q Were you a slave before the war? A Yes sir, I suppose I was born a slave.
- Q What you know about these things are matters of family history, I suppose? A Yes sir.
- Q Have you any documentary evidence, affidavits, written testimony

George McNamee---3

- of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article, of that treaty or ever received any benefits thereunder? A No sir.

Mr. L. P. Hudson, attorney for applicant, requests thirty days time in which to file documentary or other evidence in support of this application.

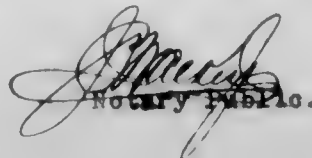
Permission is granted Mr. L. P. Hudson, attorney for applicant, to file documentary or other evidence in support of this application, provided the same is offered for filing with the Commission within thirty days from the date hereof.

This applicant has the appearance and general physical characteristics of a person descended from a mixed ancestry of negro, Choctaw and white blood. His features are not at all like the features of a negro, they are sharp and clear cut, hair is black and straight. His moustache is long and hair is straight. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application, for identification as a Mississippi Choctaw, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 12th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 10th day of July, 1901, at Meridian, Mississippi.


Notary Public.

COPY.

Self
Neal

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----o-----

In the matter of the application of George McNamee, et al., for identification as Mississippi Choctaws, consolidating the application of:

George McNamee,	M.C.R. 2636
Henry H. McNamee, et al.,	M.C.R. 6119
Sam Neal, et al.,	M.C.R. 2638.

--: 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 George McNamee for himself; by Henry H. McNamee for himself and his five minor children Henry W., Annie May, Eddie Warren, Emma Lee and Jimmy Lee McNamee; and by Sam Neal for himself and his seven minor children Maggie, Vergie, William D., Maudie, Lavada, Tommie L. and Frank B. Neal under the following provisions 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 the applicant in M. C. R.

2636 and the principal applicant in M.C.R. 6119 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 Dicy, who is alleged to have been an one-half or full blood Choctaw Indian and to have resided in Mississippi in eighteen hundred and thirty, and Margaret McNamee, who is alleged to have been an one-half blood Choctaw Indian; that the minor children applied for in M.C.R. 6119 claim said rights by reason of being descendants of the said Dicy and Margaret McNamee and of Florence McNamee, the latter of whom is alleged to have been possessed of some Choctaw blood, degree thereof not stated; that the principal applicant in M.C.R. 2638 claims said rights by reason of being a descendant of Mary Heal, who is alleged to have been an one-half blood Choctaw Indian; and that the minor children applied for in M.C.R. 2638 claim said rights by reason of being descendants of Mary Heal and Dicy and Margaret McNamee.

It further appears from the evidence submitted in support of said applications and from the records in the possession of the Commission, that none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said applications, or from the records in the

possession 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 Dicy, or Margaret McNamee, or Florence McNamee, or Mary Neal, 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 George McNamee, Henry N. McNamee, Henry W. McNamee, Annie May McNamee, Eddie Warren McNamee, Emma Lee McNamee, Jimmie Lee McNamee, Sam Neal, Maggie Neal, Vergie Neal, William D. Neal, Maudie Neal, Lavada Neal, Tommie L. Neal and Frank B. Neal 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,

Jame Dixby.
Acting Chairman.

T. B. Neelico.
Commissioner.

Muskogee, Indian Territory,

C. R. Brookbridge.
Commissioner.

FFR 6 1 13

Muskogee, Indian Territory, February 6, 1903.

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

Gentlemen:

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 George McNamee, et al., embracing the following applications for identification as Mississippi Choctaws:

George McNamee,	M.C.R. 2636
Henry N. McNamee, et al.,	" 6119
Sam Neal, et al.,	" 2638

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 George McNamee, Henry N. McNamee, Henry W. McNamee, Annie May McNamee, Eddie Warren McNamee, Emma Lee McNamee, Jimmie Lee McNamee, Sam Neal, Maggie Neal, Vergie Neal, William D. Neal, Maudie Neal, Lavada Neal, Tommie L. Neal and Frank B. Neal as Choctaw Indians entitled to rights in the Choctaw lands under the provisions of said article fourteen of the treaty 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

M. M. & C. No. 2.

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)

C. R. Breckinridge.

Commissioner in Charge.

M.C.R. 2636.

COPY.

Muskogee, Indian Territory, February 6, 1903.

George McNamee,
Neals, Mississippi.

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 George McNamee, et al., embracing the following applications for identification as Mississippi Choctaws:

George McNamee,	M.C.R. 2636
Henry H. McNamee, et al.,	" 6119
Sam Neal, et al.,	" 2638

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 George McNamee, Henry H. McNamee, Henry W. McNamee, Annie May McNamee, Eddie Warren McNamee, Emma Lee McNamee, Jimmie Lee McNamee, Sam Neal, Maggie Neal, Vergie Neal, William D. Neal, Maudie Neal, Lavada Neal, Tommie L. Neal and Frank B. Neal as Choctaw Indians entitled to rights in the Choctaw lands under

G. McN. No. 2.

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,

(SIGNED)

C. R. Brockinridge
Commissioner in Charge.

Registered.

Muskogee, Indian Territory, February 24, 1903.

The Honorable,
The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of George McNamee, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of February 6, 1903.

The above consolidated case embraces the following original applications heard by the Commission:

George McNamee,	M.C.R. 2636
Henry N. McNamee, et al.,	M.C.R. 6119
Sam Neal, et al.,	M.C.R. 2638.

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,

Through the
Commissioner of Indian Affairs.
2 inclosures: M.C.R. 2636

Chairman.

D.C. 13360
I.T.D. 8812-1903
IRS

COPY

DEPARTMENT OF THE INTERIOR,
WASHINGTON,

JWH
FHE
May 4, 1903.

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

Gentlemen:

February 24, 1903, you transmitted the record in the consolidated case embracing the applications for identification as Mississippi Choctaws of George McNamee (M.C.R. 2536), for himself; of Henry N. McNamee for himself and his five minor children, Henry W., Annie May, Eddie Warren, Emma Lee and Jimmie Lee McNamee; and of Sam Neal for himself and his seven minor children, Maggie, Vergie, William D., Maude, Lavada, Tommie L., and Frank B. Neal, including your decision of February 6, 1903, refusing to identify them as such.

Applicants George and Henry N. McNamee are brothers. Their father, Alfred McNamee, is possessed of Choctaw and negro blood in equal parts. It is claimed that he was born in 1835 at Satartia, Mississippi, near Naches, and was carried from there to Alabama, where he was enslaved. He was the son of a Choctaw woman named Dioy. The mother of said brothers was an one-half blood Choctaw woman named Margaret McNamee. She was also of African and white descent.

The children of Henry N. McNamee also derived their Indian blood from their mother, Florence Laws, who was part Choctaw.

Applicant Sam Neal obtained his Indian blood from his mother, Mary Neal, who was of mixed Choctaw and negro blood.

The children of Sam Neal obtained their Chectaw blood in part from their mother, Jane McNamee, who was a sister of George and Henry McNamee.

The testimony as furnished by the record fails to show that these applicants or any of their alleged ancestors, ever complied or attempted to comply, in person or by proxy, with the provisions of article 14 of the treaty of September 27, 1830, or with the subsequent acts of Congress relating thereto.

It further appears that the records of the Government in your possession, as well as those at the Indian Office, fail to show that any person whatever bearing the name of any of the alleged ancestors, ever complied or attempted to comply with said article or acts.

The Department is therefore of the opinion, in view of the testimony now before it, that these applicants have failed to establish their claims.

Reporting in the matter March 13, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department finds no reason to disturb your decision, and it is hereby affirmed.

Respectfully,

(Signed) Thos Ryan

Acting Secretary.

1 inclosure.

Land
13890-1903

C O P Y
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,

March 13, 1903.

The Honorable,

The Secretary of the Interior.

Sir.

I have the honor to transmit herewith the record of the Commission to the Five Civilized Tribes in the matter of the application for identification as Mississippi Choctaws of the following persons wherein a decision adverse to the applicants was rendered by the Commission on February 6th, 1903:

George McNamee; Henry McNamee, for himself and his five minor children, Henry W., Annie May, Eddie Warren, Emma Lee and Jimmy Lee McNamee; Sam Neal, for himself and his seven minor children, Maggie, Vergie, William D., Maudie, Lavada, Tommie L. and Frank B. Neal.

An examination of the evidence in this case shows that the applicants base their claim to identification on their descent from Dicey, Margaret McNamee, Florence McNamee and Mary Neal, who, it is alleged were citizens of the Choctaw Nation and residents of Alabama or Mississippi in 1830.

The Commission states in its decision that its reason for deciding this case adversely to the applicants is because its records do not contain the name of any of the ancestors named by the applicants, who are Dicey, Margaret McNamee, Florence McNamee and Mary Neal.

and neither do they contain the name of an ancestor less remote, in the list of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

The office has caused a search to be made of its records for the names given above, namely, Dicoy, Margaret McNamee, Florence McNamee and Mary Seal, and they not being found in the list of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, I have to recommend that the decision of the Commission rejecting these applicants be approved.

Very respectfully,

(Signed) A.C.Tenner,

Acting Commissioner.

E.B.H. H'r

3 enclosures.

COPY.

M.C.R. 2636

Muskogee, Indian Territory, May 19, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 4th 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 George McNamee, et al., of which decision you were advised by mail on the 6th day of February, 1903.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

COPY.

M.C.R. 2636

Muskogee, Indian Territory, May 19, 1903.

George McNamee,
Neals, Mississippi.

Dear Sir:

You are hereby notified that on the 4th 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 George McNamee, et al., of which decision you were advised by registered mail on the 6th day of February, 1903.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

CARD No.

NAME

RESIDENCE—COUNTY

POST OFFICE

AC

REFER TO M. C. R. 2636

George M. Namee
et al

Consolidated Case

Deep, free blood,
husband
Name not given

Alfred M^c Namee 1/2
wife
Margaret M^c Namee 1/2

Mary Neal, 1/2, 1/2 neg
(mother) dead
Boat Noggler, white
(father)

George M^c Namee 42 1/2
slave

Henry N. M^c Namee 40 1/4
wife

Florence M^c Namee, Cho.
dead

Joe M^c Namee, ...

Delia M^c Namee, ...
mar.
Gladden

Lavada M^c Namee, ...
mar
Berry

M^c Namee
Jane M^c Namee, 1/2
1/2 neg. dead
mar

Sam Neal, 36, 1/4

Henry N. M^c Namee 18

Annie May M^c Namee, 16

Eddie Warren M^c Namee 11

Emma Lee M^c Namee 9

Jimmy Lee M^c Namee 7

Maggie Neal 17

Vergie Neal 15

William W. Neal 13

Maudie Neal 11

Lavada Neal 9

Tommye K Neal 7

Frank B. Neal 2

#925

No. 2026

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name George McNamee^(son)

Age 42 Blood 1/2

Post Office, Neals, Miss.

Father: Alfred McNamee, l
1/2 choctaw, 1/2 negro.

Mother: Margaret " " l
1/2 choctaw, 1/2 negro & w.

Claims through both parents.

~~usdndndnd~~

Claims for self alone.

Stenographer J. A. Miles

George McNamee

REFUSED

DECISION REFUSED. FEB 11 1903
NOTICE OF DECISION MAILED APPLICANT.

FEB - 6 1903

NOTICE OF DECISION MAILED APPLICANT
FOR CHOCTAW AND CHICKASAW NATIONS

FEB - 6 1903

~~RECORD~~ FORWARDED DEPARTMENT.

FEB 24 1903

ACTION APPROVED BY SECRETARY OF INTERIOR,

MAY - 4 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAY 19 1903

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

MAY 19 1903

REFER TO R. 6119-2638.

Choctaw MCR 2637

Anna Parnell

See MCR 203

MCR 2637

A MISSOURI CHICKAW

Anna Parnell et al

REFUSED

DECISION RENDERED. APR 21 1902

NOTICE OF DECISION MAILED APPLICANT.

APR 21 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHICKAW AND CHICKAW NATIONS.

APR 21 1902

RECORD FORWARDED DEPARTMENT.

ACTION APPROVED BY SECRETARY OF INTERIOR

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

NOV 1 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHICKAW
AND CHICKAW NATIONS.

NOV 1 1902

REFER TO M. C. R. 203

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES?
Meridian, Mississippi, June 12th, 1901.

In the matter of the application of Anna Parnell for the identification of herself and one minor child as Mississippi Choctaws.

Said Anna Parnell, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Anna Parnell.
Q What is your age? A Twenty-three.
Q What is your postoffice address? A Stanton, Alabama.
Q How long have you lived at Stanton? A Three years.
Q Where were you born? A I was born in Dallas County, Alabama.
Q How long did you live there? A Lived in Dallas County until five years ago.
Q From the time of your birth until five years ago? A Yes sir.
Q Did you then move to Stanton? A Yes sir.
Q You have lived there since? A Yes sir.
Q What is your father's name? A George F. Martin.
Q Is he living or dead? A He is living.
Q What is your mother's name? A Carris Martin.
Q Is she living? A Yes sir.
Q Through which one of your parents do you claim Choctaw blood?
A My father.
Q How much do you claim? A His grandmother was a quarter; I guess about one-sixteenth.
Q You don't claim through your mother at all? A No sir.
Q Has your father, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw Tribe of Indians by either the Choctaw Tribal authorities or the authorities of the United States? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Robert L. Parnell.
Q Do you make application for him? A No sir.
Q His blood is white I suppose? A Yes sir.
Q Have you any children under 21 years of age and unmarried that you want to make application for? A One child.
Q What is that child's name? A Carrie I.
Q How old is she? A Nineteen months old.
Q Robert L. Parnell is the father of Carrie? A Yes sir.
Q Is your name or the name of this child on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application for yourself or child to the Choctaw Tribal authorities in Indian Territory to be enrolled as members of that tribe? A No sir.
Q Did you or anyone for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the Act of Congress of June 10, 1896? A No sir.
Q Have you or your child ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Have you ever made application for yourself and child before this time to either the Choctaw Tribal authorities or to the United States

Anna Parnell et al---2

authorities for citizenship in the Choctaw Nation? A No sir.

Q Is this the first application you ever made of any kind? A Yes sir.

Q Is it now your purpose to make application for identification as Mississippi Choctaws, for yourself and child? A Yes sir.

Q Do you claim your rights as beneficiaries under article 14 of the treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q You don't know that they ever got any land from the Government?

A I don't know.

Q Give me the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and who were acknowledged members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was ratified between the Government of the United States and the Choctaw Indians? A I don't know any of my ancestors except my great grandmother.

Q What was her name? A Martha Martin, she married my ~~grandfather~~ great grandfather.

Q Have you any evidence showing that such ancestor was a recognized member of the Choctaw Tribe of Indians in 1830? A No sir.

Q Did this ancestor, or any of your ancestors, remove from the territory occupied by the Choctaw Tribe of Indians either in Mississippi or Alabama to the present Choctaw Nation in the Indian Territory between the years 1835 and 1838? A I don't know.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain in Mississippi and become citizens of the States? A Not that I know of.

Q Did any of your ancestors claim or receive any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A No sir, not that I know of.

Q Do you speak Choctaw? A No sir.

Q Are there any additional statements you want to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A No sir.

Applicant requests thirty days time in which to file documentary evidence in support of this application.

Thirty days time is allowed this applicant in which to file documentary or other evidence in support of this application.

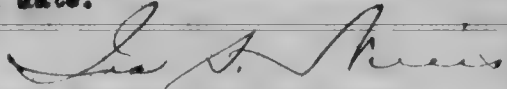
This applicant has the appearance and general characteristics of a white woman. She has no knowledge of the Choctaw language and no knowledge of the compliance on the part of her ancestors with any of the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and

Anna Farnell et al---3

the application you make on behalf of your minor child, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

Ira S. Niles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 12th, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.



Subscribed and sworn to before me this the 10th day of July, 1901, at Meridian, Mississippi.



Notary Public.

Muskogee, Indian Territory, July 26, 1901.

Anna Parnell,
Stanton, Alabama.

Dear Madam:

Receipt is hereby acknowledged of joint affidavit of
A. W. Davis and Elizabeth Bird Moore, offered by you for filing
with the records of the Commission in the matter of the appli-
cation for identification of yourself and your minor child as
Mississippi Choctaws. The same has been duly filed with the
records of the Commission.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, August 22, 1901.

Anna M. Parnell,
Stanton, Alabama.

Dear Madam:-

Receipt is hereby acknowledged of birth affidavits covering the birth of Carrie Ines Parnell, the infant daughter of R.L. and Anna M. Parnell.

It does not appear from our records that Anna M. Parnell has ever applied for identification as a Mississippi Choctaw. It does appear, however, that Anna Parnell, 23 years old, of Stanton, Alabama, whose husband is Robert L. Parnell, appeared before the Commission at Meridian, Mississippi on June 12, 1901 and applied for the identification of herself and one minor child as Mississippi Choctaws.

If you are the person who applied to the Commission as Anna Parnell please so advise the Commission and state why your name appeared as Anna Parnell in the application made by you and Anna M. Parnell in the affidavits covering the birth of your child. Upon receipt of this information the matter of the birth affidavits will receive further consideration.

Yours truly,

M.O.2637

Muskogee, Indian Territory, September 13, 1901.

Anna M. Parnell,
Stanton,

Alabama.

Dear Madam:-

Receipt is hereby acknowledged of your letter of August 27th, in which you state that your name is Anna M. Parnell, instead of Anna Farnell.

This correction has been made a matter of record, and the affidavits of the mother and physician in regard to the birth of Carrie Inez Parnell have been received as evidence of the birth of this child, and will be made a part of your application for identification as a Mississippi Cheater.

Yours truly,

M. C. 2637.

COPY.

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

Muskogee, Indian Territory, April 21, 1902.

Anna Parnell,
Stanton, Ala.

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 Susan J. Tippit, et al., embracing the following applications for identification as Mississippi Choctaws:

Susan J. Tippit, et al.,	M	C	R	203
Alva N. Tippit, et al.,	M	C	R	202
John R. Tippit, et al.,	M	C	R	204
Mary E. Tippit,	M	C	R	347
Suetta Tippit,	M	C	R	348
Marion N. McGee, et al.,	M	C	R	1048
James F. McGee, et al.,	M	C	R	1049
Mattie Walker, et al.,	M	C	R	1160
Marion E. Martin,	M	C	R	1161
David Martin, et al.,	M	C	R	1162
Callie Walker, et al.,	M	C	R	1164
Sallie Carroll, et al.,	M	C	R	1165
Verna Annabel Pierson, et al.,	M	C	R	1176
George F. Martin, et al.,	M	C	R	1182
Malitee Paralee Harris, et al.,	M	C	R	1185
Robert M. Martin, et al.,	M	C	R	1188
Neatie Bozeman,	M	C	R	1189
Rutherford McDuffey Martin,	M	C	R	1190
Rotha B. Walker,	M	C	R	1191
David Moseley Walker,	M	C	R	2086
Evie Melton, et al.,	M	C	R	2138
Robert F. Williams, et al.,	M	C	R	2245
William H. Williams,	M	C	R	2246
Mollie Williams,	M	C	R	2247
Maggie Williams,	M	C	R	2248
Susan A. B. Ferry, et al.,	M	C	R	2325
John H. Martin, et al.,	M	C	R	2326
Joseph P. Martin,	M	C	R	2327
Ada Wylie,	M	C	R	2480
William T. Wright,	M	C	R	2481
Mitchel L. Wright, et al.,	M	C	R	2482

Martha L. Wright, et al.,	M	C	R	2483
James G. Wright, et al.,	M	C	R	2484
Nannie Parnell, et al.,	M	C	R	2493
Thomas M. Martin,	M	C	R	2501
Robert A. Martin,	M	C	R	2508
Anna Parnell, et al.,	M	C	R	2637
William S. Eaves, et al.,	M	C	R	3621
Rebecca Lue Hooks, et al.,	M	C	R	3622
Sarah J. Chambers, et al.,	M	C	R	3668
Emily A. Eaves, et al.,	M	C	R	3669
Willie Jowers,	M	C	R	3670
Annie Atchison, et al.,	M	C	R	3671
William F. Martin, et al.,	M	C	R	3677
Mary J. Tate, et al.,	M	C	R	3678
Eliza Perkerson,	M	C	R	3679
Ettie Merritt,	M	C	R	3680
Jesse Z. Eaves, et al.,	M	C	R	3681
Pierson G. W. Hooks,	M	C	R	3682
Effie Harris,	M	C	R	3683
Walter Martin,	M	C	R	3684
James W. Campbell, et al.,	M	C	R	3685
Margaret Missouri Campbell,	M	C	R	3745
Elijah Campbell,	M	C	R	3746
Mildred Annett Wallace,	M	C	R	3747
Eliazer J. Milling, et al.,	M	C	R	3748
James Eaves,	M	C	R	3749
Walter Eaves,	M	C	R	3750
David W. Martin, et al.,	M	C	R	3909
Mattie Warner,	M	C	R	3910
Vesta M. Herod,	M	C	R	3911
Robert W. Martin, et al.,	M	C	R	4491

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 Susan J. Tippit, Gena J. Tippit, James T. Tippit, William J. Tippit, Eunice Tippit, Minnie H. Tippit, Alva N. Tippit, Hazel Tippit, John R. Tippit, Mary E. Peterson, J. Aubrey Peterson, Suetta Tippit, Marion N. McGee, Emma P. McGee, Wilber N. McGee, Marion G. McGee, Dink B. McGee, Chester V. McGee, Claiborn B. McGee, Nettie L. McGee, James F. McGee, Gertie McGee, Mattie Walker, Jimmie Joe Walker, Ursie Callie Walker, Marion E. Martin, David Martin, Arthur Martin, Evie Estelle Martin, Callie Walker, Walter Stanford Walker, Audress More Walker, Sallie Carroll, James Robert Carroll, John Spurgeon Carroll, Melvin Hudson Carroll, Furney Jackson Carroll, Le Vert Milling Carroll, Le Trel Carroll, Reuben Mixon Carroll, Verna Annabel Pierson, Glenwood Marion Pierson, George F. Martin, Howell Martin, Edna Martin, Paul Martin, Carrie Beatrice Martin, Malitee Paralee Harris, Curtis Harris, Nannie Harris, Virgie Harris, Clyde Harris, Robert M. Martin,

Benjamin Martin, David Martin, Mary Martin, Edna Martin, Charley Martin, George Martin, Della Martin, Silas Martin, Inez Martin, Lula Martin, Paul Martin, Gracie Martin, Neatie Bozeman, Rutherford McDuffey Martin, Rotha B. Walker, David Moseley Walker, Evie Melton, Evelyn Marie Melton, Oliver Reynolds Melton, Robert F. Williams, Lucy Williams, Janie Williams, Robert Williams, William H. Williams, Mollie Williams, Maggie Williams, Susan A. B. Terry, Birdie A. B. Talley, Mattie L. Terry, Addie E. Terry, Robert I. Terry, Velma M. Terry, William W. Terry, John H. Martin, Ulysus C. Martin, Eva Martin, Joseph P. Martin (dead), Ada Wylie, William T. Wright, Mitchel L. Wright, Lou Thelma Wright, Martha L. Wright, David M. Wright, Rebecca Wright, James G. Wright, Robert Orvin Wright, Eddie Susie Wright, Nannie Parnell, Lealla Parnell, Eva Parnell, Erly Parnell, Velma Parnell, Willie May Parnell, Thomas M. Martin, Robert A. Martin, Anna (M) Parnell, Carrie I. Parnell, William S. Eaves, Elizabeth F. Eaves, Mary Lue Eaves, Pierson L. Eaves, Rebecca Lue Hooks, Eliza Dorcas Hooks, Sarah J. Chambers, Lila May Chambers, Emily A. Eaves, Marvin Eaves, Willie Jowers, Annie Atchison, Luther D. Atchison, Edward Atchison, Willam F. Martin, Annie Lee Martin, Leonard Allen Martin, Mary J. Tate, Aubrey J. Tate, Eliza Perkerson, Ettie Merritt, Jesse Z. Eaves, Willie Eaves, Ola May Eaves, Pierson G. W. Hooks, Effie Harris, Walter Martin, James W. Campbell, Lillian E. Campbell, Lela G. Campbell, Mamie I. Campbell, Margaret Missouri Campbell, Elijah Campbell, Mildred Annett Wallace, Eliazer J. Milling, Robert Milling, Johnny Milling, Willie Milling, Palestine Milling, Luella Milling, James Eaves, Walter Eaves, David W. Martin, Sammy D. Martin, Emily L. Martin, Robert A. Martin, Ruby A. Martin, Tom Smith Martin, Leslie L. Martin, Omega Martin, Mattie Warner, Vesta M. Herod, Robert W. Martin, Robert W. Martin, Jr., Zada I. Martin, and William W. Martin as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the applications 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 Susan J. Tippit for the identification of her husband, James A. Tippit, the application made by Alva N. Tippit for the identification of his wife, Edna Tippit, and the application made by John R. Tippit for the identification of his wife, Dora Tippit, as intermarried Mississippi Choctaws, 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.*

Registered.

