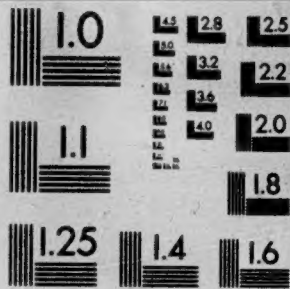
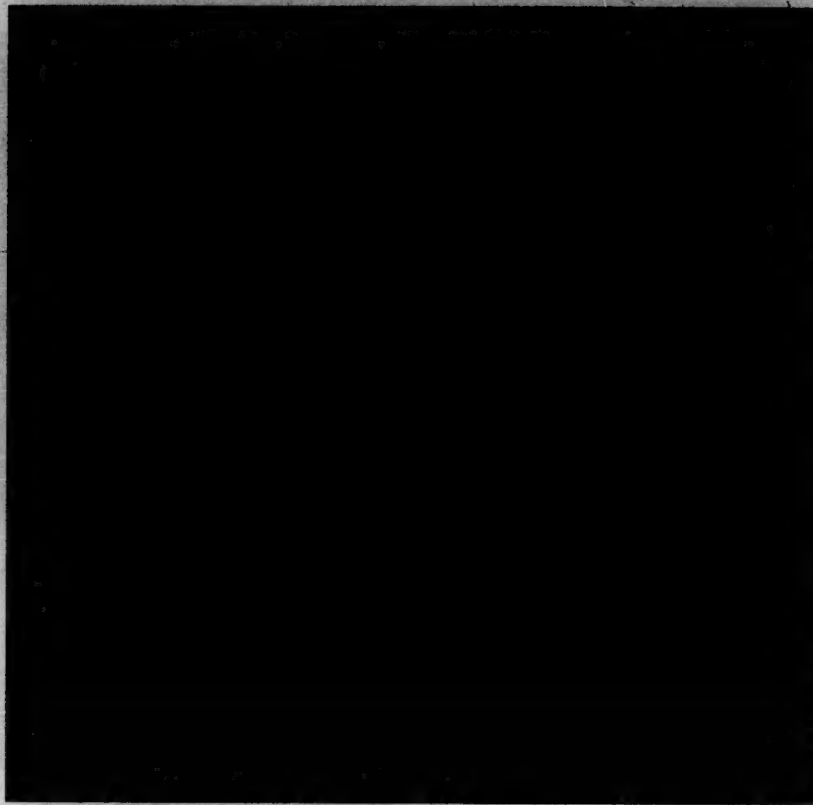
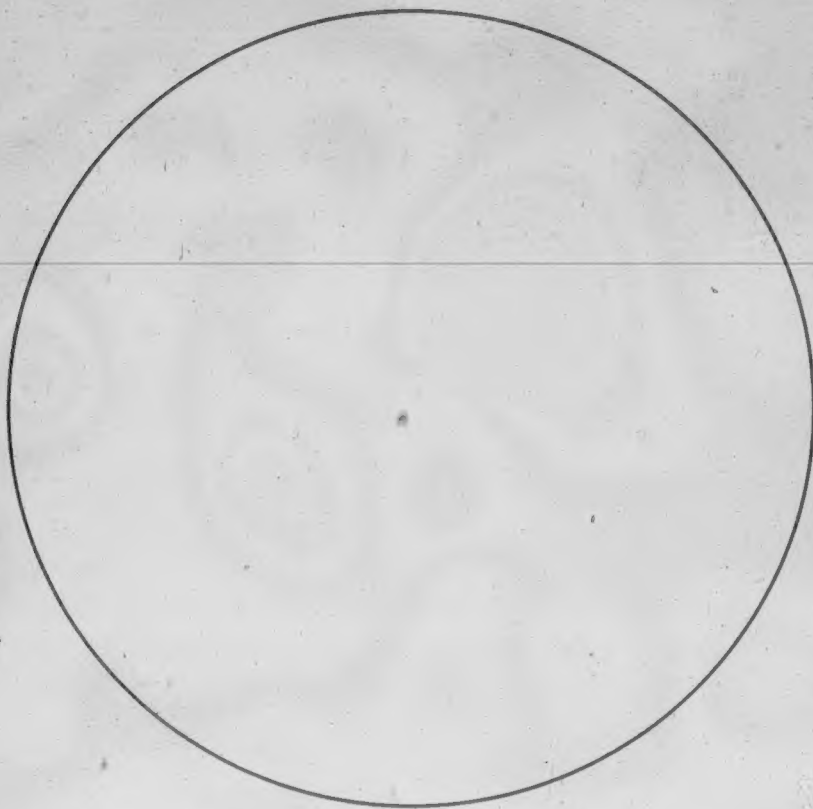
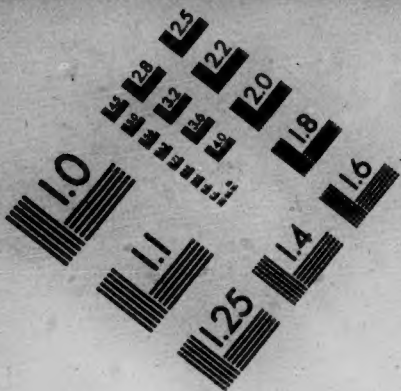
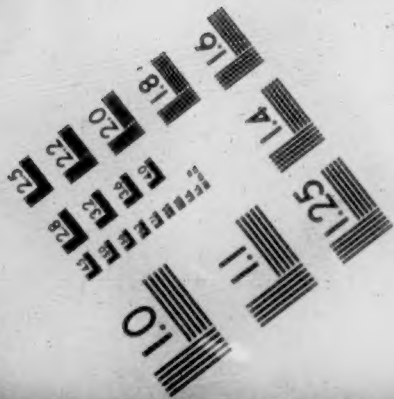
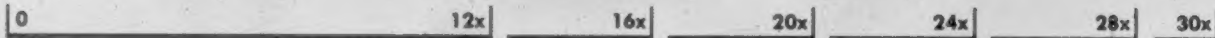