Acting Chairman.

M.C.R. 2637

COPY

Muskogee, Indian Territory, November 12, 1902.

Anna Parnell,

Stanton, Alabama.

Dear Madam:

You are hereby advised that on the 1st 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 Susan J. Tippit, et al., of which decision you were advised by registered mail on the 21st day of April, 1902.

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

Respectfully,

(SIGNED)

James D. ...
Acting Chairman.

Muskogee, Indian Territory, December 21, 1903.

Anna M. Parnell,
Stanton, Alabama.

Dear Madam:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippit, et al., in which case the decision of the Commission rejecting the applicants was approved by the Department, November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

A.M.P.,-2-

ment now directs the Commission to notify you that if you wish to take any further action relative to the motion filed by W. M. Springer, on March 24, 1903, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

Muskogee, Indian Territory, December 21, 1903.

Anna M. Parnell,
Stanton, Alabama.

Dear Madam:

The Commission is in receipt of a letter from the Secretary of the Interior, under date of December 8, 1903, advising that on March 24, 1903, W. M. Springer submitted to the Secretary of the Interior, a motion for review in the consolidated Mississippi Choctaw case of Susan J. Tippit, et al., in which case the decision of the Commission rejecting the applicants was approved by the Department, November 1, 1902; that on March 28, 1903, the Department notified said W. M. Springer that

"The Commissioner of Indian Affairs has this day been requested to return the papers in the case to the Department where they will be subject to your inspection, and you will be allowed reasonable time within which to state the reasons upon which the motion is asked;"

that on April 17, 1903, the papers in the case were returned to the Department by the Commissioner of Indian Affairs where they have since remained subject to inspection, and that no further action has been taken by or on behalf of the applicants.

You are further advised that since the forwarding of the papers in the case to the Secretary of the Interior by the Commissioner of Indian Affairs, W. M. Springer has died, and the Depart-

A.M.P.,-2-

ment now directs the Commission to notify you that if you wish to take any further action relative to the motion filed by W. M. Springer, on March 24, 1903, you will be allowed thirty days from this date for that purpose.

Respectfully,

Chairman.

COPY

MCR-2637

Muskogee, Indian Territory, January 17, 1907.

Anna Parnell,
Stanton, Alabama.

Dear Madam:

You are hereby notified that on January 7, 1907, the Secretary of the Interior denied a motion, filed June 25, 1906, by Albert J. Lee, attorney at law, Ardmore, Indian Territory, for rehearing in the consolidated Mississippi Choctaw case of Susan J. Tippit et al., of which the application for the identification of yourself and child is a part.

Respectfully,

SIGNED

Wams Bixby.

Commissioner.

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE

Application for Enrollment of

INFANT CHILD

Carrie Inez Parnell

as a citizen of

Choctaw Nation.

Approved,

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW. 190

Commissioner

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its ENROLLMENT as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.


Acting Chairman.

MCR #2637

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

IN RE Application for Enrollment, as a citizen of the Chilton County Nation,
of Carrie Inez Parnell, born on the 24 day of October, 1899
(Here insert name of child)
Name of Father: R L Parnell, a citizen of the Chilton Co Ala Nation.
Name of Mother: Anna M Parnell, a citizen of the " " " " Nation.
Post-office, Stanton Alabama

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, Anna M Parnell, on oath state that I am 23
years of age and a citizen, by Blood, of the Choctaw Indian tribe Nation,
that I am the lawful wife of R L Parnell, who is a citizen, by
of Chilton Co Ala Nation, that a child was
(male or female)
born to me on the 24 day of October, 1899 that said child has been
named Carrie Inez Parnell, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

Anna M. Parnell

Subscribed and sworn to before me this 10 day of August 1901.

E. F. Fuller
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, C N Parnell, a MD, on oath state that I
attended on Mrs. Annie M Parnell, wife of R L Parnell,
on the 24 day of October, 1899 that there was born to her on
said date a Female child; that said child is now living and is said to have been
(male or female)
named Carrie Inez Parnell.

WITNESSES TO MARK:

(Must be Two)
Witnesses

C N Parnell M.D.

Subscribed and sworn to before me this 10 day of August 1901.

E. F. Fuller
NOTARY PUBLIC

12781

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
1901			

INDEXED

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
12781	AUG 20 1901		
1901			

SEP 13 1901

Jarnell, Anna M.
 Stanton, Ala.
 Aug. 27/01.

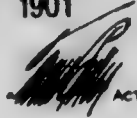
CHOCTAW

 CHOCTAW

Enc. No. 187
 Relative to the initial
 'M' in her name.

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

FILED
 SEP 13 1901


 ACTING CHAIRMAN.

see filed with
 MEIR # 2637 : 1 ✓

Stanton Ala.

Aug. 27. 1901

Com. To The Five Civilized Tribes

Spec. of 22nd. inst.

to hand: and I must say
I am surprised to find
that you have my name
recorded simply "Anna
Parnell": Of course that
is my name, but when
I married I kept my
maiden name, Martin,
and always sign
myself "Anna M. Parnell."

I am very sorry this
mistake occurred, and
trust, if it is in your
power, you will kindly

remedy it at once.
You will notice the
"M." appears everywhere
except on your records,
and I am at a loss to
account for its absence
there, as I am "positive"
I gave it that way.

You failed to answer
my former questions, I
suppose I asked too
many. Will you let me
know if you can arrange
this matter satisfactorily?

Very Resp^t
Anna M. Parnell.
Stanton
Ala.

#926

No

For Identification as a Mississippi Choctaw.

Date JUN 10 1901

Name Anna Parnell,

Age 23 - Blood 1/16

Post Office, Stanton, Ala.

Father: ~~Frank~~ George F. Martin, l

Mother: Carrie " l

claims through father
husband

Robert L. Parnell - w.

No app. for husband

Children. Carrie l. " - 19m.

claims for self and
children -

Stenographer J. S. Niles

Choctaw MCR 2638

Sam Neal

MCR 2638

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

In the matter of the application of Sam Neal, et al.,
for identification as Mississippi Choctaws, M. C. R. 2558.

List of papers forwarded to the Secretary of the Interior,
comprising the record in the case of Sam Neal, et al.

	Page.
Original application of Sam Neal, et al., to the Dawes Commission for identification as Mississippi Choctaws	1
Joint affidavit of Mrs. Amandy Neal and T.C.Morgan	5
Certified copy of marriage license and certificate of marriage of Sam Neal and Jane McNamee	6
Joint affidavit of Edmond Nathan and Taylor McIntosh	7
Decision of the Commission refusing the application of Sam Neal, et al., for identification as Mississippi Choctaws	8

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Meridian, Mississippi, June 12th, 1901.

In the matter of the application of Sam Neal for the identification of himself and seven minor children as Mississippi Choctaws.

Said Sam Neal, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Sam Neal.
Q What is your age? A Thirty-six.
Q What is your postoffice address? A Buena Vista, Mississippi.
Q Where were you born? A I was born in Mississippi, Chickasaw County.
Q How long did you live in Chickasaw County? A All my life.
Q Are you living there now? A Yes sir.
Q What is your father's name? A Boot Noggles.
Q Is he living or dead? A I don't know, he was living the last I heard.
Q What is your mother's name? A Mary Neal.
Q Is she living or dead? A Dead.
Q Through which one of these parents do you claim Choctaw blood?
A From my grandfather's side.
Q Through your father or mother? A From my mother.
Q How much Choctaw blood do you claim? A My grandfather, on my mother's side, was a full blood Indian; my mother was a half; I claim to be a fourth.
Q This is on your mother's side? A Yes sir.
Q What is your father's blood? A He was a white man.
Q All white? A Yes sir.
Q You say your mother was a half Choctaw? A Yes sir.
Q What was the other half? A Negro.
Q Were either of your parents slaves before the war? A My father wasn't, my mother was.
Q Who was Boot Noggles? Q Was he a master or overseer? A I don't know.
Q They were not married, were they? A No sir.
Q Can you give me the name of your mother's master before the war?
A Well, one of them was Pearson.
Q He was in Mississippi? A I don't know whether he was in Mississippi, or not.
Q Has your mother, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any way or enrolled as a member of the Choctaw Tribe of Indians by the Choctaw Tribal authorities or by the United States authorities? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Jane Neal.
Q What is her blood? A She was a half, I suppose. Her father and mother each was half.
Q Do you make any claim for her? A No sir.
Q What was her other blood? A Negro.
Q You say you make no claim for your wife? A No sir, she is dead.
Q You claim that she was one-half Choctaw and one-half negro?
A Yes sir.
Q Have you children under 21 years of age and unmarried that you would like to make application for? A Yes sir.

Sam Neal et al---2

- Q What is the name of the oldest? A Maggie Neal.
Q How old is Maggie? A About seventeen.
Q What is the name of the next? A Vergie.
Q Boy or girl? A Girl.
Q How old? A She is fifteen years old.
Q What is the name of the next child? A William D. Neal.
Q How old? A Going on thirteen.
Q Next? A Maudie.
Q How old? A She is eleven.
Q Next? A Lavada.
Q Girl? A Yes sir.
Q How old? A Nine.
Q Next? A Tommie L.
Q Boy or girl? A Boy.
Q How old? A ~~Seven~~ Seven.
Q Next? A Frank B.
Q How old? A Two years old.
Q Is that all? A Yes sir.
Q Is Jane Neal the mother of these children? A Yes sir.
Q Are you the father? A Yes sir.
Q Are they living with you at your home? A Yes sir.
Q Were you married by an ordained minister? A Yes sir.
Q Under a license? A Yes sir.
Q Have you your license with you? A Yes sir, I have a copy.
Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application to the Choctaw Tribal authorities in the Indian Territory to be enrolled as members of that Tribe?
A No sir, never have.
Q Never made that application for your children? A Never have.
Q Did you or did anyone for you or your children in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation?
A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw Tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
Q Have you ever made application for yourself or children before this time to either the Choctaw Tribal authorities or the authorities of the United States for membership in the Choctaw Nation?
A Never have.
Q Is this the first application of any kind you have ever made?
A Yes sir.
Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and children? A Yes sir.
Q Do you claim this right as beneficiaries, for yourself and children, under article 14 of the treaty of 1830? A Yes sir.
Q Have you or your ancestors ever received any benefits as Choctaw Indians? Never have.
Q Can you give me the name of any of your ancestors who were recognized members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was ratified between the United States Government and the Choctaw Tribe of Indians? A No sir, I can't.
Q Have you any evidence showing that any of your ancestors were recognized members of the Choctaw Nation? A Well, I have got, well, me and my father, I don't know whether he was; I am speaking about my grandfather, I don't know anything about that.

Sam Neal et al---3

Q Did any of your ancestors, if Choctaw Indians, remove from the Territory occupied by the Choctaw Nation in Mississippi and Alabama to the Present Choctaw Nation in the Indian Territory at the time of the removal of the other members of the Choctaw Tribe of Indians between the years 1833 and 1838? A Not as I know of.

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to stay in Mississippi and become citizens of the States? A I don't know that they did.

Q Have any of your ancestors claimed or received any land in Mississippi as beneficiaries under article 14 of the treaty of 1830? A No sir.

Q Do you speak the Choctaw language? A No sir.

Q Are there any additional statements you desire to make in support of your application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any proper papers, showing that any of your ancestors were recognized members of the Choctaw Tribe of Indians in 1830, when the treaty of Dancing Rabbit Creek was made, that they ever complied or attempted to comply with the provisions of the 14th article of that treaty or ever received any benefits thereunder? A Yes sir.

The joint affidavit of Mrs. Mandy Neal and T. C. Morgan presented by applicant, received, marked "Exhibit-A", filed and made a part of the records in this case.

There is also offered the marriage license between Sam Neal and Miss Jane McNamee, received, marked "Exhibit-B" filed and made a part of the records in this case.

Q Have you any other documentary evidence that you want to introduce? A That is all.

Mr. L. P. Hudson, attorney for applicant, asks for 30 days time in which to file documentary evidence in support of this application.

Permission is granted Mr. L. P. Hudson, attorney for applicant, to file written evidence in support of this application provided the same is offered for filing within thirty days from the date hereof.

This applicant has the appearance and physical characteristics of one descended from a mixed ancestry composed of white, negro and Indian blood. His features are regular and he has straight, black hair. He has no knowledge of the Choctaw language and no knowledge of the compliance on the part of his ancestors with the provisions of the 14th article of the treaty of 1830.

The decision of the Commission as to your application and the application you make on behalf of your seven minor children, for identification as Mississippi Choctaws, will be determined at the earliest possible date and report of the same made to the Secretary of the Interior, conformable to the provisions of the 21st section of the Act of Congress of June 28, 1898. A copy of such decision will be mailed to you to your postoffice address as given in your testimony at this time.

San José et al--

Ira S. Miles, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full the proceedings had in the above entitled cause, heard at Meridian, Mississippi, June 12, 1901, and that the above and foregoing is a full, true and correct transcription of his stenographic notes taken in said proceedings on said date.

Ira S. Miles

Subscribed and sworn to before me this the 9th day of July, 1901,
at Meridian, Mississippi.

[Signature]
Notary Public.

M.C. 2638

Muskogee, Indian Territory, February 15, 1902.

S. N. Keal,

Buena Vista, Mississippi,

Dear Sir:

Receipt is hereby acknowledged of your letter of the ninth instant, in which you ask if your application for identification has been passed upon by the "Department of the Interior", and if not, whether more proof is necessary.

In reply to your letter you are advised that no decision has yet been reached or 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. The Commission cannot render any opinion as to the sufficiency of the evidence offered in support of any application for identification as a Mississippi Choctaw until the same is taken up for final consideration and disposition.

Yours truly,

Commissioner in Charge.

COPY.

M.C.R. 2638.

Muskogee, Indian Territory, February 6, 1903.

Sam Neal,
Buenvista, Mississippi.

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 George McNamee, et al., embracing the following applications for identification as Mississippi Choctaws:

George McNamee,	M.C.R. 2636
Henry E. McNamee, et al.,	" 6119
Sam Neal, et al.,	" 2638

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 George McNamee, Henry E. McNamee, Henry W. McNamee, Annie May McNamee, Eddie Warren McNamee, Emma Lee McNamee, Jimmie Lee McNamee, Sam Neal, Maggie Neal, Vergie Neal, William D. Neal, Maudie Neal, Lavada Neal, Fannie L. Neal and Frank B. Neal as Choctaw Indians entitled to rights in the Choctaw lands under

S. N. No. 2.

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,

(SIGNED)

C. R. Breckinridge.
Commissioner in Charge.

Registered.

COPY

M.C.R. 2638

Muskogee, Indian Territory, May 19, 1903.

Sam Neal,
Buenvista, Mississippi.

Dear Sir:

You are hereby notified that on the 4th 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 George McNamee, et al., of which decision you were advised by registered mail on the 6th day of February, 1903.

Respectfully,

(SIGN)

Tame Bixby.
Chairman.

927

No

For Identification as a Mississippi Choctaw.

Date JUN 12 1901

Name Sam Neal.

Age 36 - Blood 74

Post Office, Buenavista, Miss.

Father: Boot Noggles, ^{white} -

Mother: Mary Neal ^{1/2 choc.} _{1/2 neg.} d

Claims through mother -

^{wife} Jane Neal ^{1/2 choc.} _{1/2 neg.} d

~~No claims for~~

Children:	Maggie Neal	17
	Vergie .. (nie)	15-
	William B. -	13
	Maudie -	11
	Lavada (nie)	9
	Jimmie L. (bro)	7
	Frank B. -	2

Claims for self and children.

Stenographer D. J. Miles

Sam Neal et al.

REFUSED

DECISION RENDERED: FEB 17 1903
NOTICE OF DECISION MAILED APPLICANT

FEB 16 1903

NOTICE OF DECISION RENDERED
FOR CHOCTAW AND CHICKASAW NATIONS

FEB 16 1903

RECORD FORWARDED DEPARTMENT

FEB 24 1903

ACTION APPROVED BY SECRETARY OF INTERIOR

MAY - 4 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

MAY 19 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS

MAY 9 1903

REFER TO M. C. R. 2636

DECISION RENDERED

Choctaw MCR 2639

Cornelia Knighten

MCR 2639

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

In the matter of the application of Cornelia Knighten,
et al., for identification as Mississippi Choctaws, M C R 2639.

List of papers forwarded to the Secretary of the Interior, comprising the record in the application of Cornelia Knighten, et al.

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Original application of Cornelia Knighten, et al., before the Dawes Commission for identification as Mississippi Choctaws	1
Decision of the Commission refusing the application of Cornelia Knighten, et al., for identification as Mississippi Choctaws	2

Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 13, 1901.

In the matter of the application of Cornelia Knighten for the identification of herself and six minor children as Mississippi Choctaws.

Cornelia Knighten, having been first duly sworn, upon her oath states as follows:

Examination by the Commission.

- Q What is your name? A Cornelia Knighten.
Q What is your age? A I am forty five.
Q What is your post office address? A Meridian, Mississippi.
Q Where were you born? A In Alabama.
Q What place? A Choctaw county, Alabama.
Q How long have you lived in Alabama? A Forty years.
Q How long have you been in Mississippi? A Five years.
Q What is your father's name? A Sam Herren.
Q What is your mother's name? A Charlotte.
Q Is she living or dead? A Living.
Q Is her name Herren now? A No sir, she married again.
Q What is her name now? A Charlotte Morse.
Q Through which one of your parents do you claim Choctaw blood? A My father.
Q How much do you claim? A Injun blood, by my father.
Q How much? A Half.
Q What was your father; how much Choctaw blood did he have?
A He was all of it.
Q What was your mother's blood? A Negro.
Q Was your father a slave before the war? A No sir.
Q Was your mother a slave before the war? A Yes sir.
Q Were you? A No sir.
Q You were living at the time of the war? A I can't recollect nothing about it.
Q You were living alright; were you a slave? A Yes sir, I was small.
Q Well, you were a slave? A Yes sir.
Q Were you owned by the same master as your mother? A Yes sir.
Q What was his name? A Jake Johnson.
Q Were you a slave in Alabama? A Yes sir.
Q Did I understand you to say your father was not a slave? A Yes sir.
Q How do you know he was free? A He said he was.
Q Do you recollect him? A Yes sir.
Q How did he look? A Little short chunky man about my color.
Q Was his hair like yours? A Yes, like mine.
Q Your hair is curly? A His was curly too.
Q Was it curly tight? A No sir.
Q Was it curly just about like yours? A Yes sir.
Q Yours is pretty kinky? A Yes sir.

(This applicant's hair is very black and very kinky.)

Cornelia Knighten, et al., 42.

Q Has your father, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities, or by the authorities of the United States?

A I don't know that.

Q Are you married? A Yes sir.

Q What is your husband's name? A Wilts Knighten.

Q Is he a negro? A I don't know sir.

Q Well, I think that you do? A He is colored.

Q Well, you know whether he is a negro or not; what does he pass for; don't he pass for a negro? A Yes sir.

Q Was your husband a slave before the war? A Yes sir, that's his white folk's name - Joe Knighten.

Q Have you children under twenty one years of age and unmarried that you want to make application for? A I have got six/

Q Give the names and ages of your children? A Percy, 17; Chester, 14; Elijah, 12, Ludy, 7; Kearney, 4; Lula V., 2.

Q Is Wilts Knighten the father of these children? A Yes sir.

Q Are you the mother? A Yes sir.

Q Are they all living with you at your home? A No sir, they ~~six~~ aint all living there.

Q But you and your husband support them? A Yes sir.

Q Were you married to your husband under a license by an ordained minister? A Yes sir.

Q Is your name, or the names of your children, on any of the tribal rolls of the Choctaw Nation, in Indian Territory? A No sir.

Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a citizen of that Nation, or for the enrollment of your children as citizens? A No sir.

Q Did you, or any one for you, or your children, in 1896, under the Act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities the Commission to the Five Civilized Tribes, or by the United States Court in Indian Territory? A No sir.

Q Have you ever made application before this time for yourself or children to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.

Q Is this the first application of any kind you have ever made for yourself and them? A Yes sir.

Q Is it now your purpose to be identified as Mississippi Choctaws? A Yes sir.

Q Do you claim your rights as beneficiaries under ~~the~~ Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give the name of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, at the time when the Treaty of Dancing Rabbit Creek was ratified between the United States Government and the Choctaw tribe of Indians? A No sir, I can't recollect them.

Q Have you any evidence showing that any of your ancestors were

Cornelia Knighten, et al., #3.

recognized members of the Choctaw tribe of Indians? A No sir.

Q Did any of your ancestors, if Choctaw Indians, remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of between the years 1833 and 1838? A I don't know.

Q If your ancestors did not remove with the other members of the Choctaw tribe and did they, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent of the Choctaw Indians in Mississippi, their intention to remain in Mississippi and become citizens of the United States? A No sir.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir.

Q Do you speak Choctaw? A No sir.

Q Are there any additional statements you desire to make in support of this application? A No sir.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in 1830, or that they have ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or that they have ever received any benefits under that article of that Treaty? A No sir. I want time in which to introduce some evidence.

Thirty days time from the date hereof is allowed this applicant in which to file proper documentary evidence in support of this application.

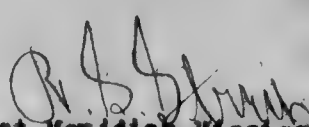
(This applicant has the appearance and all of the physical characteristics of a full blood negro; she does not understand the Choctaw language, and has no knowledge of a compliance on the part of her ancestors with any of the provisions of Article Fourteen of the Treaty of 1830. Her brother, John Watson, appeared before the Commission and shows slight traces of Indian blood by his straight hair.)

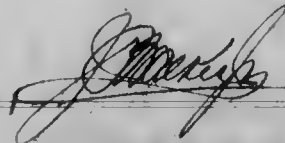
The decision of the Commission as to the application you make at this time for the identification of yourself and six minor children as Mississippi Choctaws, will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of Section Twenty One of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R.S. Streit, 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 June 13, 1901, and that the above and foregoing is a full, true

Cornelia Knighton, et al., #4.

and correct translation of his stenographic notes of said proceedings
in said cause upon said date.


Subscribed and sworn to before me at Meridian, Mississippi,
this 26th day of July, 1901.



Notary Public.

M.C.R. 2639

COPY.

Muskogee, Indian Territory, October 29, 1902.

Cornelia Knighten,

Meridian, Mississippi.

Dear Madam:

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

John Watson, et al. M.C.R. 2640
Cornelia Knighten, et al. M.C.R. 2639

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 the opinion of this Commission that under the provision of law above quoted, no freedman is entitled to identification as a Mississippi Choctaw and that the applications of John Watson, John Watson Jr., Boliver Watson, Charlie Watson, Cornelia Knighten, Percy Knighten, Chester Knighten, Elijah Knighten, Lady Knighten, Kearney Knighten and Lula V. Knighten as such 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGN)

Tamie T. ...

Acting Chairman.

Registered.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES. M C R 2639

REFER IN REPLY TO THE FOLLOWING

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

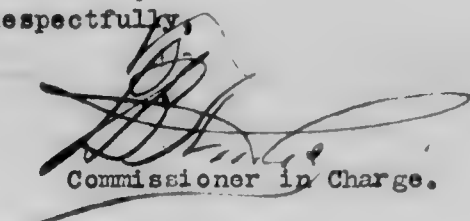
Muskogee, Indian Territory, July 17, 1903.

Cornelia Knighten,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 3rd 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 John Watson, et al., of which decision you were advised by registered mail on the 29th day of October, 1902.

Respectfully,


Commissioner in Charge.

#928

No.

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name *Cornelia Knighten -*

Age *45 -* Blood *1/2*

Post Office, *Meridian, Miss.*

Father; *Sam ~~Smith~~ ^{HERREN,} d*

Mother: *Charlotte Morse ^(MORSE) d*

Claims through *father -*
Wills Knighten (negro.)

No claim for husband.

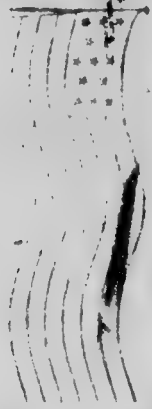
- Children:
- Chester 14*
 - Elijah 12*
 - Percy 17*
 - Ludy 7*
 - Kearney 4*
 - Lula V. 2*

Claims for self and children -

Stenographer *R. J. Street -*

3699

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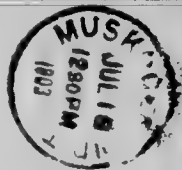
General Office

M. E. R.

Advising that Sec. of Int. has affirmed
Commission's decision.

Cornelia Knighten,

Man,



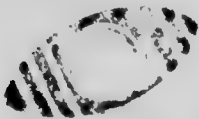
Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



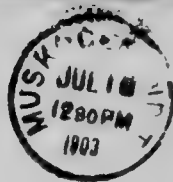
General Office

MER

Advising that Sec. of Int. has approved
Commission's Decision.

Cornelia Knighten,

Jan,

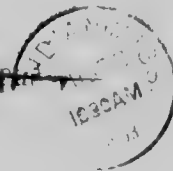


Department of the Interior.

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.



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FILED

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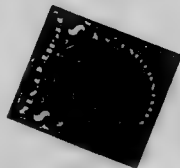
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NOV 6 - 1902



2521



Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

Unclassified

Return to Mr. [unclear]

Cornelia Knighten,

2236

Meridian, Mississippi.

Cornelia Knighten, et al

LEWIS & CLARK OCT 20 1802

AMERICAN

2640

Choctaw MCR 2640

John Watson

MCR 2640

See

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

---o---

In the matter of the application of John Watson, et al., for identification as Mississippi Choctaws, consolidating the applications of:

John Watson, et al., M.C.R. 2640
Cornelia Knighten, et al., M.C.R. 2639

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

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Original application of John Watson, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	1
Original application of Cornelia Knighten, et al., to the Dawes Commission for identification as Mississippi Choctaws-----	5
Decision of the Commission refusing the applications in the consolidated case of John Watson, et al.,-----	9

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Department of the Interior,
Commission to the Five Civilized Tribes,
Meridian, Mississippi, June 13, 1901.

In the matter of the application of John Watson for the identification of himself and three minor children as Mississippi Choctaws.

John Watson, having been first duly sworn, upon his oath testified as follows:

Examination by the Commission.

- Q What is your name? A John Watson.
Q What is your age? A My age is ~~at~~ forty eight.
Q What is your post office address? A Well, I don't generally have any post office; I get my mail through and by Mr. E. W. Winsley in the west end.
Q Do you live in Meridian? A Yes sir.
Q Mississippi? A Yes sir.
Q What is your occupation? A Railroading, working in the Northeastern shops.
Q Where were you born? A Born in Alabama.
Q Where in Alabama? A Choctaw, Alabama.
Q When did you come to this State? A I come to Mississippi in 186-- or 1875.
Q Have you lived in this State since? A Ever since.
Q Where else have you lived? A I lived in Wayne County, about eight or ten miles this way, south of here, about thirty or forty miles.
Q Where else did you live? A Been here ever since.
Q What is your father's name? A Sam Herren.
Q Is he living? A No sir.
Q What is your mother's name? A Charlotte Morse.
Q Is she living? A Yes sir.
Q Through which one of these parents do you claim Choctaw blood?
A My father's.
Q How much do you claim? A Half.
Q How much Choctaw blood did your father have? A He was full blood.
Q Was he a slave before the war? A No sir.
Q What was your mother's ~~man~~ blood? A Well, she was what you might call a negro.
Q Full negro blood? A Yes sir.
Q Was she a slave before the war? A Yes sir.
Q Were you a slave before the war? A Yes sir.
Q Did you and your mother have the same master? A Yes sir.
Q What was his name? A Jake Johnson.
Q Where was that? A In Alabama.
Q You say your father was not a slave? A No sir.
Q ~~xxxx~~ Has your father, through whom you claim your right to identification as a Mississippi Choctaw, ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities?
A No sir, he died before the surrender; he died when I was quite ~~and~~ small.
Q Are you married? A Yes sir.
Q What is your wife's name? A Tempie.

John Watson, et al., #2.

- Q Her name is Watson? A Yes sir.
- Q What is her blood? A She is a negro.
- Q Do you make any claim for her? A No sir, I couldn't I guess.
- 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 John.
- Q How old is John? A Nineteen.
- Q What is the name of the next? A Boliver.
- Q How old is Boliver? A Going on about eighteen.
- Q What is the name of the next? A Charlie. He is about 15.
- Q Is that all? A Yes sir.
- Q Is Temple Watson the mother of these children? A No sir, she is not.
- Q What is the name of the mother of these children? A Margaret Watson.
- Q Is she dead? A No sir.
- Q Did you get a divorce from her? A Yes sir.
- Q When were you married to Margaret Watson? A It was in 1876, I think.
- Q Did you marry her under a license? A Yes sir.
- Q By an ordained minister? A Yes sir.
- Q What is her blood? A She is Choctaw Indian.
- Q How much Choctaw? A She is about - I couldn't tell exactly how much - I don't - I guess she is nearly half, I reckon.
- Q And one half negro? A Yes sir.
- Q When were you divorced from her? A Its been about eight or ten years ago now.
- Q You have no children by Temple Watson? A No sir, no children.
- Q Was Margaret Watson a slave before the war? A No sir, I don't think she was. I don't know; I guess she was a slave a while; she was small you know. I think she might have been five or six years old when the surrender.
- Q Do you know whether Margaret Watson's parents were ever recognized in any manner or enrolled as members of the Choctaw tribe of Indians by the Choctaw authorities or the United States authorities?
- A No sir, I never did know her father or mother because they were dead.
- Q You don't make any claim for Margaret Watson? A No sir, at the same time I know she has got Indian in her.
- Q Have you your marriage license and certificate covering your marriage to Temple Watson with you? A No sir.
- Q You can't introduce, it and make it a part of your application? A No sir.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for the enrollment of yourself or your children as members of that tribe? A No sir.
- Q Did you, or any one for you, or your children, in 1896, make application to the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, for citizenship in the Choctaw Nation? A No sir, I have never made any kind of preparation at all.
- Q Have you ever before this time made application to either the Choctaw tribal authorities or to the authorities of the United States for yourself or children to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.

John Watson, et al., #3.

sens of the Choctaw nation? A No sir.

Q Is this the first application of any kind that has been made? A Yes sir.

Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and children? A Yes sir.

Q Do you claim this right for yourself and children as beneficiaries under Article Fourteen of the Treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q What is the name of your ancestor or ancestors who were resident of the old Choctaw Nation in Mississippi and Alabama and acknowledged members of the Choctaw tribe of Indians in 1830, when the Treaty of Dancing Rabbit Creek was ratified between the United States Government and the Choctaw tribe of Indians? A No sir, I guess I can't remember none that was recognized members of it; some of my older kin people might remember some of them, but I don't know.

Q Did any of your ancestors if Choctaw Indians remove from the territory occupied by the Choctaw tribe of Indians in Mississippi and Alabama to the present Choctaw Nation in Indian Territory with the other Indians who went there between the years 1833 and 1838?

A Not as I know of; they might have went but I can't remember it; I was quite small then.

Q Did any of your ancestors, if Choctaw Indians, within six months after the ratification of the Treaty of 1830, signify to the United States Indian Agent of the Choctaws in Mississippi their intention to remain in Mississippi and become citizens of the States? A I don't know.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under Article Fourteen of the Treaty of 1830? A No sir, I don't remember any of them.

Q Do you speak the Choctaw language? A No sir.

Q You never have associated with the Choctaws much have you? A No sir.

Q Is this the first application of any kind you have made? A Yes sir.

Q Is there anything further you want to say in support of this application which you make for yourself and your children? A Well, no sir, I reckon now; I don't know that it is worth while.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that any of your ancestors were ever recognized member of the Choctaw tribe of Indians in Mississippi in 1830, or that they ever complied or attempted to comply with the provisions of the Fourteenth Article of the Treaty of 1830, or ever received any benefits under that article of that treaty? A No sir.

Q Do you want time in which to introduce documentary evidence? A Yes sir.

Thirty 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 of certified copy of the same.

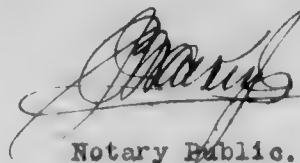
John Watson, et al., #4.

(This applicant has the appearance and physical characteristics of one descended from a mixed ancestry of negro and choctaw blood; in features, the African trace seems to predominate, but his hair is black and nearly straight; he has no knowledge of the Choctaw language and no knowledge of a compliance on the part of his ancestors with any of the provisions of the Fourteenth Article of the Treaty of 1830.)

The decision of the Commission of the Commission as to the application you make at this time for the identification of yourself and minor children as Mississippi Choctaws will be determined at the earliest possible date, and a report of same made to the Secretary of the Interior, conformable to the provisions of the Twenty First Section of the Act of Congress of June 28, 1898, and a copy of the same will be mailed to you to your post office address as given in your testimony.

R. B. Streit, 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 June 1901, and that the above and foregoing is a full, true and correct translation of his stenographic notes of said proceedings in said cause upon said date.

Subscribed and sworn to before me at Meridian, Mississippi,
this 26th day of July, 1901.


Notary Public.

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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 John Watson, et al., for identification as Mississippi Choctaws, consolidating the applications of:

John Watson, et al., M.C.R. 2640
Cornelia Knighten, et al., M.C.R. 2639

---: 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 Watson for himself and his three minor children, John, Jr., Boliver and Charlie Watson; and by Cornelia Knighten for herself and her six minor children, Percy, Chester, Elijah, Ludy, Kearney and Lula V. Knighten, 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 from the testimony that the two principal applicants herein were born of a slave mother prior to the Emancipation Proclamation and were themselves slaves, and that the minor applicants herein are their lineal descendants; and it does not appear from the records in the possession of the Commission that they have ever been enrolled by the Choctaw tribal authorities as members 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 is the opinion of this Commission that under the provision of law above quoted, no freedman is entitled to identification as a Mississippi Choctaw, and that the applications of John Watson, John Watson, Jr., Boliver Watson, Charlie Watson, Cornelia Knighten, Percy Knighten, Chester Knighten, Elijah Knighten, Ludy Knighten, Kearney Knighten and Lula V. Knighten as such should therefore be refused, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tame Luby.

Acting Chairman.

T. D. Mccalco.

Commissioner.

C. R. Brockmire.

Commissioner.

Muskogee, Indian Territory,

OCT 29 1902 .

M.C.R. 8640

COPY

Muskogee, Indian Territory, October 29, 1902.

John Watson,

Meridian, Mississippi.

Dear Sir:

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

John Watson, et al.,	M.C.R. 2640
Cornelia Knighten, et al.,	M.C.R. 8639

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 the opinion of this Commission that under the provision of law above quoted, no freedman is entitled to identification as a Mississippi Choctaw, and that the applications of John Watson, John Watson, Jr., Beliver Watson, Charlie Watson, Cornelia Knighten, Percy Knighten, Chester Knighten, Eliza Knighten, Lucy Knighten,

Kearney Knighten and Jala V. Knighten as such 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

WJG:J

Tame Dinby.

Acting Chairman.

Registered.

K. O. T. 2640

Muskogee, Indian Territory, October, 29, 1902.

Mansfield, McMurray & Cornish,

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

Gentlemen:

You are hereby advised that on the 29th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of John Watson, et al., embracing the following applications for identification as Mississippi

Choctaws:

John Watson, et al.,	M. C. R. 2640
Cornelia Knighton, et al.,	M. C. P. 2639

These applications were made under the provision of the act of Congress of June 26, 1893 (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 the opinion of this Commission that under the provision of law above quoted, no freedman is entitled to identification as a Mississippi Choctaw and that the applications of John Watson

John Watson Jr., Boliver Watson, Charlie Watson, Cornelia Knighten, Percy Knighten, Chester Knighten, Elijah Knighten, Judy Knighten, Kearney Knighten and Julia V. Knighten as such should therefore 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Acting Chairman.

Re

COPY.

Muskogee, Indian Territory, November 14, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the consolidated case of John Watson, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of October 28, 1902.

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

John Watson, et al. M.C.R. 2640.
Cornelia Knighten, et al. M.C.R. 2639.

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)

James Dixby.

Through the
Commissioner of Indian Affairs.
Enc. M.C.R. 2640.

Acting Chairman.

COPY
DEPARTMENT OF THE INTERIOR,
WASHINGTON.

WCF
EAF.

D. C. 16904
ITD. 2160-1903.

June 3, 1903.

L R S

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

Gentlemen:

November 14, 1902, you transmitted the record
in the consolidated case involving the applications
for identification as Mississippi Choctaws, of John
Watson and his minor children, John Jr., Boliver and
Charlie Watson; and of Cornelia Knighten and her minor
children, Percy, Chester, Elijah, Ludy, Kearney and
Lula V. Knighten. You found that the principal applicants
were once slaves, and you refused the applications Octo-
ber 29, 1902, holding that no freedman is entitled to
identification as Mississippi Choctaw.

The applicants claim rights to Choctaw lands
under article 14 of the treaty of 1830, by reason of
being descendants of Sam Herren, father of the principal
applicant, it being alleged that Sam Herren was a full
blood Choctaw Indian.

Neither the evidence in this case nor the
records of the Indian Office show that Sam Herren

complied or attempted to comply with article 14 of said treaty, or with the subsequent acts of Congress relating thereto.

Reporting February 19, 1903, the Acting Commissioner of Indian Affairs recommends that the applications be denied. A copy of his letter is inclosed.

The Department affirms your decision in so far as it rejects the applications.

Respectfully,

(signed) THOS RYAN,
Acting Secretary.

1 inclosure.

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

Land 68,829-1902.

Feb. 19, 1903.

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 matter of the application of John Watson for the identification of himself, his three minor children, John, Jr., Bolivar and Charlie Watson and Cornelia Knighten for herself and her six minor children, Percy, Chester, Elijah, Ludy, Kearney and Lula B. Knighten, for identification as Mississippi Choctaws.

On October 29, 1902, the commission rendered an opinion in this case finding that under the provisions of the act of Congress approved June 28, 1898, (30 Stats., 495), no freedman is entitled to identification as a Mississippi Choctaw and that these applicants should not be identified as Mississippi Choctaws on that ground.

The office has examined the record evidence submitted by the applicants in their behalf which shows that they claim to have derived their Choctaw blood from one Sam Herren but do not claim that he ever complied or attempted to comply with the provisions of article 14 of the Choctaw treaty of 1830, or

was granted a patent for land thereunder. It does show that the applicants are not of the full blood.

The record in no way shows that these applicants are entitled to be identified as Mississippi Choctaws with rights in the lands of the Choctaw Nation and an examination of the office records as to this case fails to show that any person by the name of Sam Herron ever received a patent for land under the provisions of article 14 of said treaty or complied or attempted to comply with the provisions thereof.

The office therefore concludes that the applicants herein should be denied and recommends such action by the Department.

Very respectfully,

A. C. Tonner,
Acting Commissioner.

(W.C.B.)
P.

M C R 2640

COPY

Muskogee, Indian Territory, July 17, 1903.

Mansfield McMurray & Cornish,

Attorneys for the Cheetaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 3rd day of June 1903, 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 John Watson, et al., of which decision you were advised by mail on the 29th day of October, 1902.

Respectfully,

(SIGNED)

T. B. Needles.
Commissioner in Charge.

COMMISSIONERS
TAMM BIXBY,
THOMAS B NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M C R 2640

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES


Muskogee, Indian Territory, July 17, 1903.

John Watson,
Meridian, Mississippi.

Dear Sir:

You are hereby notified that on the 3rd 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 John Watson, et al., of which decision you were advised by registered mail on the 29th day of October, 1902.

Respectfully,



Commissioner in Charge.

REFER TO M. C. R. 2 *Case*

John Watson et al

Consolidated Case

Sam Herrew, dead
 full dead
 wife
 Charlotte Herrew
 married in 1832

John Watson 48 1/2
 wife slave
 Jempie Watson, neg
 Margaret Watson 1/2
 divorced from Sam 1844
 Cornelia Knighton 45 1/2
 husband
 Mills Knighton, neg
 dead

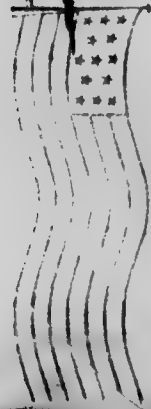
John Watson 19
 Boliver Watson 8
 Charlie Watson
 Percy Knighton 17
 Chester Knighton 14
 Elijah Knighton 12
 Rudy Knighton 7
 Kearney Knighton 4
 Lula V. Knighton 2

2640

CO

100%

China 1900



General Office M. C. R.

Advising that Sec. of Int has affirmed
Commission's decision

John Watson,

~~Harold G. Messers~~

MUSKOGEE
JUL 1 3 - P M
1903

Department of the Interior
Commissioner to the Five Civilized Tribes
MUSKOGEE, IND. TERR.
OFFICIAL BUSINESS.

Penalty for private use, \$300.

MIAMI
JUL 1 1903



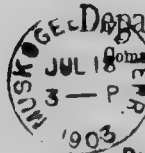
General Office

M. R.

Advising that Sec. of Int has approved
Commission's decision

John Watson,

~~Meridian, Mississippi~~

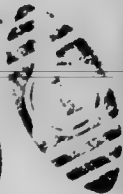
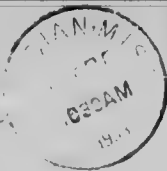


Department of the Interior,

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.



12-4-1
John Watson et al.

DECISION REFERRED. OCT 29 1907.

929

No. 2040

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name John Watson,

Age 48 - Blood 1/2

Post Office, Meridian, Miss.

Father; Sam Herren, - d
(negro)

Mother: Charlotte MORSE l.

Claims through father -

wife
Tempie Watson - (negro)
(TEMPIE)

No claim for wife -

Children:

John - 19

Poliver - 18

Charlie - 15

Mother of above is

Mary Watson, (l) 1/2 choctaw

Claims for self 1/2 neg.

and children -

Stenographer R. J. Street

Choctaw MCR 2641

Lizzie Witt

MCR 2641

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 13, 1901.

In the matter of the application of Lizzie Witt for the identification of herself and one minor child as Mississippi Choctaws.

Lizzie Witt, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Lizzie Witt.
Q What is your age? A Twenty three.
Q What is your post office address? A Meridian, Mississippi.
Q How long have you lived in Meridian? A About three years.
Q Where did you live before you lived in Meridian? A Lauderdale.
Q Where were you born? A I was born in Mississippi.
Q What place in Mississippi? A Edge of Alabama.
Q That would be in the east part of the state? A Yes.
Q Do you know what the name of the place is where you were born?
A No sir.
Q Have you always lived in the state of Mississippi? A Yes sir.
Q What is your father's name? A Henry Bell.
Q What is your mother's name? A Mary Bell.
Q Is your father living? A Yes sir.
Q Is your mother 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 don't know sir.
Q How much Choctaw blood does she have? A Her mother was half Indian.
Q Do you know how much one half of one half is? A No.
Q You are sure her mother was half Indian? A Yes sir.
Q That would make her one half of one half? A Yes.
Q And you are one half of what your mother has? A Yes.
Q But you think you cannot tell how much that is? A No sir.
Q One half of one half is a quarter? A Yes sir.
Q That is what you claim your mother has? A Yes sir.
Q And one half of one quarter is one eighth? A Yes sir.
Q And you claim to be one eighth? A Yes sir.
Q What is your father's blood? A His mother was one half Indian.
Q What is his blood? A Colored.
Q Is he a full blood negro? A No.
Q What is he? A Mixed with Indian.
Q You say you claim through your mother? A Yes, through both.
Q How much do you claim for your father? A One quarter.
Q Is your father's other blood negro? A Yes.
Q And your mother's other blood is negro? A Yes.
Q You claim one half of your father's blood and one half of your mother's blood? A Yes.
Q Then you claim one quarter? A Yes sir.
Q Have your parents through whom you claim your right to be identified as a Mississippi Choctaw ever been recognized in any way or enrolled as members of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the United States authorities? A No sir.
Q Are you married? A Yes sir.
Q What is your husband's name? A Lawrence Witt.

Lizzie Witt.----2.

- Q What is he---colored? A Yes sir.
- Q Do you make any claim for him? A No sir.
- Q Was your father a slave before the war? A Yes sir.
- Q Was your mother a slave before the war? A Yes sir.
- Q Can you tell the names of their master or masters? A Papa's master was John Bell and mother's Amos Hodge.
- Q Have you any children under twenty one years of age and unmarried that you want to make application for? A One child about eight years old.
- Q What is his name? A William Witt.
- Q Have you any other children? A No sir.
- Q How old is William Witt? A About eight.
- Q Was Lawrence Witt the father of William? A No sir, his father's name Henry Johnson.
- Q Is he living? A No he is dead.
- Q Were you married to Henry Johnson? A Yes sir.
- Q And this is your second husband? A Yes sir.
- Q What was Henry Johnson---a negro? A His daddy was some Indian.
- Q How much Indian did he have? A I don't know sir. He had straight hair; I reckon he was about a half---he had straight hair.
- Q Was he a slave before the war? A No sir.
- Q You have no children by Lawrence Witt your present husband A No, sir.
- Q Is your name or the name of your son William on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities for yourself or son in Indian Territory to be enrolled as members of that tribe? A No sir.
- Q Did you or any one for you or for your son in 1896 under the act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation to the Commission to the Five Civilized Tribes? A No sir.
- Q Have you or your son ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.
- Q Have you ever made application for yourself or your son before this time to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.
- Q Is this the first application of any kind that you have ever made? A Yes sir.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and son? A Yes sir.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the name of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and who were acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States and the Choctaw tribe of Indians? A Hannah Walker and Sitter Walker.
- Q That is your grandfather and grandmother? A Yes sir.
- Q Were they full blood Indians? A No sir, he was not. My grandpa was. My grandpa was kin to the Africans.
- Q Were either of these ancestors recognized members of the Choctaw tribe of Indians in 1830? A I don't know.

Lizzie Watt---3.

- Q Did any of your ancestors if Choctaw Indians remove from the territory occupied by the Choctaw tribe of Indians in Mississippi and Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A I don't know.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent living in Mississippi their intention to remain in Mississippi and become citizens of the United States? A I don't know.
- Q Did any of your ancestors receive or claim any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A My grandpa did.
- Q Did he get it from the United States government because he was a Choctaw Indian? A Yes.
- Q How do you know? A My grandpa got land.
- Q Where did he get that land? A My mother knows where he got it.
- Q He was a negro was not he? A Yes.

- Q I am talking about whether any of your ancestors received land from the government as an Indian? A No sir.
- Q Can you talk Choctaw pretty well? A I don't know sir, I can't talk that.
- Q You are an Indian, are you not? A Yes sir.
- Q You ought to be able to talk Indian language then? A I can't talk it.
- Q Have you lived among the Indians? A No sir.
- Q Are there any additional statements you want to make in support of your application? A No sir.
- Q Have you any documentary evidence, affidavits written testimony of any description, copies of records, deeds or patents or any other papers showing that you ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No I have n't got any papers at all.

This applicant appears from his manner and general characteristics of a full blood negro. She does not understand the Choctaw language. She claim one fourth Choctaw blood, but this claim is not substantiated in her personal appearance or manner. She has no knowledge of any compliance on the part of her ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application for identification as Mississippi Choctaws which you make for yourself and son will be determined at the earliest possible date and report of same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of the decision will be mailed to you at your post office address as given in your testimony.

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 June, 1901, and that the above and foregoing is a

Miss Witt----

Full, true and correct transcript of his stenographic notes of said proceedings on said date.

H. Christen

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of June, 1961.

[Signature]
Notary Public.

COPY.

M.C.R. 2641.

Muskogee, Indian Territory, October 24, 1902.

Lizzie Witt,
Meridian, Mississippi.

Dear Madam:-

You are hereby advised that on the 24th, day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Bell, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Bell, et al.,	M.C.R. 2042
Lizzie Witt, et al.,	M.C.R. 2041
Mattie Tims, et al.,	M.C.R. 2322
Robert Hodge, et al.,	M.C.R. 3153

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 Mary A. Bell, Henry Bell, Lizzie Witt, William Witt, Mattie Tims, Janie Tims, Ada Tims, Pearlle Tims, Claude Tims, Rebar

Tins, Evelina Tins, Hugh L. Tins, Robert Hordge, Henry Hordge, Retha Hordge and John McKinley Hordge 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED).

Tame Dixby.
Acting Chairman.

Registered.

W.C.B.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE
W. E. STANLEY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2641

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

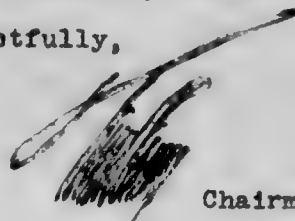
Muskogee, Indian Territory, May 19, 1903.

Lizzie Witt,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 4th 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 A. Bell, et al., of which decision you were advised by registered mail on the 24th day of October, 1902.

Respectfully,



Chairman.

2641



RECEIVED



60

FILED
JUL 2 1903

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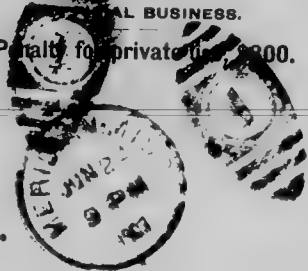
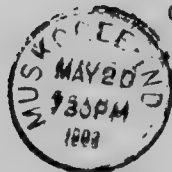
CHAIRMAN

Department of the Interior.

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

OFFICIAL BUSINESS.

Penalty for private use \$300.



Lizzie Witt,

~~Medicine~~ Mississippi.

#930

No.

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name Lizzie Witt -

Age 23 - Blood ~~#8~~ 1/4

Post Office, Meridian, Miss.

Father: Henry Bell, 1/4 l

Mother: Mary " 1/4 l

Claims through mother

~~husband~~

Laurence Witt (negro)

No claim for husband.

Children: -

William Witt, 8.

father of William Witt
was HENRY JOHNSON, d
1/2 Choctaw, 1/2 Negro.

Claims for self
and son -

Stenographer H.C. Ristern

REFUSED

Lizzie Witt, et al.

DECISION RENDERED. OCT 24 1902

NOTICE OF DECISION MAILED APPLICANT.

OCT 24 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANT

OCT 24

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

OCT 24

RECORD FORWARDED DEPARTMENT

NOV 10 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAY - 4 1903

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

MAY 19 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

MAY 19 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

MAY 19 1903

REFER TO M. C. R. 2642

RECORD PREPARED

Choctaw MCR 2642

Mary A Bell

See MCR 2641, 2322, 3153

MCR 2642

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW

2642

Mary A Bell, et al.
RETURNED

DECISION RENDERED.

OCT 24 1902

NOTICE OF DECISION, MAILED APPLICANT.

OCT 24 1902

NOTICE OF DECISION, MAILED APPLICANT.

OCT 24 1902

NOTICE OF DECISION, MAILED APPLICANT.
FOR OFFICE Awaiting

OCT 24 1902

RECORD FORWARDED OFFICE

NOV 10 1902

ACTION APPROVED BY SECRETARY OF INTERIOR

MAY 1 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT

MAY 1 1903

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR CHOCTAW
AND OTHER LAWYERS

MAY 1 1903

CELESTINE M. BELL
ATTORNEY AT LAW

MAY 1 1903

REFER TO M. O. R. 2641-2322-3153

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

In the matter of the application of Mary A. Bell, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of:

Mary A. Bell, et al.,	M.C.R. 2642
Lizzie Witt, et al.,	M.C.R. 2641
Mattie Tims, et al.,	M.C.R. 2322
Robert Hordge, et al.,	M.C.R. 3153.

List of papers forwarded to the Secretary of the Interior comprising
the record in the consolidated case of Mary A. Bell, et al.

	(Page)
Original application of Mary A. Bell, et al., before the Dawes Commission for identification as Mississippi Choctaws	1
Original application of Lizzie Witt, et al., before the Dawes Commission for identification as Mississippi Choctaws	5
Original application of Mattie Tims, et al., before the Dawes Commission for identification as Mississippi Choctaws	9
Joint affidavit of William Walker and Charley Lackey.....	12
Original application of Robert Hordge, et al., before the Dawes Commission for identification as Mississippi Choctaws	13
Marriage license of Robert Hordge and Eva Ramsey.....	20
Testimony of Bill Walker.....	21
Testimony of Mary Bell.....	24
Decision of the Commission refusing the application of Mary A. Bell, et al., for identification as Mississippi Choctaws.....	29

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 13, 1901.

In the matter of the application of Mary A. Bell for identification as a Mississippi Choctaw for herself and husband.

Mary A. Bell, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Mary A. Bell.
Q What is your age? A Fifty seven years old.
Q What is your post office address? A I live here in Meridian, Mississippi? A Yes sir.
Q How long have you lived in Meridian? A Just came to Meridian this year.
Q Where were you born? A In Alabama.
Q What part of Alabama---what place? A I don't know sir.
Q Can you give any idea where you were born--what county? A No, I don't believe I can, but I was born in Alabama.
Q You are sure you were born? A Yes sir, I was born in Alabama, but I can't tell what part of Alabama.
Q When did you come to Mississippi. I have been in Mississippi I reckon---I come to Mississippi---I was twelve years old.
Q You have been here ever since? A Yes sir.
Q Where did you come to when you first came to Mississippi? A Went out in the country.
Q Do you know what county? A They called it out on the edge of Mississippi.
Q What is your father's name? A Sechrist Walker.
Q Is your father living or dead? A No sir, he ceased.
Q When did he cease? A I reckon he has been ~~dead~~ ceased twelve years ago.
Q What is your father's name? A Hannah Walker.
Q Is she living or dead? A She has ceased and gone too.
Q When did she cease? A She has been ceased this coming July will be three years ago.
Q Through which one of your parents do you claim Choctaw blood?
A My ma.
Q How much do you claim? A My ma was one half.
Q And you are how much? A I don't know sir how much me. You will have to judge that yourself.
Q Do you claim one half of what your mother had? A Yes I claim it if it is right.
Q Your mother is one half? A Yes and I claim one half of what she is.
Q Then you claim one quarter do you? A Yes sir.
Q What was your father's blood? A He was kin to the Africans
Q He was pretty near African was not he? A Yes sir.
Q Was he a slave before the war? A Yes.
Q Your mother you say was one half Choctaw? A Yes.
Q And what was the other half? A She didn't look like she had any kin to the Africans. She was half white and had straight hair.
Q Was not she mixed with African? A She may have been.
Q You do not know that she was mixed with the whites? A No sir.
Q Then her other blood besides Choctaw was African was not it?
A Yes sir.
Q Was she a slave before the war? A Yes.

Mary AL Bell.-----2.

- Q Were you a slave before the war? A Yes sir.
- Q What was your master's name? A Amos Hodge.
- Q Were you a slave here in Mississippi? A Yes sir.
- Q Are you married? A Yes sir.
- Q Your husband is a negro? A He is kin to the Injuns too--his mother's side.
- Q But you do not claim for him? A No.
- Q Is he kin to the Africans too? A Yes.
- Q Was he a slave before the war? A Yes sir.
- Q What is his name? A Henry Bell.
- Q You make no claim for him? A Well, he is mixed with the Choctaw.
- Q Is he Cherokee, Creek, Seminole or Choctaw? A His folks said he is mixed with the Indians all I can tell you.
- Q You do not know much about it? A No.
- Q Do you want to make application for him? A He is mixed as much as I am.
- Q I want to know if you want to make application for him? A Yes sir.
- Q How much Choctaw blood do you claim he has? A He has got about as much as me.
- Q I want you to tell me how much he has got? A I don't know.
- Q What is his father's name? A I don't know. His father died when he was small--- he never did see his father---he lived in South Carolina.
- Q What was his mother's name? A Mary Bell, again. She belonged to John Bell.
- Q She was a slave? A Yes.
- Q And your husband was a slave? A Yes.
- Q Is his mother dead? A Yes she ceased.
- Q How much Choctaw blood did your husband's mother have? A About half like my mother.
- Q Do you know that? A Yes I know her well; she used to stay with me.
- Q Your husband claims his Choctaw blood through his mother? A Yes.
- Q Has your husband's mother through whom you claim for him the right to be identified as a Mississippi Choctaw ever been recognized in any way or enrolled as a member of the Choctaw Nation by the Choctaw tribal authorities or by the United States authorities? A I don't know.
- Q Has your mother through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A No sir.
- Q Have you any children you want to make application for? A No.
- Q You have no children under twenty one? A No sir.
- Q Is your name or the name of your husband on any of the Choctaw tribal rolls in Indian Territory? A Yes sir.
- Q Did you ever go to the Indian Territory and have your names placed on the rolls out there? A No, I never went out there.
- Q Have you ever made application to the Choctaw tribal authorities for yourself or for your husband in Indian Territory to be enrolled as members of that tribe? A No.
- Q Did you or any one for you or for your husband in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir.
- Q Have you or your husband ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to

Mary A. Bell----3.

the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.

Q Have you ever made application before this either for yourself or your husband either to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.

Q Is this the first application that you have ever made of any description? A Yes sir.

Q Is this the first application that has ever been made for your husband? A Yes.

Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and him? A Yes sir.

Q Do you claim this right as beneficiaries for yourself and him under the provisions of the fourteenth article of the treaty of 1830?

A Yes sir.

Q Have you or your ancestors or your husband or his ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give the names of any of your ancestors or your husband's ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and who were acknowledged members of the Choctaw Tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was entered into between the United States government and the Choctaw tribe of Indians? A No sir.

Q Have you any evidence that any of your ancestors or your husband's ancestors were recognized members of the Choctaw tribe of Indians at that time? A No sir.

Q Did any of your ancestors or your husband's ancestors if Choctaw Indians remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1836? A I don't know.

Q Did any of your ancestors or your husband's ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians living in Mississippi their intention to stay in Mississippi and become citizens of the states? A I don't know.

Q Have any of your ancestors or your husband's ancestors ever received or claimed any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A No sir.

Q Do you speak the Choctaw language? A No sir, you will have to make me sensible of that.

Q Can you talk Indian? A Yes sir, I can talk Indian---have talked it.

Q I guess you cannot talk it now can you? A No.

Q You have forgotten all you ever knew? A Yes sir, I can't talk like I used to.

Q Are there any additional statements you want to make in support of your application? A No sir, there aint nothing more to say.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents, or any other papers showing that your ancestors or your husbands were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits thereunder? A No sir, I ain't got no papers.

Mary A. Bell----4.

This applicant has the appearance, manner, dialect and all physical characteristics of a full blood negro. If she has a strain of Choctaw blood it is not apparent in her manner or physical make up. She has no knowledge of the Choctaw language and no knowledge of any compliance by her ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application which you make for yourself and husband for identification as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 26, 1898, and a copy of said decision will be mailed to you at your post office address as given in your testimony at this time.

H.C. Ristean, 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 June, 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. Ristean

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of June, 1901.

[Signature]
Notary Public.

MS
C.W.

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

In the matter of the application of Mary A. Bell, et al.,
for identification as Mississippi Choctaws, consolidating the appli-
cations of:

Mary A. Bell, et al.,	M.C.R. 2642
Lizzie Witt, et al.,	M.C.R. 2641
Mattie Tins, et al.,	M.C.R. 2322
Robert Hordge, et al.,	M.C.R. 3153.

--: 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 Mary A. Bell for herself and her husband Henry Bell; by Lizzie
Witt for herself and her minor child William Witt; by Mattie Tins
for herself and her seven minor children, Janie, Ada, Pearlis, Claude,
Rebar, Eveline and Hugh L. Tins; and by Robert Hordge for himself
and his three minor children, Henry, Betha and Jehn McKinley Hordge,
under the following provision of the act of Congress approved June
28, 1898 (30 Stats., 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 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 Mary A. Bell, the principal applicant in M.C.R. 2642, and all of the applicants embraced in M.C.R. 3153 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 Dinah, who is alleged to have been a Choctaw Indian (degree of blood not stated); that Henry Bell the husband of the principal applicant in M.C.R. 2642 claims said rights by reason of being a descendant of Mary Bell, who is alleged to have been an one-half blood Choctaw Indian; that Lizzie Witt the principal applicant in M.C.R. 2641 claims said rights by reason of being a descendant of Mary Bell and Dinah; that William Witt, the minor applicant in M.C.R. 2641, claims said rights by reason of being a descendant of Mary Bell, Dinah and Henry Johnson, who is alleged to have been a Choctaw Indian (degree of blood not stated); that the applicants embraced in M.C.R. 2322 claim said rights by reason of being descendants of Dinah and Ike Scoola, who is alleged to have been an one-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 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 Civil-

ized 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 Dinah, or Mary Bell, or Henry Johnson, or Ike Scoola, 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 Mary A. Bell, Henry Bell, Lizzie Witt, William Witt, Mattie Tims, Janie Tims, Ada Tims, Pearlle Tims, Claude Tims, Rebar Tims, Evelina Tims, Hugh L. Tims, Robert Hordge, Henry Hordge, Retha Hordge and John McKinley Hordge 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.

Muskogee, Indian Territory,

Commissioner.

OCT 24 1902

Commissioner

COPY.

M.C.R. 2642.

Muskogee, Indian Territory, October 24, 1902.

Mary A. Bell,

Meridian, Mississippi.

Dear Madam:-

You are hereby advised that on the 24th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Bell, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Bell, et al.,	M.C.R. 2642
Lizzie Witt, et al.,	M.C.R. 2641
Mattie Sims, et al.,	M.C.R. 2322
Robert Hordge, et al.,	M.C.R. 3158

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

M.A.B.-----2

M Mary A. Bell, Henry Bell, Lissie Witt, William Witt, Mattie Tims, Janie Tims, Ada Tims, Pearlle Tims, Claude Tims, Rebar Tims, Evelina Tims, Hugh L. Tims, Robert Hordge, Henry Hordge, Retha Hordge and John McKinley Hordge 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 for review to the Secretary of the Interior through the Commissioner of Indian affairs.

Respectfully,

SIGNED

Acting Chairman.

Registered.

M.C.R. 2642.

Muskogee, Indian Territory, October 24, 1902.

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

Gentlemen:-

You are hereby advised that on the 24th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Bell, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Bell, et al.,	M.C.R. 2642
Lizzie Witt, et al.,	M.C.R. 2641
Mattie Sims, et al.,	M.C.R. 2322
Robert Hordge, et al.,	M.C.R. 3153

These applications were made under the provision of the act of Congress of June 28, 1896 (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 A. Bell, Henry Bell, Lizzie Witt, William Witt, Mattie

M. No. & C.-----2

Tims, Janie Tims, Ada Tims, Pearlie Tims, Claude Tims, Rebar Tims, Evelina Tims, Hugh L. Tims, Robert Hordge, Henry Hordgo, Retha Hordge and John McKinley Hordge 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

W. H. C. C. C.
Acting Chairman.

COPY.

M.C.R. 2642.

Muskogee, Indian Territory, October 24, 1902.

J. S. Hagler,
Attorney-at-Law,
Bowie, Texas.

Dear Sir:-

You are hereby advised that on the 24th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Mary A. Bell, et al., embracing the following applications for identification as Mississippi Choctaws:

Mary A. Bell, et al.,	M.C.R. 2642
Lizzie Witt, et al.,	M.C.R. 2641
Mattie Tins, et al.,	M.C.R. 2322
Robert Hordge, et al.,	M.C.R. 3153

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 Mary A. Bell, Henry Bell, Lizzie Witt, William Witt, Mattie

J.S.F.-----2

Tims, Janie Tims, Ada Tims, Pearlle Tims, Claude Tims, Rebar Tims, Evelina Tims, Hugh L. Tims, Robert Fodge, Henry Fodge, Retha Fodge, and John McKinley Fodge 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

(SIGNED)

James Dixby.
Acting Chairman.

Registered.

M.C.R. 2642.

COPY

Muskogee, Indian Territory, November 10, 1902.

The Honorable,
The Secretary of the Interior.

Sir:-

There is transmitted herewith the record in the consolidated case of Mary A. Bell, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of October 24, 1902.

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

Mary A. Bell, et al.,	M.C.R. 2642
Lizzie Witt, et al.,	M.C.R. 2641
Mattie Tims, et al.,	M.C.R. 2322
Robert Hodge, et al.,	M.C.R. 3153

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

Respectfully,

(S. N. D.)

Through the
Commissioner of Indian Affairs.
1 enclosure, M C R 2642

Acting Chairman.

D.C. 13846

C O P Y.

FHE.

DEPARTMENT OF THE INTERIOR.

W A S H I N G T O N.

I.T.D. 3708-1903.

May 4, 1903.

L R S

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

Gentlemen:

November 19, 1902, you transmitted the record in the consolidated case embracing the applications for identification as Mississippi Choctaws of Mary A. Bell (M.C.R. 2542) for herself and her husband, Henry Bell; of Lizzie Witt for herself and her minor child, William Witt; of Mattie Tims for herself and her seven minor children, Janie, Ada, Fearlie, Claude, Rebar, Evelina, and Hugh L. Tims; and of Robert Hordge, for himself and his three minor children Henry, Retha, and John McKinley Hordge, including your decision of October 24, 1902, refusing to identify them as such.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Dinah, who is alleged to have been a Choctaw Indian (degree of blood not stated); Mary Bell, who is alleged to have been an one-half blood Choctaw Indian; Henry Johnson, who is alleged to have been a Choctaw Indian (degree of blood not stated); and one Ike Sooola, who is alleged to have been an one-half blood Choctaw Indian.

The records fail to show that the applicants were ever admitted or enrolled as members of the Choctaw tribe of Indians, or that their alleged ancestors ever complied or attempted to comply, in

person or by proxy, with the provisions of said article 14 of the treaty of 1830, or with the subsequent acts relating thereto.

Reporting in the matter April 8, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed .

The Department finds no reason to disturb your decision, and it is hereby affirmed.

Respectfully,

THOS. RYAN.

Acting Secretary

1 inclosure.

Land.
67829

C O P Y.

Department of the Interior,
Office of Indian Affairs,
Washington, April 8, 1903.

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 matter of the application of Mary A. Bell, for the identification of herself and husband Henry Bell, of Lizzie Witt, for herself and her minor child, William Witt, of Mattie Tims for herself and her seven minor children, Janie, Ada, Pearlle, Claude, Rebar, Evelina and Hugh L. Tims, and of Robert Hordge, for himself and his three minor children, Henry, Retha and John McKinley Hordge, - all as Mississippi Choctaws.

On October 24, 1902, the Commission rendered a decision in this case, finding that the evidence submitted in behalf of the applicants is insufficient to determine their identity as Mississippi Choctaw Indians entitled to rights in the lands of the Choctaw Nation and that their applications therefor should be refused.

An examination of the record evidence shows that these applicants give the names of several persons through some of whom, each applicant claims to have inherited Choctaw blood. The ancestors mentioned are Hannah and Sitter Walker, Mary Bell, Dinah, Henry Johnson and Ike Sooola, but neither the record evidence nor an examination of the records in this office shows that any person by the name of Hannah or Sitter Walker, Mary Bell, Dinah, Henry John-

son or Ike Scocla ever complied or attempted to comply with the provisions of Article 14 of the treaty of 1830 or secured a patent for land thereunder.

By reason of the premises the office considers said decision of the Commission correct and recommends that it be approved by the Department.

Very respectfully,

A.C. Tonner,
Acting Commissioner.

W.C.B.

L.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY

ALLISON L. AYLESWORTH,
SECRETARY

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

REFER IN REPLY TO THE FOLLOWING

M.C.R. 2642

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, May 19, 1903.

Mary A. Bell,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 4th 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 A. Bell, et al., of which decision you were advised by registered mail on the 24th day of October, 1902.

Respectfully,


Chairman.

COPY.

M.C.R. 2642

Muskogee, Indian Territory, May 19, 1903.

J. S. Hagler,
Attorney at Law,
Bowie, Texas.

Dear Sir:

You are hereby notified that on the 4th 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 A. Bell, et al., of which decision you were advised by registered mail on the 24th day of October, 1902.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

COPY.

M.C.R. 2642

Waskogee, Indian Territory, May 19, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 4th 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 A. Bell, et al., of which decision you were advised by mail on the 24th day of October, 1902.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Consolidated
Case of

Mary A. Bellefleur

2642

CARD No. NAME RESIDENCE DISTRICT POST OFFICE AGE SEX

Hannah - (gb)
grandmother of
Mattie Sims

mer
2612
Mary A. Walker 57- $\frac{1}{4}$
slave
mar
Henry Bell ($\frac{1}{4}$?)
slave
+ Claims for ~~him~~
his father was (dead)
" mother " Mary Bell's
slave & dead

mer
2641
Lizzie Bell 23- $\frac{1}{4}$
mar
① Henry Johnson's neg
(dead)
② Lawrence Witt
(negro)

mer
2641
William Witt 8

Hannah Walker (or fl. or $\frac{1}{4}$)
Slave (dead)

mer
2322
Mattie Walker 31- $\frac{3}{8}$
mar
Wake Sims
negro

mer
2322
Janie Sims 15
Ada " 14
Pearlie " 12
Claude " 9
Rebar " 6
Evelina " 3
Hugh L. " 3m

Sechrist Walker
(negro) (dead)
Ike Teoola ($\frac{1}{2}$?)

Henry Hordge ($\frac{1}{2}$ neg)
slave
wife
Peggy Hordge
slave
(dead)

mer
23153
Robert Hordge 31- $\frac{1}{2}$
wife
Evalina Hordge
(neg + w)

mer
3153
Henry Hordge 8
" Retha " 3
" John McKusky " 7 mo.

Non-applicants

Hanni
Hannah

Henry Hordge (1872)
Slave (70?)
wife
Peggy Hordge
Slave
(dead)

Millie Hordge

Rentie Hordge
wife
Lucy Hordge

James Hordge
wife
Charity Hordge

Clinton Hordge
wife
Rebecca Hordge

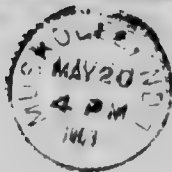
Shepherd Hordge
wife
Elizabeth Hordge

Bettie Hordge
mar
Harrison Tringle

Elizabeth Hordge
mar
Will Frey

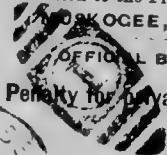
also
see last column

Martha Ann Hordge
mar
Griffin Thomas
(separated) (2)



Department of the Interior.

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



OFFICIAL BUSINESS.

Penalty for private use, \$300.



Mary A. Bell,

~~Muskogee~~, Mississippi.

For Identification as a Mississippi Choctaw.

Date

JUN 13 1901

Name

Mary A. Bell

Age

57 -

Blood

1/4

Post Office

Meridian, Miss.

Father:

Sechrist Walker, d

Mother:

Hannah " d

Claims through

mother

Husband

~~father - don't know~~
~~mother - don't know~~
Mary Bell. (negro) d
Mary Bell. 1/2 ch. d.
Husband claims thru mother.

~~Notes~~

Claims for self
and husband.

Stenographer

H. C. Rester

Choctaw MCR 2643

Mary Edwards

MCR 2643

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

In the matter of the application of Mary Edwards for
identification as a Mississippi Choctaw, M.C.R. 2643.

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 Mary Edwards to the Dawes Commission for identification as a Missis- sippi Choctaw,.....	1
Decision of the Commission refusing the ap- plication of Mary Edwards for identification as a Mississippi Choctaw,.....	5

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 13, 1901.

In the matter of the application of Mary Edwards for identification as a Mississippi Choctaw.

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

Examination by the Commission:

- Q What is your name? A Mary Edwards.
Q What is your age? A About fifty.
Q What is your post office address? A Meridian, Mississippi--No. 1940 17th Avenue.
Q How long have you lived at Meridian? A I have been here twenty years.
Q Where did you live before you lived here? A At Canton, Mississippi.
Q Where were you born? A Canton, Mississippi.
Q Always lived in Mississippi? A Yes sir.
Q What was your father's name? A Big John--my father was an Indian.
Q Is he living or dead? A He is dead.
Q Is your mother dead? A Yes sir.
Q What was her name? A Julia Lamar. Her owner was named Lamar.
Q Your father's name was not Lamar? A No, my father was an Indian; He wasn't no slave.
Q Through which one of your parents do you claim Choctaw blood.
Q From my father. I claim through both of them; my mother she was half Injun too.
Q How much Choctaw blood did your father have? A He was a whole Injun and my mother was half Injun.
Q And what was your mother's other blood? A Colored.
Q You claim how much? A Three quarters.
Q You say your father was not a slave? A No.
Q And your mother was a slave? A Yes sir.
Q Was she a slave in Mississippi? A Yes sir.
Q Were you a slave? A Yes; I was a slave---I was about grown at the surrender.
Q Have your parents through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any manner or enrolled on the tribal rolls of the Choctaw Nation by either the Choctaw tribal authorities or the United States authorities? A I don't know.
Q Have you any children you want to make application for? A No.
Q Are you married? A Yes sir.
Q Do you want to make application for your husband? A I couldn't tell, but he aint got no Indian blood. He is colored.
Q Then do you make application for him? A No sir.
Q What is his name? A Sam A. Edwards.
Q Is he a negro? A Yes, he is colored.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A I have not.
Q Did you or any one for you in 1896 under the act of Congress of June

Mary Edwards----2.

10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? A No sir.

Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, United States Court, or the Commission to the Five Civilized Tribes? A No sir.

Q Have you ever made application before this to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A No, this is the first one I have been before.

Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes sir.

Q Do you claim your rights as a beneficiary under the fourteenth article of the treaty of 1830? A Yes.

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

Q Have your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give me the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and who were acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was made between the United States government and the Choctaw tribe of Indians. A I can give account of my grandmother and grandfather.

Q What was your grandfather's name? A Peter Hurt.

Q Is that your father's or mother's father? A My mother's.

Q Have you any proof that he was a recognized member of the Choctaw tribe of Indians in 1830? A Yes sir.

Q What is it? A A gentleman setting back yonder.

Q You have a witness here that you can prove that by? A Yes sir.

Q Did any of your ancestors go from the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory when the other Indians went there between the years 1833 and 1838?

A I don't know.

Q If any of your ancestors did not remove with the other members to the Indian Territory, did they within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent in Mississippi their intention to stay in Mississippi and become citizens of the states? A Yes sir.

Q Do you know they did that? A Yes.

Q How do you know that? A I know my father was an Indian.

Q I have asked you if your ancestors went to the Indian Agent and told him they wanted to stay in Mississippi and not go to the territory? A I don't know that -- I was a slave and was not allowed to know that.

Q Have any of your ancestors ever received or claimed any land in Mississippi under article fourteen of the treaty of 1830? A I don't know sir.

Q Do you speak the Choctaw language? A No sir, I was raised among the American people.

Q You never did associate with the Indians? A No sir, not to be out with them.

Q Are there any additional statements you want to make in support of this application? A No sir. I knew my father and when I was a girl near about grown my father would come over to my house and bring me beads and call me his daughter and my mother told me he was my father. He was an Indian and talked the language and camped right near our house.

Mary Edwards----3.

- Q Is there anything more you want to say. A I remember my father well and he used to come over to my house nights and played with us Sundays.
- Q What was his hair? A His hair is just like Indian's hair--coarse
- Q And curly was it? A Yes sir.
- Q Do you mean curly? A I mean straight hair like the Indians have
- Q Do Indians have curly hair? A No, they have straight hair.
- Q Did you mean his hair was curly? A No, my father's hair was straight.
- Q What was his color? A Color of an Indian -- red.
- Q Black? A Red.
- Q Did you ever hear him speak the Choctaw language? A Yes.
- Q Do you understand that language? A No, I never did practise it.
- Q When did he talk Choctaw to? A To me when he came over to my house.
- Q Could you understand the Choctaw language at that time? A No, but he told me he was going to teach me.
- Q Did he speak the English language? A He talked the Indian all the time.
- Q He did not talk the English language? A No sir.
- Q When he told you he was going to teach you the Choctaw language did he say that in Choctaw language? A Yes sir, my mother could understand him.
- Q Have you any documentary evidence, affidavits written testimony of any description, copies of records, deeds or patents or other proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indian in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.

This applicant has the appearance of a person descended from a mixed ancestry of Choctaw and negro blood. She claims three fourths Indian blood, but in her physical appearance, the African traits seem to predominate, although there are traces also of Choctaw blood. She does not understand the Choctaw language and has no knowledge of a compliance on the part of her ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

Matt Child, called as a witness on behalf of applicant, testified as follows, after having been first duly sworn:

Examination by the Commission.

- Q What is your name? A Matt Childs.
- Q Where do you live? A Meridian.
- Q How long have you lived in Meridian? A Ever since the surrender
- Q Were you a slave before the war? A Yes sir.
- Q Have you always lived in Mississippi? A Yes and in Alabama.
- Q You are a full blood negro? A Yes sir.
- Q Do you know anything about the application of Mary Edwards which she makes for identification as a Mississippi Choctaw? A I knew her mother.
- Q What was her name? A Her name is Mary.
- Q I mean the applicant's mother's name? A Julia.
- Q Was she a slave when you knew her? A Yes.

Mary Edwards----4.

- Q What was her mother's name? A Lemar.
Q Where did they live? A They lived here in Meridian a portion of the time.
Q What do you know about Mary Edwards' mother having any Choctaw blood? A I don't know anything about that.
Q You do not know whether she had any Choctaw blood or not? A I think from her looks but I wouldn't swear that she had.
Q Did she look like a negro woman? A Yes.
Q Curly hair? A Yes.
Q It was not straight? A Yes.
Q I have asked you what was her hair, straight or curly-- A I say straight.
Q But you said it was curly--what do you mean? A The hair was straight--I am liable to make a little mistake.
Q You found out your mistake after she told you? A I couldn't exactly make it out.
Q Were her eyes dark or black? A Her eyes were black.
Q You couldn't swear she had Choctaw blood? A No sir.
Q Did she look pretty well like a negro woman? A Yes sir.
Q And you really do not know what her blood was unless it was negro? A No.
Q Do you know anything about her father Big John? A No sir.
Q Did you know her grandmother? A No sir.
(Witness E reused).

Applicant, Mary Edwards, Re-called)

By the Commission:

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 26, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

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 June, 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. Risteen

Subscribed and sworn to before me at Meridian, Mississippi this 19th day of June, 1901.

[Signature]
Notary Public.

J.W.L.
C.W.

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

In the matter of the application of Mary Edwards for
identification as a Mississippi Choctaw, M.C.R. 2645.

DECISION.

It appears from the record herein that an application for identification as a Mississippi Choctaw was made to this Commission by Mary Edwards, for herself, under the following provision of the act of Congress approved June 28, 1898, (30 Stats., 495):

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

It also appears that this applicant claims 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 a descendant of Peter Hurt, who is alleged to have been a Choctaw Indian (degree of blood not given), and Big John who is alleged to have been a full-blood Choctaw Indian.

-3-

It further appears from the evidence submitted in support of said application and from the records in the possession of the Commission that the applicant has never been enrolled by the Choctaw tribal authority 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 Peter Hurt, or Big John, 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 of the treaty of eighteen hundred and thirty, 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., 515).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Mary Edwards as a Choctaw Indian 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 her

Identification as such should be refused, and it is so ordered.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

SIGNED.

Tams Bixby.

ATTORNEY GENERAL.

SIGNED.

T. B. Needles.

COMMISSIONER.

SIGNED.

C. R. Breckinridge.

COMMISSIONER.

Dated at Muskogee,
Indian Territory, this

DEC 3 1907

COPY.

M.C.R. 2643

Mustagee, Indian Territory, December 3, 1902.

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

Gentlemen:

You are hereby advised that on the 3rd day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary Edwards, an applicant for identification as a Mississippi Choctaw.

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

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 Edwards as a Choctaw Indian 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 her identification as such should be refused, and it is so ordered."

You are further advised that the applicant in this case has 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 Dixby.
Acting Chairman.

COPY.

Muskogee, Indian Territory, December 3, 1902.

Mary Edwards,
#1940 17th Avenue,
Meridian, Mississippi.

Dear Madam:

You are hereby advised that on the 3rd day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Mary Edwards, an applicant for identification as a Mississippi Choctaw.

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 Mary Edwards as a Choctaw Indian 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 her identification as such should be refused, and it is so ordered."

Mary Edwards-2

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)

James Bixby.
Acting Chairman.

Registered.

COPY

Muskogee, Indian Territory, December 19, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Mary Edwards, an applicant to the Commission for identification as a Mississippi Choctaw, including the decision of the Commission of December 3, 1902.

The Commission has the honor to report that the 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,

SIGNED

Through the
Commissioner of Indian Affairs.

Enc.: M.C.R.2643.

F. D. McCall
COMMISSIONER OF INDIAN AFFAIRS

M.C.R. 2643

Muskogee, Indian Territory, January 2, 1902

John C. Hill,

Attorney at Law,

Meridian, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 18th ultimo, in which you ask to be furnished a copy of the record in the Mississippi Choctaw case of Mary Edward.

In reply to your letter you are informed that on December 19, 1902, the record in this case, together with the decision of the Commission refusing the application of Mary Edward for identification as a Mississippi Choctaw, was forwarded to the Secretary of the Interior.

The applicant will be duly notified of such action as may be taken by him.

Respectfully,

Acting Chairman,

D.C. 7632

C O P Y.

EAF.

DEPARTMENT OF THE INTERIOR.

ITD. 1742-2903.

W A S H I N G T O N.

March 14, 1903.

L R S .

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

Gentlemen:

December 19, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaw of Mary Edwards, including your decision of December 3, 1902, refusing the application.

The applicant claims to be a descendant of one Peter Hurt, alleged to have been a Choctaw Indian, and of Big John, alleged to have been a full blood Choctaw Indian.

The records fail to show that the applicant was ever admitted or enrolled as a citizen of the Choctaw Nation, or that either of her alleged ancestors complied or attempted to comply with article 14 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).

Reporting February 14, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department finds no reason to disturb your decision and hereby affirms the same.

Respectfully,

F.L. CAMPBELL.
Acting Secretary.

1 inclosure.

Land.
75907

C O P Y.
Department of the Interior,
Office of Indian Affairs,
Washington.

February 14, 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 a Mississippi Choctaw of Mary Edwards, wherein a decision adverse to the applicant was rendered by the Commission on December 3, 1902.

It appears from the record in this case that the applicant makes her claim to identification by reason of her descent from Peter Hunt or Big John, who, it is claimed, was a citizen of the Choctaw Nation and resided in Mississippi or Alabama in 1830.

The Commission bases its decision rejecting this applicant on the ground that her name of Peter Hunt or Big John does not appear in its records as one of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

An examination of the records of this office discloses the fact that the name of Peter Hunt or Big John is not included in the list of those persons who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and it is therefore recommended that the decision of the Commission rejecting this party be approved.

Very respectfully,

A.C. TONNER.

Acting Commissioner.

E.B.H. H'r.
3 enclosures.

M.O.R. 2645

COPY.

Muskogee, Indian Territory, March 24, 1903.

Mary Edwards,
No. 1940 Seventeenth Street,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 14th day of March, 1903, 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 3rd day of December, 1902.

Respectfully,

(SIGNED)

Tamm Pickens
Chairman.

M.C.R. 2643

COPY.

Muskogee, Indian Territory, March 24, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 14th day of March, 1903, the Secretary of the Interior affirmed the decision of this Commission refusing the application of Mary Edwards for identification as a Mississippi Choctaw, of which decision you were advised by mail on the 3rd day of December, 1902.

Respectfully,

(SIGNED)

Tame Doby
Chairman.

932

No. _____

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name Mary Edwards

Age 50 - Blood 3/4

Post Office, Meridian, Miss.
(1940, 17th ave)

Father: Big John, full d

Mother: Julia Lamar 1/2 d

Claims through ~~father~~ both parents,
Nusband

~~Lam A, Edwards (negro)~~

No claim for husband

~~XXXXXXXXXX~~

Claims for self alone

Stenographer K. C. Risteen

REFUSED

Mary Edwards

DECISION RENDERED. DEC 3 - 1902

NOTICE OF DECISION MAILED APPLICANT.

DEC 3 - 1902

**NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.**

DEC 3 - 1902

RECORD FORWARDED DEPARTMENT.

DEC 19 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

MAR 14 1903

**NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.**

MAR 24 1903

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

MAR 24 1903

Choctaw MCR 2644

John S Reid

MCR 2644

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 13, 1901.

In the matter of the application of John S. Reid for the identification of himself and four minor children as Mississippi Choctaws.

John S. Reid, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A John S. Reid.
Q What is your age? A Thirty two.
Q What is your post office address? A Meridian, Mississippi, No. 119 25th Avenue.
Q How long have you lived at Meridian? A About fifteen years.
Q Where were you born? A In Clarke County, Mississippi.
Q Have you always lived in Mississippi? A Yes.
Q Have you always lived in Clarke County? A Until I moved to Lauderdale County. There was two years when I was between four and six years old I lived in Jasper.
Q What was your father's name? A Elie Reid.
Q Is he living? A No sir.
Q Is your mother living? A No sir.
Q What was her name? A Her name was Nancy.
Q Through which one of these parents do you claim Choctaw blood?
A My father.
Q How much do you claim? A We claim about one eighth the best we can trace it.
Q Has your father through whom you claim your right to identification as a Mississippi Choctaw ever been recognized in any way or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or the United States authorities? A No sir, I don't think he has.
Q Are you married? A Yes sir.
Q What is your wife's name? A Jennie.
Q Do you make any claim for her? A No sir.
Q What is her blood? A Scotch-Irish I believe they call it.
Q She is white? A Yes sir.
Q Have you any children under twenty one years of age and unmarried that you want to make application for? A Yes make application for all four.
Q What is the name of the oldest? A Robert D.
Q How old is he? A He is ten years old.
Q Next one? A Next one is seven.
Q What is the name? A Aline.
Q What is the name of the next? A Valera.
Q Girl? A Yes sir.
Q How old? A She is four.
Q Next? A Erma B. age two.
Q Is that all? A Yes sir.
Q Is your wife, Jennie, the mother of these children? A Yes sir.
Q Are you the father? A Yes sir.
Q Are they living with you at your home? A Yes sir.
Q Have you your marriage license and certificate you would like to introduce now in support of your application? A I have not at present.
Q You were married under license? A Yes sir.
Q When and where were you married? A I was married in Clarke County eleven years ago last January, 25th day of January.
Q Is your name or the names of your children in any of the tribal

John S. Reid----2.

rolls of the Choctaw Nation in Indian Territory? A No sir.

Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as members of the Choctaw tribe?

A No sir, not before.

Q Did you or any one for you or for your children in 1896 under the act of Congress of June 10, 1896, make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation?

A No sir.

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No sir.

Q Have you ever made application for yourself and children before this to either the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as citizens of the Choctaw Nation? A No sir.

Q Is this the first application you have ever made of any kind?

A Yes sir.

Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and children? A Yes sir. I don't know the tribe of Indians we claim relationship to; that we will have to find out.

Q You are making application for identification as Choctaw Indians?

A Yes sir.

Q If you do not know that you are entitled to rights in the Choctaw Nation, I don't know what business you have here? A I know we claim Indian blood, but I don't know what it is.

Q You ought to know whether you claim Choctaw blood or not; if you propose to introduce documentary evidence to substantiate this claim I will go on with your testimony; otherwise I cannot? A I claim citizenship in the Choctaw Nation.

Q You claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir, not as I know of.

Q Can you give me the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama in 1830 and who were recognized members of the Choctaw tribe of Indians at the time the treaty of Dancing Rabbit Creek was ratified between the government of the United States and the Choctaw tribe of Indians?

A No sir.

Q Have you any proof that they were recognized members of the Choctaw tribe? A No sir.

Q Did any of your ancestors if Choctaw Indian remove from the Mississippi or Alabama to the Indian Territory with the other Indians between the years 1833 and 1838? A That I don't know.

Q Did any of your ancestors, if Choctaw Indian, within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi that they intended to remain in

Mississippi and become citizens of the states? A I couldn't answer that.

Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830?

Q I don't think they did. I do not know anything about it.

Q Do you speak the Choctaw language? A No sir.

Q Is there anything further you want to say in support of this application? A No sir.

John S. Reid---3.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No sir.

This applicant appears to be a white person. He 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.

Thirty days time from the date hereof is allowed applicant in which to file documentary evidence in support of this applicant also marriage license and certificate or certified copy of the same.

The decision of the Commission as to your application for the identification of yourself and your four minor children as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898 and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

H.C.Risteen, having been first duly sworn, upon his oath states: That as a 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 June, 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. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 18th day of June, 1901.

[Signature]
Notary Public.

COPY.

M.C.R. 2044

Muskogee, Indian Territory, October 27, 1902.

John S. Reid,
110 25th Avenue,

Meridian, Mississippi.

Dear Sir:

You are hereby advised that on the 27th day of October, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Margaret Rawls, et al., embracing the following applications for identification as Mississippi Choctaws:

Margaret Rawls, et al.,	M.C.R. 2366
James W. Reed, et al.,	M.C.R. 1784
George Reid, et al.,	M.C.R. 2384
John S. Reid, et al.,	M.C.R. 2044
Dacia McKee, et al.,	M.C.R. 3698
William T. Walls, et al.,	M.C.R. 2828
Marion Wells,	M.C.R. 2788
Fannie Stallings, et al.,	M.C.R. 2788
Anna Padgett, et al.,	M.C.R. 2783
Wilmer Nixon, et al.,	M.C.R. 2782

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."

John S. Reid 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 Margaret Rawls, Ottis Rawls, Herbert Rawls, Estelle Rawls, Don Rawls, James W. Reed, Eddie Reed, Charlie Reed, Pearl Reed, Lucy Reed, Jennie Reed, George Reed, Rubie Reed, George Reid, John Reid, Earl Reid, John S. Reid, Robert D. Reid, Aline Reid, Valera Reid, Erma E. Reid, Doccia McKee, Lillian McKee, Earlie McKee, Annie May McKee, Willie Fay McKee, Lewis McKee, Horace McKee, William T. Wells, Olive Wells, Grace Wells, Ilma Wells, Aubrey Wells, Varena Wells, William McK. Wells, Marion Wells, Fannie Stallings, Hal Stallings, Vera Stallings, Edna Stallings, Bryan Stallings, Anna Padgett, Porter Padgett, Wilmer Padgett, Benjamin Padgett, Wilmer Nixon, Alma Nixon, Austin Nixon, Cammie Nixon and Hill Nixon 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 for review to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfully,

Register.

Commissioner in Charge.

M.C.R. 2644

COPY.

Muskogee, Indian Territory, February 28, 1903.

John S. Reid,
110 25th Avenue,
Meridian, Mississippi.

Dear Sir:

You are hereby notified that on the 17th 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 Margaret Rawls, et al., of which decision you were advised by registered mail on the 27th day of October, 1902.

Respectfully,

Tame Pieby.
Chairman.

933

No. 3114

For Identification as a Mississippi Choctaw.

Date JUN 13 1901

Name John S. Reid.

Age 32 - Blood 1/8

Post Office, Meridian, Miss.
(110, 25th ave.)

Father: Elle Reid, d

Mother: Nancy " d

Claims through father

wife Jennie - w.

No claim for wife -

Children: Robert H. " - 10

Aline - (girl) 7

Valera " 4

Erma B. 2

Claims for self and children -

Stenographer H. C. Ristern

John Reid, et al.

REFUSED

DECISION RENDERED. **OCT 27 1902**

OFFICE OF DECISION MAILED APPLICANT.

OCT 27 1902

OFFICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

OCT 27 1902

OFFICE OF DECISION MAILED A
CHOCTAW AND CHICKASAW NATIONS

RECORD FORWARDED DEPARTMENT

NOV 12 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

OFFICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

FEB 28 1903

OFFICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

FEB 28 1903

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

FEB 28 1903

REFER TO M. C. R. 2385

Choctaw MCR 2645

Catherine Cooley

MCR 2645

FOR IDENTIFICATION AS
A MISSISSIPPI STATE R. 264

Catherine Cooley et al

RECEIVED

DECISION RENDERED. OCT 15 1902

NOTICE OF DECISION BY

OCT 15 1902

NOTICE OF DECISION BY

ACT ON

DEC 13 1902

NOTICE OF DECISION BY

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

In the matter of the application of Catherine Cooley,
et al., for identification as Mississippi Choctaws, M.C.R. 2645

List of papers forwarded to the Secretary of the Interior
comprising the record in the case of
Catherine Cooley, et al.

	Page.
Original application of Catherine Cooley, et al., to the Dawes Commission, for identification as Mississippi Choctaws,.....	1
Decision of the Commission, refusing the application of Catherine Cooley, et al., for identification as Mississippi Choctaws,.....	v

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 14, 1901.

In the matter of the application of Catherine Ceeley for the identification of herself and five minor children as Mississippi Choctaws.

Catherine Ceeley, having been first duly sworn, upon her oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Catherine Ceeley.
Q What is your age? A Twenty five.
Q What is your post office address? A Meridian, Mississippi.
Q How long have you been here? A I have not been here very long-- my home is in Jasper County, Mississippi.
Q Where were you born? A In Jasper County.
Q And always lived there until you came to Meridian? A Yes.
Q You have been in Meridian how long? A Near two years.
Q What is your father's name? A James Nickerson.
Q Is he living or dead? A He is living.
Q What is your mother's name? A Leppert Nickerson.
Q Is she dead? A Yes sir, she is dead.
Q Through which one of your parents do you claim Choctaw blood?
A I cannot tell you what the blood it is, because I really don't know. All I knew it is mixed with Injun.
Q What was your father? A African. -- he was half African.
Q You don't know whether he had any Choctaw blood? A No, I couldn't tell you.
Q What is your mother's blood? A She was Injun all I can tell you
Q How much Indian? A She was one half Indian.
Q What was the other half? A I couldn't tell you; all I can tell you is that she was a yellow woman.
Q Do you know whether she had any negro blood? A I don't know.
Q Didn't she ever tell you if any of her people were negroes? A No
Q How old were you when you saw her last? A I was near about twenty two or three years old.
Q How long you lived with her until you were twenty three years old and didn't you know that she had negro blood? A I suppose she did she never told me.
Q She always told you she had Injun? A Yes.
Q How often did she tell you that? A I don't know.
Q Did she tell you every day? A No.
Q Every year? A Yes, I guess so.
Q Did your father ever talk to you about his Choctaw blood?
Q He told me about---he was negro.
Q He was a full negro? A Yes.
Q Perfectly black? A Yes sir.
Q What do you mean by saying he was half African? A He was---Is African and negro the same thing?
Q Yes, just about? A Yes.
Q He was half negro and half African? A Yes.
Q Was he a slave before the war? A Yes.
Q Was your mother a slave before the war? A Yes sir.
Q And you were not born before the war? A No.
Q Were your father and mother both owned by the same slave master?

Catherine Geoley---2.

- A I think, if I am not mistaken that she told me, at least he did, that she was sold to his master. Both of them were sold.
- Q What was your mother's master's name? A Nickerson.
- Q He owned them both? A Yes sir.
- Q Do you know whether your mother was a Choctaw Indian or what kind of Indian? A All I can tell you she was yellow.
- Q You don't know anything about whether she was Choctaw? A No, I would be afraid to tell you.
- Q You claim your Choctaw blood through which parent? A It is my mother, what Indian blood it is. My mother told me that when her mother died she was so small she could not recollect it, and that she had nobody to tell her anything much.
- Q How much Indian blood do you claim? A About one third I reckon.
- Q Has your mother through whom you claim your right to identification as a Mississippi Indian ever been recognized in any manner or enrolled as a member of the Choctaw tribe of Indians by the Choctaw tribal authorities or by the authorities of the United States.
- A I ain't able to tell you. When she died she was fifty years old.
- Q Are you married? A Yes sir.
- Q What is your husband's name? A He is a Brown.
- Q Where do you get the name Geoley. A I get it from my husband.
- Q What is his name, Brown Geoley? A Yes sir.
- Q Is he living? A Yes.
- Q What is his blood? A Negro, I guess. I never have asked him.
- Q Do you know whether he is a negro or not? A Yes.
- Q You know whether your husband is black? A Yes, he is black.
- Q Then wouldn't you call him a negro? A Yes.
- Q Was he a slave before the war? A No.
- Q Do you make claim for him? A No, not on that paper. He is my husband and I will acknowledge he is my husband all through.
- Q Have you any children? A Yes sir.
- Q What is the name of the oldest? A Ida.
- Q How old is Ida? A Eleven years old.
- Q What is the name of the next? A Fred.
- Q How old is Fred? A Nine.
- Q What is the name of the next? A Zena.
- Q How old is Zena? A She is six years old.
- Q What is the name of the next? A Rether.
- Q Is that a boy? A No, it is a girl.
- Q How old is Rether? A She is about three years old.
- Q What is the name of the next? A Willie.
- Q A boy or girl? A Boy.
- Q How old is Willie? A He is one year old.
- Q Is that all? A Yes.
- Q Is Brown Geoley the father of all these children? A Yes sir.
- Q Were you married to your husband under license? A There was a paper bought and read they called a license.
- Q Was that license issued by the clerk of Court? A I don't know, we paid \$3.00 for it and the whole bill was \$4.00 when he got through with it.
- Q All these children are yours? A Yes, them's mine.
- Q Is your name or the names of your children on any of the tribal rolls of the Choctaw Nation in Indian Territory? A I don't know.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for the enrollment of yourself or children as members of the Choctaw tribe? A I No, never have had a conversation with an Indian except when they brought things to me to sell.

Gatherine Cooley----3.

- Q Did you or any one for you in 1896 or for your children make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation? under the act of Congress of June 20, 1896? A No sir.
- Q Have you ever been admitted to citizenship you or your children in the Choctaw Nation by either the Choctaw tribal authorities the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A We have not had any ~~business~~ dealings with any Commission and the Indians would't hardly speak to us where we was raised.
- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A I have not had no Commission no way.
- Q What do you mean by that? A I have never been nowhere about them.
- Q Then you have never been admitted to citizenship? A No never been admitted to nothing at all.
- Q Have you ever made application prior to this time to either the Choctaw tribal authorities or to the authorities of the United States for admission or enrollment as citizens of the Choctaw Nation? A I have not admitted to nothing like that.
- Q You never made application before? A No, no way.
- Q Is this the first application you have ever made of any kind. A Yes, never been in the Court house before.
- Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and children? A I want to do the best I knows---Yes.
- Q Do you claim your rights for yourself and children as beneficiaries under the provisions of the fourteenth article of the treaty of 1830? A Yes sir, if they think it is right to let me have it, I do.
- Q Do you claim under that article of that treaty? A Yes.
- Q Have you or your children ever received any benefits as Choctaw Indians? A No sir.
- Q Have any of your ancestors ever received any benefits as Choctaw Indians? A No sir.
- Q Can you give the names of any of your ancestors who were recognized members of the Choctaw tribe of Indians in Mississippi in 1830 when the treaty of Dancing Rabbit Creek was ratified between the United States and the Choctaw tribe of Indians? A All of them has died all I know.
- Q Can you give the names of any of your ancestors? A All my mother's people died except my mother's brother and he died last month.
- Q Can you give the names of any of your grandfather or grandmothers? A No sir.
- Q You do not know the names of any of them? A No sir.
- Q Were they slaves away back? A Yes sir, my mother's mother died at the branch drinking water.
- Q Have you any evidence that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830? A All proof I can tell you my husband knows and this man I brought here with me knows.
- Q What does he know? A He knows my mother is one half Indian.
- Q He knew your mother? A Yes.
- Q Was your mother a member of the Choctaw tribe of Indians in 1830? A I couldn't tell you.

Catherine Cooley--4.

Q Did any of your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians from 1833 to 1838? A I couldn't tell you about that. When they moved, they was made move. You know how they was made move---they were sold from one plantation to another.

Q You are talking about the negroes being sold in slavery? A Yes.

Q I am talking about the Indians that went to the territory? A I don't know nothing about it---they sold my people

Q Did any of your ancestors within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi at that time that they intended to stay in Mississippi and take land there and become citizens of the United States? A That part of Mississippi down yonder, nobody had any land down there except the white folks.

Q Do you know anything about whether or not they told the Indian Agent they would rather stay in Mississippi than go to the territory. A No, I never heard them say.

Q Did any of your ancestors ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A Never received anything but the ground she was buried in.

Q Do you know what I mean by ancestors? A No, I have not been to school or court or anything; I don't really know.

Q Ancestors mean your kin folks in a direct line back through your father and mother to your grandfather and grandmother. A They did not have any land.

Q Are you sure of that? A I have never heard of a negro owning any land.

Q And they were not all slaves? A All I have heard they were slaves

Q As far back as you know they were all slaves? A Yes sir.

Q Do you speak the Choctaw language? A I talk just like I am talking now that is best I can talk.

Q You never lived with the Indians? A No sir.

Q Are there any additional statements you want to make in support of this application? A No, I don't know no statement to make about anything.

Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits thereunder? A No sir.

This applicant has the appearance and general characteristics and manner of a full blood negro. She has no knowledge of the Choctaw language and no knowledge of any compliance on the part of her ancestors with any of the provisions of article fourteen of the treaty of 1830.

George Jones, called as a witness on behalf of applicant, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

Q What is your name? A George Jones.

Gatherine Gealey---5.

- Q How old are you? A I am about thirty seven years old.
- Q Are you a full blood Chestaw Indian? A No, there is no Indian blood in me at all.
- Q What is your nationality? A I am a regular old African or nigger throughout.
- Q Where do you live? A I live here at Meridian now, I was raised at Vossburg.
- Q What is your occupation? A Railroad man.
- Q Working on what road? A Northeastern-- I am a track walker.
- Q Do you know this applicant? A Yes I have been knowing her ever since she was a little chap and I was raised with her.
- Q Where was she raised? A At Vossburg, Jasper County, Mississippi
- Q Do you know anything about her father? A He was a African I think; he was black.
- Q Was he a slave before the war? A Yes.
- Q Was her mother a slave? A Yes, she always told me she was half Indian; anybody could look at her and see she was nothing but a half Indian.
- Q Was she also a negro? A She favored the Indians so much.
- Q You couldn't see any Indian in her at all? A I could see plenty of Indian.
- Q But you couldn't possibly see any negro? A No, I was not around that much.
- Q Whenever you talked with her she told you now she was half Indian? A Yes.
- Q Every time you saw her she told you that? A Yes when she would mention it.
- Q She never did say she was half nigger? A No, I never did hear her say.
- Q Was her hair curly? A Just like an Indian in the world. She had better hair than her daughter.
- Q What do you mean by better hair--more curly? A Yes sir.
- Q Her hair was more curly than her daughter's? A Yes sir.
- Q You were not a slave before the war? A No.
- Q You were born after the surrender? A Yes.
- Q Were your parents slaves? A Yes sir.
- Q Don't you think it is a little funny that whenever you met this applicant's mother that she was always telling you how much of an Indian she was? A When I first met her, she was claiming she was half Indian. She talked just like them.
- Q Why did she talk to you about her being Indian? A I was around them.
- Q Why didn't she talk to you about being negro? A I reckon she had it some.
- Q Why didn't she talk about it? A I don't know.
- Q Did she seem to talk about her Indian blood a good deal? A No, not a great deal. I have heard her speak about it right smart.
- (Witness Excused)

Applicant, Gatherine Gealey, Re-called:

The decision of the Commission as to your application for the identification of yourself and five minor children as Mississippi Chestaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the

Catherine Gooley----4.

act of Congress of June 26, 1894, and a copy of the decision will be mailed to you at your post office address as given in your testimony.

H. C. Risten, 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 June, 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. Risten

Subscribed and sworn to before me at Meridian, Mississippi,
this 20th day of June, 1901.

James M. ...
Notary Public.

J. W. L.
Cooley.

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

In the matter of the application of Catherine Cooley, et al.,
for identification as Mississippi Choctaws, M. C. R. 2645.

DECISION:--

It appears from the record herein that an application for identification as Mississippi Choctaws was made to this Commission by Catherine Cooley for herself and her five minor children, Ida, Fred, Zena, Rother and Willie Cooley, 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 Leppert Nickerson, who is alleged to have been a half blood Indian (kind thereof 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 none of said applicants has ever been enrolled by the Choctaw tribal authorities as a member of the Choctaw tribe, or admitted to Choctaw citizenship by a duly constituted court or committee of the Choctaw Nation, or by the Commission to the Five Civilized Tribes, or by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896 (29 Stats., 321).

It does not appear from the testimony and evidence offered in support of said 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 Leppart Nickerson 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 Catherine Cooley, Ida Cooley, Fred Cooley, Zena Cooley, Rether Cooley and Willie Cooley 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.

(SIGNED)

Tarné Dixby.

Acting Chairman.

(SIGNED)

T. B. Needles.

Commissioner.

(SIGNED)

J. B. Breckinridge.

Commissioner.

Muskogee, Indian Territory,

OCT -8 1902

K.C.R. 2645.

Waskagee, Indian Territory, October 8, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

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

This application was 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 Catherine Cooley, Ida Cooley, Fred Cooley, Zena Cooley, Rether Cooley and Willie Cooley 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

M. H. S. C. S.

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.

Respectfully,

(SIGNED)

James D. Smith
Acting Chairman.

M.C.R.2545
COPY.

Muskogee, Indian Territory, October 8, 1902.

Catherine Cooley,
Meridian, Mississippi.

Dear Madam:

You are hereby advised that on the 6th day of October 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Catherine Cooley, et al., applicants for identification as Mississippi Choctaws.

This application was made under the provisions 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 herein is insufficient to determine the identity of Catherine Cooley, Ida Cooley, Fred Cooley, Zena Cooley, Rether Cooley and Willie Cooley 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

0 0 2

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.

Respectfully,

(SIGNED)

Registered,

Jarne Dixby
Acting Chairman.

COPY.

Waskogee, Indian Territory, October 8, 1902.

The Honorable
The Secretary of the Interior.

Sir:

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

Through the Commissioner
of Indian Affairs.

Acting Chairman.

1 enclosure.

Land, 60712-1902,

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Dec. 5, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to submit, herewith, for your consideration, the record of the Commission to the Five Civilized Tribes, in the matter of the consolidated application for identification as Mississippi Choctaws of the following parties: Catherine Cooley for herself and her five minor children, Ida, Fred, Zena, Rether, and Willie Cooley, wherein a decision adverse to the applicants was rendered by the Commission on October 8, 1902.

The testimony in this case shows that the parties base their claims to identification as Mississippi Choctaws under this application because of their descent from Leppert Nickerson, who was a slave, and who, they claim, was a Choctaw Indian and a resident of the Choctaw Nation, in Mississippi, at the time of the making of the treaty of 1830.

The Commission rejected these parties because the name of the ancestor through whom they claim did not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830, and for the additional reason that the applicants themselves had never been enrolled as citizens of the Choctaw Nation.

An examination has been made of the records of this office

with reference to the name of the party from whom these applicants claim descent, and it is discovered that his name does not appear among the names of those who complied or attempted to comply with the provisions of the 14th article of the Choctaw treaty of 1830.

This being the case it is evident that the decision of the commission rejecting the applicants was correct, and I concur in that finding and recommend that it be approved.

Very respectfully,

W. A. Jones,

Commissioner.

(E. B. H.)

P.

DC.-25138-1902.

(COPY)

FAF.

ITD. 7601-1902.
L.R.S.

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

December 13, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I.T.

Gentlemen:

On October 8, 1902, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Catherine, Ida, Fred, Zena, Rether and Willie Cooley.

The applicants claim rights in Choctaw lands under article XIV of the treaty of September 27, 1830, by reason of being descendants of one Leppert Nickerson who is alleged to have been a half blood Indian. It does not appear to what tribe the alleged ancestor belonged.

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 Leppert Nickerson complied or attempted to comply with said article XIV, or with either of the acts of March 3, 1837 (5 Stat. 180), and August 23, 1842 (5 Stat., 513). You refused the application October 8, 1902.

The Commissioner of Indian Affairs forwarded the papers December 5, 1902, and recommended approval of your decision. A copy of his letter is inclosed herewith.

Having carefully considered the whole record the Department hereby affirms the decision.

Respectfully,
Thos. Ryan,
Acting Secretary.

1 Inclosure.

Muskogee, Indian Territory, December 31, 1902.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on the 13th 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 case of Catherine Cooley, et al., of which decision you were advised by mail on the 8th day of October, 1902.

Respectfully,

Tamc Firby
Acting Chairman.

40-113

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. 2645

ALLISON L. AYLESWORTH,
SECRETARY.

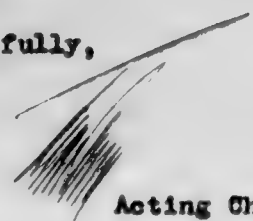
ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES Muskogee, Indian Territory, December 31, 1902.

Catherine Cooley,
Meridian, Mississippi.

Dear Madam:

You are hereby notified that on the 13th 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 in the case of Catherine Cooley, et al., of which decision you were advised by registered mail on the 8th day of October, 1902.

Respectfully,



Acting Chairman.

#934

No.

5

For Identification as a Mississippi Choctaw.

Date JUN 14 1901

Name Catherine Cosley

Age 25 Blood 1/3

Post Office Meridian, Miss

Father: James McKerson ^{negro} l

Mother: Leppert " 1/2 Indian d.
" 1/2 negro

Claims through mother
Husband. ^{negro}
Brown Cosley - l

No claim for husband.

Children:	Ida "	-	11
	{ Fred "	-	9
	{ Zona "	-	6
	{ Rether (que)		3
	{ Willie	(boy)	1

Claims for self
and children -

Stenographer H.C. Reston

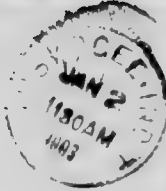
2645



UNITED STATES.

FEB 20 1900

ACTING CHAIRMAN.



Department of the Interior.

Commissioner of the Five Civilized Tribes,

MOOREHEAD, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



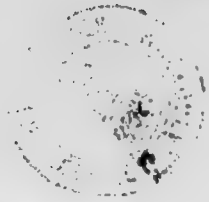
Catherine Cooley,

~~Meridian, Mississippi~~

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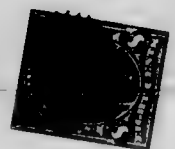
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ACTING CHAIRMAN



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Catherine Cooley,
Meridian,
Mississippi.

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.



Return to

Choctaw MCR 2646

Alex Sykes

MCR 2646

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

In the matter of the application of Alex Sykes ,
et al., for identification as Mississippi Choctaws, N. C. R.
2246.

List of papers forwarded to the Secretary of the Interior,
comprising the record in the case of
Alex Sykes, et al.

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Ex parte affidavit of Tamar Sykes,.....	6
Certified copy of marriage record be- tween Alex Sykes and Fannie Gordine,.....	7
Ex parte affidavit of Jno. A. Stevens,.....	8
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DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 14, 1901.

In the matter of the application of Alex. Sykes for the identification of himself and one minor child as Mississippi Choctaws.

Alex. Sykes, having been first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A Alex. Sykes.
Q What is your age? A I don't know exactly my age. My age I reckon might be about sixty five or seventy.
Q Which do you think it is--about seventy years old or sixty five?
A I reckon about sixty five.
Q What is your post office address? A West Point, Mississippi.
Q How long have you lived at West Point? A I have been living there I reckon about eighteen years.
Q Where did you live before that? A I lived in the neighborhood of about five miles, and before then I lived down the other side of Columbus.
Q Were you born in the state of Mississippi? A Yes.
Q In what county? A Lowmes--the whole county was Lowmes then, but since the surrender they have cut the county up and on this side of the river goes by name of Clay and other side Lowmes.
Q You always lived in Mississippi? A Yes.
Q What is your father's name? A My father is dead, I don't know his name.
Q What is your mother's name? A Matilda Thompson.
Q Is your mother living or dead? A Dead I reckon.
Q Through which one of your parents do you claim Choctaw blood?
A Mother.
Q How much do you claim? A She was a full blood.
Q Do you claim a half? A Yes.
Q What was your father's blood? A I couldn't tell you much about my father but I reckon he was a Choctaw too.
Q Do you know anything about it? A No, he died when I was so small that I don't know anything about that.
Q Then you do not knowing anything about it? A Well, he was a Choctaw Indian--went for that.
Q How do you know that? A I heard my mother say so.
Q How much Choctaw was your father? A About half.
Q What was the other blood? A I reckon the other half might have been nigger, perhaps.
Q What was your mother's blood? A She was a full blooded Choctaw Indian.
Q You claim to be half Choctaw, and yet your mother was a full blood and your father half Choctaw--that would make you three quarters instead of one half? A Well, I just tell you what it was.
Q Do you claim to be three quarters Choctaw? A Yes sir.
Q Do you think that is right? A Yes sir.
Q Do you wish to change your statement from one half to three quarters? A Yes, that is about the way--I don't think I could do any better.
Q Then you claim to be one quarter negro, is that it? A No sir, I don't propose to be a nigger--I couldn't have been a negro without he was one.
Q You have testified your mother was all Choctaw and your father was one half Choctaw and one half negro; then you claim three quarters

Alex Sykes---2.

- Choctaw and one quarter negro? A Yes sir.
- Q Was your father a slave before the war? A No sir.
- Q Do you know? A No sir, he weren't no slave.
- Q Was your mother a slave before the war? A No sir.
- Q How do you know? A I know she wasn't
- Q Neither your father nor mother? A Yes sir.
- Q Were you a slave before the war? A Yes sir.
- Q How did you come to be a slave? A My mother sold me.
- Q Your mother, a free woman, sold you? A That is the way I come to find out my proportions. When I come before the Commission they sent my neck for proof and that is the way I got it from the people that lived when the Indians were camping there at Tom Bigbee My mother was around there selling baskets.
- Q You claim your mother sold you and made a slave of you? A Yes.
- Q What was your master's name? A Dick Sykes.
- Q How old were you at the close of the war? A I couldn't tell you exactly how old, I was, because he never told me my age nor nothing of that kind.
- Q You were a pretty big man? A Yes.
- Q About thirty years old? A Yes I was older---goodn thirty.
- Q Was your father married to your mother? A Yes sir they stayed together--I was small and couldn't tell you exactly how they was married.
- Q Were they married under license? A I couldn't tell you anything about it how Injuns married.
- Q You do not know whether they had a license or not? A No sir.
- Q Don't know just how they were married? A No sir.
- Q Have you any children under twenty one years of age and unmarried? A Only one.
- Q How old is that child? A I reckon she is about fifteen years old.
- Q Is her mother living? A Yes, Fannie Sykes.
- Q What is her blood? A Nigger.
- Q Was she a slave before the war? A Yes sir.
- Q Do you make claim for your wife? A No sir.
- Q Tell me the name of this child? A Mary Sykes.
- Q How old is Mary? A About fifteen years old.
- Q Is Fannie the mother of Mary? A Yes.
- Q And you are the father? A Yes.
- Q Is she living with you at your home? A Yes, I left her there when I come away.
- Q Where and when were you married to Bammie Sykes? A Married in West Point.
- Q When? A About eighteen years ago I reckon.
- Q Were you married by a minister and under license? A Yes sir.
- Q Have you your licensr with you? A No.

In order to prove that your child Mary Sykes is entitled to identification through you, it will be necessary that you prove that she is your legitimate child, which you can do by giving to the Commission your marriage license and certificate.

- Q Do you want to furnish that later? A Yes sir.
- Q Is your name or the name of your child on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No sir.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory for your enrollment or the enrollment of your child as Choctaw Indians? A No sir.
- Q Did you or any one for you or for your child in 1896 under the act of Congress of June 10, 1896, make application for citizenship in the Choctaw Nation under to the Commission to the Five Civilized Tribes,

Alex Sykes----3.

A No sir, I never heard of anything like of this before about July?

Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory? A No sir.

Q Have you ever made application before this either for yourself or your child to either the Choctaw tribal authorities or the United States authorities for citizenship in the Choctaw Nation? A No sir.

Q This is the first application you have ever made? A Yes sir, this is the first.

Q Is it now your purpose to make application for identification as Mississippi Choctaws for yourself and your child? A Yes sir.

Q Do you claim this right as beneficiaries under article fourteen of the treaty of 1830? A Yes sir.

Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No sir.

Q Can you give the names of any of your ancestors who were residents of the old Choctaw Nation in Mississippi and Alabama and in 1830 when the treaty of purchasing Rabbit Creek was entered into between the United States government and the Choctaw Indians? A No sir.

Q Have you any documentary evidence that any of your ancestors were recognized members of the Choctaw tribe of Indians in 1830? A I have proof that I will introduce later.

Q Did your ancestors if Choctaw Indians remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama and go to the Indian Territory with the other Indians between the years 1833 and 1838? A I don't know sir, some of them might have went. I know this much that the Injuns used to be around and moved about a heap.

Q If any of your ancestors did not remove from Mississippi or Alabama to the Indian Territory with the other Indians did they within six months after the ratification of the treaty of 1830 tell the United States Indian Agent living in Mississippi that they intended to stay in Mississippi and become citizens of the United States. A No.

Q Did any of your ancestors ever receive or claim any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A I never knew exactly of but one Injun I think he had land.

Q Was he any of your ancestors? A Great grandfather I guess.

Q What was his name? A Calpepper.

Q That is the name of your great grandfather? A Yes sir.

Q Did he receive land from the government? A I don't know whether he received from the government or not. He was living close by where we lived and he died there.

Q When did he get this land? A It was away back yonder.

Q Do you know whether he got it from the government? A No, I don't know.

Q Was this great grandfather of yours a full blood Choctaw Indian? A Yes sir.

Q Did you know him? A Yes sir.

Q Did you ever talk with him? A Yes, I could not understand anything he said.

Q Why? A He talked so curious.

Q Did he talk Choctaw? A Yes sir, I couldn't tell you--he talked just like Choctaws.

Q Your mother was a full blood? A Yes sir.

Q Did she raise you up? A She raised me up from a little kid until I reckon I was a good sized boy and then she sold me.

Alex Sykes----4.

- Q Didn't your mother teach you any Choctaw? A No sir.
- Q How old were you when she sold you? A I couldn't tell you. When I came to my good remembrance I had a master and he kept me along in the house and when I first seen black folks I was afraid of them.
- Q Your mother never taught you Choctaw? A No.
- Q You never heard any Choctaw language? A I heard them talking, but I could not understand it.
- Q You do not know the Choctaw language? A No sir, if I had been with them all the time I would have had the language and everything else just like they had.
- Q Are there any additional statements you want to make about your application now? A No sir.
- Q Have you any documentary evidence, aff idavits, written testimony of any description, copies of records, deeds or patents, or any proper papers showing that your ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits thereunder? A Yes.

Affidavit of Tamar Sykes, introduced by applicant, received, filed, marked Exhibit A and made part of the records in this case.

- Q Would you like time in which to introduce other papers? A Yes, I would like to get straight if I could.

Thirty days time from the date hereof is allowed applicant in which to introduce further documentary evidence in support of this application, also marriage license and certificate or certified copy of same.

This applicant has the appearance and physical characteristics of a person descended from both Choctaw and negro blood. This is made apparent by straight black hair showing Choctaw ancestry but the features, eyes, breadth of nose and typical lips show to a marked degree the negro blood. Both races are apparent, in his physical make up, generally the negro seems to predominate. He does not understand the Choctaw language and has no knowledge of a compliance on the part of his ancestors with any of the provisions of article fourteen of the treaty of 1830.

The decision of the Commission as to your application for the identification of yourself and one child as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 22, 1892, and a copy of such decision will be mailed to you at your post office address as given in your testimony.

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

2001-2000-0000

on the 14th day of June, 1961, and that the above and foregoing is a
full, true and correct transcript of his stenographic notes of said
proceedings on said date.

H. R. Ristea

Subscribed and sworn to before me at Meridian, Mississippi, this
14th day of June, 1961.

[Signature]

Notary Public.

J. W. L.
C. W.

COPY.

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

In the matter of the application of Alex Sykes, et al.,
for identification as Mississippi Choctaws, N. C. R. 2446

--: 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 Alex Sykes for himself and his minor child, Mary Sykes, under the following provision of the act of Congress approved June 20, 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 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 September twenty-seventh, eighteen hundred and thirty, by reason of being descendants of one Culpepper and Matilda Thompson, both of whom are alleged to have been full blood Choctaw Indians.

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 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 Culpepper or Matilda Thompson 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., 315).

It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Alex Sykes and Mary Sykes as Choctaw Indians entitled to rights in the Choctaw lands under article fourteen of the treaty of eighteen hun-

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,

Tamm Dixie

Acting Chairman.

T. B. Needles

Commissioner.

C. R. Breckinridge

Commissioner.

Muskogee, Indian Territory,

DEC 18 1907

Muskogee, Indian Territory, December 18, 1902.

Mansfield, McMurray & Cornish,

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

Gentlemen:

You are hereby advised that on the 18th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Alex Sykes, 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).

Said decision concludes as follows:

"It is therefore the opinion of this Commission that the evidence herein is insufficient to determine the identity of Alex Sykes and Mary Sykes as Choctaw Indians entitled to rights in the Choctaw lands under 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 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,

James Dwyer
Acting Chairman

Muskogee, Indian Territory, December 18, 1902.

Alex Sykes,
West Point, Mississippi.

Dear Sir:

You are hereby advised that on the 18th day of December, 1902, the Commission to the Five Civilized Tribes rendered a decision in the case of Alex Sykes, 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 Alex Sykes, and Mary Sykes as Choctaw Indians entitled to rights in the Choctaw lands under 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 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

-2-

case together with such arguments will be forwarded to the Secretary of the Interior through the Commissioner of Indian Affairs.

Respectfullym

Tame Birby
Acting Chairman.

Registered.

COPY.

Muskogee, Indian Territory, January 3, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record in the case of Alex Sykes, et al., applicants to the Commission for identification as Mississippi Choctaws, including the decision of the Commission of December 18, 1901.

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,

Tame Dink
Acting Chairman.

Through the

Commissioner of Indian Affairs.

Enc. M.C.R. 2646

COPY.

DEPARTMENT OF THE INTERIOR.
Washington.

EAF.

D.C. 4567-1903
ITD. 1054-1903
LRS.

February 11, 1903.

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

Gentlemen:

January 3, 1903, you transmitted the record in the matter of the application for identification as Mississippi Choctaws, of Alex Sykes and his minor child, Mary Sykes, including your decision of December 18, 1902, adverse to the applicants.

The applicants claim rights in Choctaw lands under article 14 of the treaty of September 27, 1830, by reason of being descendants of one Culpepper and Matilda Thompson, who are alleged to have been full blood Choctaw Indians.

The records fail to show that the applicants were ever admitted or enrolled as citizens of the Choctaw Nation, or that any one of their alleged ancestors complied or attempted to comply with said article 14, or with either of the acts of March 3, 1837 (5 Stat., 180), and August 23, 1842 (5 Stat., 513).

Reporting January 28, 1903, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is inclosed.

-2-

Finding no reason to disturb your decision the Department hereby affirms the same.

Respectfully,

(Signed) THOS. RYAN

1 inclosure.

Acting Secretary.

Copy

Land
1440-1903.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, January 28, 1903.

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 January 3, 1903, forwarding for the Department's consideration the record relative to the application of Alex Sykes et al., for identification as Mississippi Choctaws.

Alex Sykes applies for the identification of himself and his minor child Mary Sykes.

The applicants claim descent from Culpepper or Culpepper Thompson, great grandfather of principal applicant, also from Matilda Thompson, mother of said principal applicant.

December 18, 1902, the Commission held that the applicants were not entitled to identification. A search of the records of the office has been made and no record has been found showing that any one by the name of Culpepper or Culpepper Thompson or Matilda Thompson received a patent to land in Mississippi under article 14 of the treaty of 1830, or that they or either of them applied to the Commissions appointed under the acts of March 3, 1837 and August 23, 1842, for an adjudication of their

-2-

rights if any they had.

The applicants are not of the full blood. The approval of the Commission's decision is recommended.

Very respectfully,

Commissioner.

G.A.W.(B)

COPY.

M.C.R. 2646

Muskogee, Indian Territory, February 24, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

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 application for identification as Mississippi Choctaws of the several persons included in the case of Alex Sykes, et al., of which decision you were advised by mail on the 18th day of December, 1902.

Respectfully,

Tamc Pirby.

Chairman.

410073

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

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

OFFICE IN DEPT. OF THE INTERIOR

M.C.R. 2646

ALLISON I. AYLESWORTH
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 24, 1903.

Alex Sykes

West Point, Mississippi.

Dear Sir:

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 application for identification as Mississippi Choctaws of the several persons included in the case of Alex Sykes, et al., of which decision you were advised by registered mail on the 18th day of December, 1902.

Respectfully,



Chairman.

#935

No

For Identification as a Mississippi Choctaw.

Date

5/11

Name Alex Sykes (SYKES).

Age 65 - Blood ~~#2~~ 3/4

Post Office, West Point, Miss.

Father: don't know ^{1/2 chie 1/2 neg} - d

Mother: Matilda Thompson, d ^{full blood.}

Claims through mother - - - - -

wife Fannie Sykes, negro.

No claim for wife.

Child - ~~known~~ Mary Sykes, 15.

Claim for self
and child -

Stenographer H.C. Rosten

Alex Dykes et al

REFUSED

DECISION RENDERED. DEC 11 1902

NOTICE OF DECISION MAILED APPLICANT,

DEC 18 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

DEC 11 1902

RECORD FORWARDED DEPARTMENT.

JAN 6 1903

ACTION APPROVED BY SECRETARY OF INTERIOR.

FEB 11 1903

NOTICE OF DECISION MAILED APPLICANT
FORWARDED APPLICANT.

FEB 21 1903

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

FEB 11 1903

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DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
APR 11 1903

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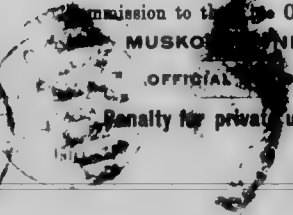
Department of the Interior.

Commission to the Civilized Tribes,

MUSKOGEE LAND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.



WEST POINT

Al. Sykes,

West Point, Mississippi



Choctaw MCR 2647

Old Hannah

MCR 2647

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

In the Matter of the Application of Old Hannah for
Identification as a Mississippi Choctaw.

M. C. R. 2647.

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

In the Matter of the application of Old Hannah for
Identification as a Mississippi Choctaw.

M. C. R. 2647.

- - I N D E X . - -

Original application of Old Hannah for identification as a Mississippi Choctaw -----	1
Testimony of Big Wiley Johnson taken at Muskogee, I.T., July 7, 1902 -----	4
Decision of the Commission identifying said applicant -----	6.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 14, 1901.

In the matter of the application of Old Hannah for identification as a Mississippi Choctaw.

Old Hannah, having been first duly sworn, upon her oath testifies as follows: (through Ishm Johnston, official interpreter):

Examination by the Commission:

- Q What is your name? A Old Hannah.
Q What is your age? A Seventy five.
Q What is your post office address? A Melon, Mississippi.
Q In what county is Melon? A Newton County.
Q Have you lived in Newton county all your life? A Yes.
Q Born there? A Yes sir.
Q What was your father's name? A Pe-sa-ha-chubbee.
Q Is he living or dead? A Dead.
Q What is your mother's name? A Betsey.
Q Is she dead? A Yes.
Q Was your father a full blood Choctaw Indian? A Yes.
Q And your mother a full blood Choctaw Indian? A Yes.
Q Are you a full blood Choctaw Indian? A Yes.
Q Have your parents through whom you claim your right to identification as Mississippi Choctaw ever been recognized in any way or enrolled as members of the Choctaw tribe of Indians by either the Choctaw tribal authorities or by the authorities of the United States? A No.
Q Are you married? A Yes.
Q Is your husband living? A No, he is dead.
Q Have you any children under twenty one years of age and unmarried that you want to make application for? A No.
Q You make application just for yourself? A Yes.
Q Is your name on any of the tribal rolls of the Choctaw Nation in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe? A No.
Q Did you or any one for you in 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No.
Q Have you ever been admitted to citizenship in the Choctaw Nation by either the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A No.
Q Have you ever made application to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation? A Yes, two years ago at Deatur.

The records of the Commission show that this applicant appeared before the Commission to the Five Civilized Tribes at Deatur, Mississippi, February 9, 1899, and there made application for identification as a Mississippi Choctaw, her name appearing upon Mississippi Choctaw Card Field No. 502; also upon page 104 of the schedule of Mississippi Choctaws which accompanied the report of the Commission to the Five Civilized Tribes of March 10 1899 to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi claiming rights in the Choctaw lands under the provisions of the fourteenth article of the

Old Hannah---2.

treaty of Dancing Rabbit Creek, being roll No. 1824 thereon.

- Q Is it now your purpose to make application for identification as a Mississippi Choctaw? A Yes.
- Q Do you claim your rights as a beneficiary under the provisions of the fourteenth article of the treaty of 1830? A Yes.
- Q Have you or your ancestors ever received any benefits as Choctaw Indians? A No.
- Q Can you give me the name of any of your ancestors who were residents of the old Choctaw nation in Mississippi and Alabama and who were acknowledged members of the Choctaw tribe of Indians in 1830 when the treaty of Dancing Rabbit Creek was ratified between the United States and the Choctaw tribe of Indians? A My grandfather Ah-thlup-poke-chiah. And my father and mother were here.
- Q Have you any evidence that your father or mother were recognized members of the Choctaw tribe of Indians in 1830? A No.
- Q Did any of your ancestors remove from the territory occupied by the Choctaw Nation in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the other members of the Choctaw tribe of Indians between 1833 and 1838? A No.
- Q Did any of your ancestors within six months after the ratification of the treaty of 1830 signify to the United States Indian Agent of the Choctaw Indians in Mississippi their intention to remain and become citizens of the United States? A Don't know.
- Q Did any of your ancestors ever claim or receive any land in Mississippi as beneficiaries under article fourteen of the treaty of 1830? A No.
- Q Do you speak the English language? A Not much.
- Q You talk Choctaw all the time? A Yes all the time.
- Q And live among the Choctaws all the time? A Yes.
- Q Are there any additional statements you wish to make in support of this application? A No.
- Q Have you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other papers showing that you ancestors were ever recognized members of the Choctaw tribe of Indians in Mississippi in 1830 or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of 1830 or ever received any benefits under that article of that treaty? A No.

This applicant has the appearance and all physical characteristics of a full blood Choctaw Indian. She has no knowledge of the English language and her examination was carried on entirely through a sworn Choctaw interpreter. She has no knowledge of any compliance on the part of her ancestors with any of the provisions of the fourteenth article of the treaty of 1830.

The decision of the Commission as to your application for identification as a Mississippi Choctaw will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the act of Congress of June 28, 1898, and a copy of such decision will be mailed to you at your post office address as given in your testimony at this time.

H.C.Risteen, having been first duly sworn, upon his oath states:
That as stenographer to the Commission to the Five Civilized Tribes

Old Hannah----3.

he reported in full all proceedings had in the above entitled cause on the 14th day of June, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

McRister

Subscribed and sworn to before me at Meridian, Mississippi, this 19th day of June, 1901.

[Signature]
Notary Public.

M C R 2647
" 2540
" 2608

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, July 7th, 1902.

In the matter of the application of Old Hannah for the identification of herself as a Mississippi Choctaw, M.C.R. 2647

In the matter of the application of John Jasper for the identification of himself and his wife, Martha, as Mississippi Choctaws, M.C.R. 2540.

In the matter of the application of John Wesley Lewis for the identification of himself, his wife, Leanna, and his minor children, William, Thomas, Nelson, Mary, Annie, Easter and Ola Lewis, as Mississippi Choctaws, M.C.R. 2608.

Supplemental testimony of Big Wiley Johnson, who being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A Big Wiley Johnson.
Q How old are you? A Fifty-seven.
Q What is your postoffice address? A Hickory, Mississippi.
Q Are you the identical Big Wiley Johnson who appeared before the Commission at Meridian, Mississippi, on August 20, 1901, and there made application for the identification of yourself and your wife, Patsie, and your ward, Allen Gilmore, as Mississippi Choctaws?
A Yes sir.
Q Do you know a Choctaw Indian woman by the name of Old Hannah? A Yes sir.
Q Where does she live? A In Newton County, Mississippi.
Q Near what place? A Near Melon, Mississippi, a little store.
Q Do you know the name of her father? A I know the Indian name, I-ah-ho-te-mah was her name.
Q What was her father's Indian name? A Pis-a-ho-chubbee.
Q About how old a woman is Old Hannah? A Pretty old--I can't tell.
Q Do you know a Choctaw Indian by the name of John Jasper? A Yes sir.
Q What relation is he to old Hannah? A Son.
Q Do you know a Choctaw Indian by the name of Wesley Lewis? A Yes sir.

Old Hannah-et al.,--2

- Q What kin is he to Old Hannah? A Grandchild.
Q What is John Wesley Lewis' father's name? A John Lewis.
Q What kin is John Lewis to Old Hannah? A Son.
Q Did John Lewis have an Indian name that you know of? A Yes.
Q Do you know what that name is? A A-no-li-tubbee.
Q What relation is Old Hannah to Sim Lewis and Charlie Lewis, about whom you testified this morning? A I don't know what you call it, but Old Hannah was a half sister to O-nah-chi-hah-tubbee.
Q Did Old Hannah and O-nah-chi-hah-tubbee have the same father?
A Yes, but a different mother.
Pis-a-ha-chubbee, then, is the father of Old Hannah and O-nah-chi-hah-tubbee? A Yes, that's right.
Q Do you know ~~xxxx~~ Me-he-looth-tubbee? A Yes, he's half brother of Charlie Lewis' daddy--he's a half brother of O-nah-chi-hah-tubbee.

Reference is made to claimant's brief in the case of the Choctaw Nation vs. United States, page 508, Court case No. 404, Pis-a-ha-chubbee, the head of a family, dead; children over ten years of age at treaty, Me-he-looth-tubbee, Elemah-ho-na (or La-mah-ho-nah); under ten at treaty, none; location of residence at date of treaty, Section 19, Township 7, Range 13 East; residence of five years fully proved; disposition of the land, part sold by the Government; signification of ~~xxxx~~ intention to become citizens fully proved.

Reference is also made to a list of names of Choctaws to whom scrip was issued under the 14th article of the treaty of Dancing Rabbit Creek, prepared by the Indian Office and in possession of the Commission, page 74, P LV.

Reference is also made to Mississippi Choctaw cases ...C.R. 3470, Charles Lewis, et al and ...C.R. 3471 Sim Lewis, et al., for purpose of consolidation.

Ira S. Files, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings had in the above entitled cause, heard at Muskogee, Indian Territory, July 7th, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 11th day of July, 1902, at Muskogee, Indian Territory.

Ira S. Files
Wm L. V. Emerson
Notary Public.

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

In the Matter of the Application of Old Hannah for
Identification as a Mississippi Choctaw.

M. C. R. 2647.

Cow

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

It appears from the record herein that application for identification as a Mississippi Choctaw was made to the Commission on June 14, 1901, by Old Hannah, for herself, under the following provisions of the Act of Congress approved June 28, 1898, (30 Stats., (495):

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

From the evidence submitted in support of said application it appears that the applicant is a full-blood Mississippi Choctaw Indian.

Section forty-one of the Act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902, (32 Stats., 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi

Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Old Hannah should be identified as a Mississippi Choctaw, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Commissioner.


Commissioner.

Muskogee, Indian Territory.

FEB 14 1900

COPY.

M.C.R. 2647

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 21, 1903, identifying Old Hannah, as a Mississippi Choctaw Indian under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats. 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Old Hannah as a Mississippi Choctaw, and make satisfactory proof of service of said protest upon the applicant herein.

If you fail to file such protest within the time allowed the name of the applicant herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

Registered.

Enc. M.C.R. 2647

Walter D. Smith
Chairman.

M C R 2647.

Muskogee, Indian Territory, March 11, 1903.

Old Hannah,

Melon, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the Commission to the Five Civilized Tribes, rendered February 14, 1903, identifying you as a Mississippi Choctaw Indian under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tams Bixby.

Chairman.

Registered.

Enc. 2647.

REGISTRATION AB
MISSISSIPPI CHOCTAW.

Old Hammah

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

#936

No

For Identification as a Mississippi Choctaw.

Date JUN 14 1901

Name *Old Hannah,*

Age *75-* Blood *full*

Post Office, *Melon, Miss.*

Father: *Pe-sa-ha-chubbee; d*

Mother: *Betsey - ^{full blood} d*

Claims through *both parents*

*See M. C. Card. full
Number. 502++*

~~CRISIS~~

*Claims for self
alone.*

Stenographer *H. C. Ristern*

Choctaw MCR-2648

Salina Reese

MCR 2648

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

In the Matter of the Application of Salina Reese et al.,
for identification as Mississippi Choctaws .

M. C. R. 2648.

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

In the Matter of the Application of Salina Reese et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2648.

- - I N D E X . - -

Original application of Salina Reese et al for identification as Mississippi Choctaws -----	1
Certificate of birth of Manuel Reese -----	5
Decision of the Commission identifying above applicants -----	6.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Meridian, Mississippi, June 15, 1901.

In the matter of the application of Salina Reese for the identification of herself and one minor child as Mississippi Choctaws.

Salina Reese, having been first duly sworn, upon her oath testifies as follows, through Ben Thompson, duly sworn Choctaw interpreter:

Examination by the Commission:

Q What is your name? A Salina Reese.
Q How old are you? A Twenty one years.
Q What is your post office address? A Ennis.
Q Mississippi? A Yes.
Q What county? A Kemper county.
Q How long have you lived in the state of Mississippi? A All my life.
Q Is your father living? A Yes.
Q What is his name? A Ben Thompson.
Q Has he always lived in Mississippi? A Yes.
Q Is your mother living? A Yes.
Q What is her name? A Martha.
Q Has she always lived in Mississippi? A Yes.
Q Is your father a full blood Choctaw Indian? A Yes.
Q Is your mother a full blood Choctaw Indian? A Yes.
Q You claim to be a full blood, do you? A Yes.
Q Has your father or has your mother ever been recognized or enrolled as a member of the Choctaw tribe of Indians in Indian Territory by the Choctaw tribal authorities or the United States authorities? A Don't know.
Q Are you married? A Yes.
Q What is your husband's name? A John Reese.
Q Is he living? A Yes sir.
Q Are you living with him? A No.
Q How long have you been separated? A About three years.
Q Were you married under a license? A Yes.
Q Where did you get the license? A Philadelphia.
Q Get it from the circuit clerk? A Yes.
Q Who performed the marriage ceremony? A Father Becker.
Q How long did you live together--you and John? A About one year.
Q You never have gotten a divorce from him? A No.
Q Nor he from you? A No.
Q You don't ever expect to live together again? A No.
Q Do you want to make application for John here today? A No.
Q Have you any children? A Yes.
Q How many? A One.
Q What is the child's name? A Manuel.
Q How old is Manuel? A Born 11th March, 1899.
Q You are the mother of Manuel? A Yes.
Q What is his father's name? A John Reese.
Q Manuel is living with you? A Yes.
Q Has he always lived with you? A Yes.
Q Do you support yourself and this child, or does John support you? A I support myself and child.

Salina Reese----2.

- ✓ Q Is John Reese a full blood Choctaw Indian? A Yes.
- ✓ Q You claim that Manuel is a full blood? A Yes.
- Q This application is for yourself and your minor child Manuel?
A Yes.
- Q Is your name or the name of John Reese to be found upon any of the tribal rolls of the Choctaw Nation in Indian Territory? A Don't know.
- Q Have you ever made application to the Choctaw tribal authorities in Indian Territory to be enrolled as a member of that tribe or has any one else ever made such an application for you? A Don't know.
- Q You never made such an application yourself? A No.
- Q Did John Reese ever make any application to the Choctaw tribal authorities to be enrolled as a member of that tribe? A No.
- Q Did you or any one for you or ~~for~~ John Reese or any one for him in the year 1896 make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A Don't know.

The records of the Commission show that in the year 1896, John Reese, husband of this applicant, made application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation, ~~his name~~ under the act of Congress of June 10, 1896, his name being included in the case of Jack Amos et al vs. the Choctaw Nation. This application was filed with the Commission on September 10, 1896; On December 7, 1896, the application was denied by the Commission. From the decision of the Commission an appeal was taken to the United States Court for the Central District of the Indian Territory which Court on August 25, 1897, affirmed the decision of the Commission denying the application. Appeal was then taken by the petitioners to the Supreme Court of the United States where the decision of the lower court was affirmed. No application was made at that time for this applicant.

- Q Have you or has John Reese ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A Don't know.
- Q Have you ever made any application prior to this time either to the Choctaw tribal authorities or to the authorities of the United States to be admitted or enrolled as a citizen of the Choctaw Nation or has any one ever made such an application in your behalf? A Yes.
- Q When and where was that application made? A Made to the Commission at Philadelphia about two years ago.

The records of the Commission show that on January 31, 1897, application was made to the Commission to the Five Civilized Tribes at Philadelphia, Mississippi, for the identification of John Reese and his wife Salina Reese as Mississippi Choctaws, their names appearing upon Mississippi Choctaw Card, Field No. 202, also upon page 61 of the schedule of Mississippi Choctaws which accompanied the report of March 10, 1897, of the Commission to the Five Civilized Tribes to the Secretary of the Interior as to the identity of Choctaw Indians residing in Mississippi, claiming rights in the Choctaw lands under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek, being Nos. 690 and 691 thereon.

Salina Reese---3.

- Q Is this application two years ago the only application of any kind that was ever made for you? A Don't know.
- Q You never heard of any other application having been made for you or you never made one yourself did you? A No.
- Q Is it now your purpose to make application for identification ~~xx~~ of yourself and your minor child as Mississippi Choctaws? A Yes.
- Q Do you claim your rights as beneficiaries under the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek? A Yes.
- Q Have you ever received any benefits as a Choctaw Indian? A No.
- Q Did John Reese ever receive any benefits as a Choctaw Indian? A No.
- Q Did any of your ancestors or the ancestors of John Reese ever receive any benefits as Choctaw Indians? A Don't know.
- Q Were any of your ancestors or any of your ancestors of John Reese living in the old Choctaw Nation in Mississippi and Alabama in 1830 when the treaty of Dancing Rabbit Creek was made? A Don't know.
- Q You do not know whether any of them were recognized members of the Choctaw tribe of Indians here at that time? A Don't know.
- Q You have no evidence that they were? A No.
- Q Did any of your ancestors or any of the ancestors of John Reese remove from the old Choctaw Nation here in Mississippi and Alabama to the present Choctaw Nation in Indian Territory at the time of the removal of the greater portion of the Choctaw tribe of Indians in 1833 to 1838? A Don't know.
- Q Did any of your ancestors or any of the ancestors of John Reese within six months after the treaty of Dancing Rabbit Creek was ratified signify to the United States Indian Agent of the Choctaws here in Mississippi their intention to remain in Mississippi and become citizens of the states? A Don't know.
- Q Did any of your ancestors or any of the ancestors of John Reese ever claim or receive any land here in Mississippi as beneficiaries under the fourteenth article of the treaty of Dancing Rabbit Creek? A Don't know.
- Q Are there any additional statements you desire to make at this time in support of your application? A No.
- Q Have ~~xxx~~ you any documentary evidence, affidavits, written testimony of any description, copies of records, deeds or patents or any other papers showing that any of your ancestors or any of the ancestors of John Reese were in the year 1830 when the treaty of Dancing Rabbit Creek was made recognized members of the Choctaw tribe of Indians or that they ever complied or attempted to comply with the provisions of the fourteenth article of the treaty of Dancing Rabbit Creek or ever received any benefits thereunder? A No.

This applicant has every appearance and characteristic of a full blood Indian. Her mother and father are both present before the Commission and they also have the appearance of being full blood Indians. The applicant speaks and understands the Choctaw language and but very little English, the examination having been conducted in the main through a sworn Choctaw Interpreter.

The decision of the Commission as to your application for the identification of yourself and one minor child as Mississippi Choctaws will be determined at the earliest possible date and a report of the same made to the Secretary of the Interior conformable to the provisions of the twenty first section of the

act of Congress of June 28, 1898; you will be furnished with a copy of such decision mailed to you at your post office address as given in your testimony at this time.

H.O. 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 June, 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. O. Risteen

Subscribed and sworn to before me at Meridian, Mississippi, this 21st day of June, 1901.

[Signature]

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Cow
In the Matter of the Application of Salina Reese et al.,
for Identification as Mississippi Choctaws.

M. C. R. 2648.

- - 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 on June 15, 1901, by Salina Reese, for herself and her minor child Manuel Reese, under the following provision: of the Act of Congress approved June 28, 1898 (30 Stats., 495):

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

From the evidence submitted in support of said application it appears that the applicants are full-blood Mississippi Choctaw Indians.

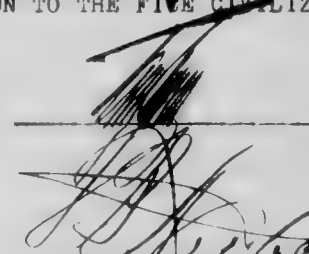
Section forty-one of the act of Congress entitled "An Act to ratify and confirm an agreement with the Choctaw and Chickasaw tribes of Indians, and for other purposes", approved July 1, 1902 (32 Stats. 641), and ratified by the Choctaw and Chickasaw Nations September 25, 1902, provides as follows:

"The application of no person for identification as a Mississippi Choctaw shall be received by said Commission after six months subsequent to the date of the final ratification of this agreement and in the disposition of such applications all full-blood Mississippi Choctaw Indians and the descendants of any Mississippi

Choctaw Indians whether of full or mixed blood who received a patent to land under the said fourteenth article of the said treaty of eighteen hundred and thirty who had not moved to and made bona fide settlement in the Choctaw-Chickasaw country prior to June twenty-eighth, eighteen hundred and ninety-eight, shall be deemed to be Mississippi Choctaws, entitled to benefits under article fourteen of the said treaty of September twenty-seventh, eighteen hundred and thirty, and to identification as such by said Commission, but this direction or provision shall be deemed to be only a rule of evidence and shall not be invoked by or operate to the advantage of any applicant who is not a Mississippi Choctaw of the full blood, or who is not the descendant of a Mississippi Choctaw who received a patent to land under said treaty, or who is otherwise barred from the right of citizenship in the Choctaw Nation, all of said Mississippi Choctaws so enrolled by said Commission shall be upon a separate roll."

It is, therefore, the opinion of this Commission that Salina Reese and Manuel Reese should be identified as Mississippi Choctaws, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

SEP 14 1902

COPY.

M.C.R. 2648.

Muskogee, Indian Territory, February 21, 1903.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

Enclosed herewith you will find a copy of the decision of the Commission rendered February 14, 1903, identifying Salina Reese, and minor child Manuel Reese, as Mississippi Choctaw Indians under the provisions of the forty-first section of the act of Congress approved July 1, 1902, (32 Stats., 641).

You are hereby advised that you will be allowed fifteen days from the date hereof, in which to file with this Commission such protest as you desire to make against the action of the Commission in identifying the said Salina Reese, and child, as Mississippi Choctaws, and make satisfactory proof of service of said protest upon the applicants herein.

If you fail to file such protest within the time allowed, the names of the applicants herein will be placed upon the schedule of duly identified Mississippi Choctaws now being prepared by this Commission.

Respectfully,

(SIGNED) *Tame Dixby.*

Registered.

Enc. M. C. R. 2648.

Acting Chairman.

M.C.R. 2648

COPY.

Muskogee, Indian Territory, March 11, 1903.

Salina Reese, Remanded to Kiowa, I. T. Apr. 4/03
Ennis, Mississippi.

Dear Madam:

Enclosed herewith you will find a copy of the decision of the commission to the five Civilized Tribes, rendered February 14, 1903, identifying yourself and your minor child, Manuel Reese, as Mississippi Choctaw Indians under the provisions of section 41 of the act of Congress approved July 1, 1902, (32 Stats., 641).

If you remove to the Choctaw-Chickasaw country, Indian Territory, before August 14, 1903, you will have six months from that date or until February 14, 1904, within which to make proof of such removal and settlement at the office of the Commission at Atoka, Choctaw Nation, or Tishomingo, Chickasaw Nation.

Respectfully,

(SIGNED)

Tamm Dixby.
Chairman.

Registered.

Enc. 2648.

M C R
2265-2045-1633
2536-2727-2648

Muskogee, Indian Territory, April 4, 1903.

J. B. Warren, P. M.,
Nada, Mississippi.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th
ultimo, returning registered letters addressed to the following:

Charley Willis	Maek Phillip
Tom Davis	Ben Thompson
Tom Phillip	Salina Reese.

You state that the present post office addresses of these
persons are Ardmore and Kiowa, Indian Territory. Said letters have
been mailed to these addresses.

Respectfully,

Commissioner in Charge.

POOR ORIGINAL -
BEST AVAILABLE COPY

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

IN RE

Identification

Application for ~~Registration~~ of

INFANT CHILD

Manuel Reese.

as a ~~child~~

MISSISSIPPI CHOCTAW.

..... ~~Name~~

Approved,

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW.

..... 190

.....
Commissioner.

The application herein is accepted by the Commission as evidence of the birth of this child, and not as an application for its enrollment as a citizen of the Choctaw Nation; and is to be filed with and made a part of the original application of its parents for identification as Mississippi Choctaws.

[Signature]
Acting Chairman.

Miss Choctaw card filed to 202

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

FILED
JUN 15 1901

[Signature]
ACTING CHAIRMAN

See Miss Choctaw Card File No 202.

BIRTH AFFIDAVIT.

FOR IDENTIFICATION AS

A MISSISSIPPI CHOCTAW.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Identification as a Mississippi Choctaw

of Manuel Reese, born on the 11 day of March 1899

Name of Father: John Reese, Full blood Choctaw Indian

Name of Mother: Salina Reese, Full blood Choctaw Indian

Post-office, Ennis, Miss.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,

State of Mississippi

County of Randolph

I, Salina Reese, on oath state that I am 21

years of age and a full blood Choctaw Indian

that I am the lawful wife of John Reese, who is a

full blood Choctaw Indian, that a male child was

born to me on the 11th of March 1899; that said child has been

named Manuel Reese, and is now living.

WITNESSES TO MARK

(Must be Two Witnesses)

Guy L. V. Emerson, Harry C. Nisteen

Salina Reese her mark

Subscribed and sworn to before me this 15th day of June 1904.

[Signature]

NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,

State of Mississippi

County of Randolph

I, Martha Thompson, a Midwife, on oath state that I

attended on Mrs. Salina Reese, wife of John Reese,

on the 11th day of March 1899; that there was born to her on

said date a male child; that said child is now living and had

named Manuel Reese.

WITNESSES TO MARK

(Must be Two Witnesses)

Guy L. V. Emerson, Harry C. Nisteen, Martha Thompson her mark

Subscribed and sworn to before me this 15th day of June 1904.

[Signature]

NOTARY PUBLIC

264

FOR IDENTIFICATION AS
MISSISSIPPI CHOCTAW.

Salina Reese et al.

IDENTIFIED

DECISION RENDERED FEB 18 1903

COPY OF DECISION FORWARDED
ATTORNEYS FOR CHOCTAW AND
CHICKASAW NATIONS FEB 21 1903

COPY OF DECISION FORWARDED
APPLICANT

MAR 11 1903

Salina Reese et al.

937

No. 2114

For Identification as a Mississippi Choctaw.

Date JUN 15 1901

Name *Salina Reese*

Age *21* Blood *full*

Post Office, *Ennis, Miss.*

Father: *Gen Thompson* L.

Mother: *Martha* " L.

Claims through *both parents.*

husband John Reese (full) L.
no claim for husband. Separated
from him.

(Claims for self and child)

Children:

Manuel Reese 2 yf.

(See Miss. Choctaw card filed

No. 202. Appearance 1/31/99.)

Stenographer

A. C. Risten

END

OF

ROLL