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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

ROLL 171

MISSISSIPPI CHOCTAW MEMOS ACT OF 1900 1 - 106

**THE NATIONAL ARCHIVES
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GENERAL SERVICES ADMINISTRATION**

WASHINGTON: 1983

400026

MEMORANDA OF

A. L. ...

Congress ...

...

Memoranda of Appli-
cations heard under
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Choctaw Nation.

FRC 358,398

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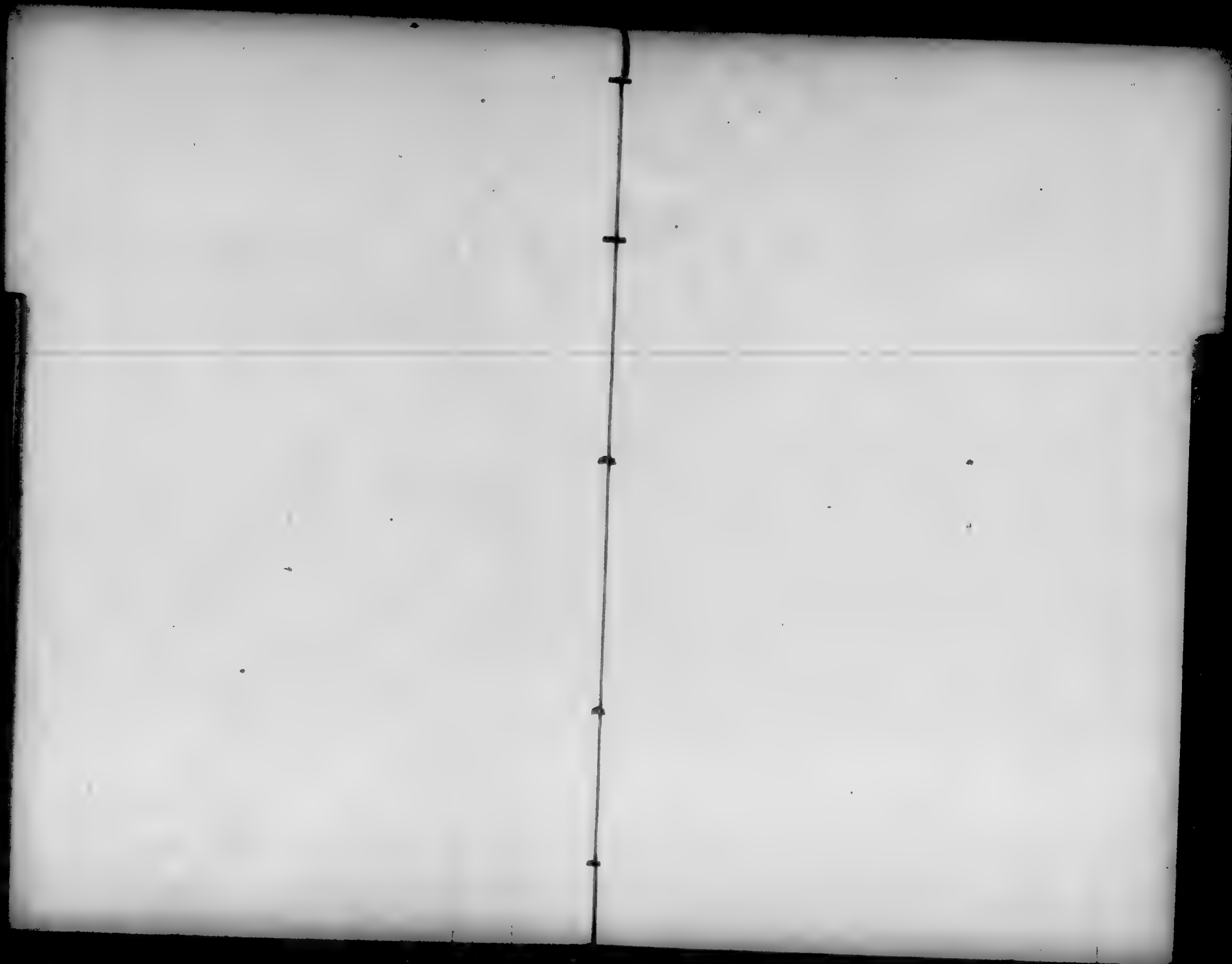
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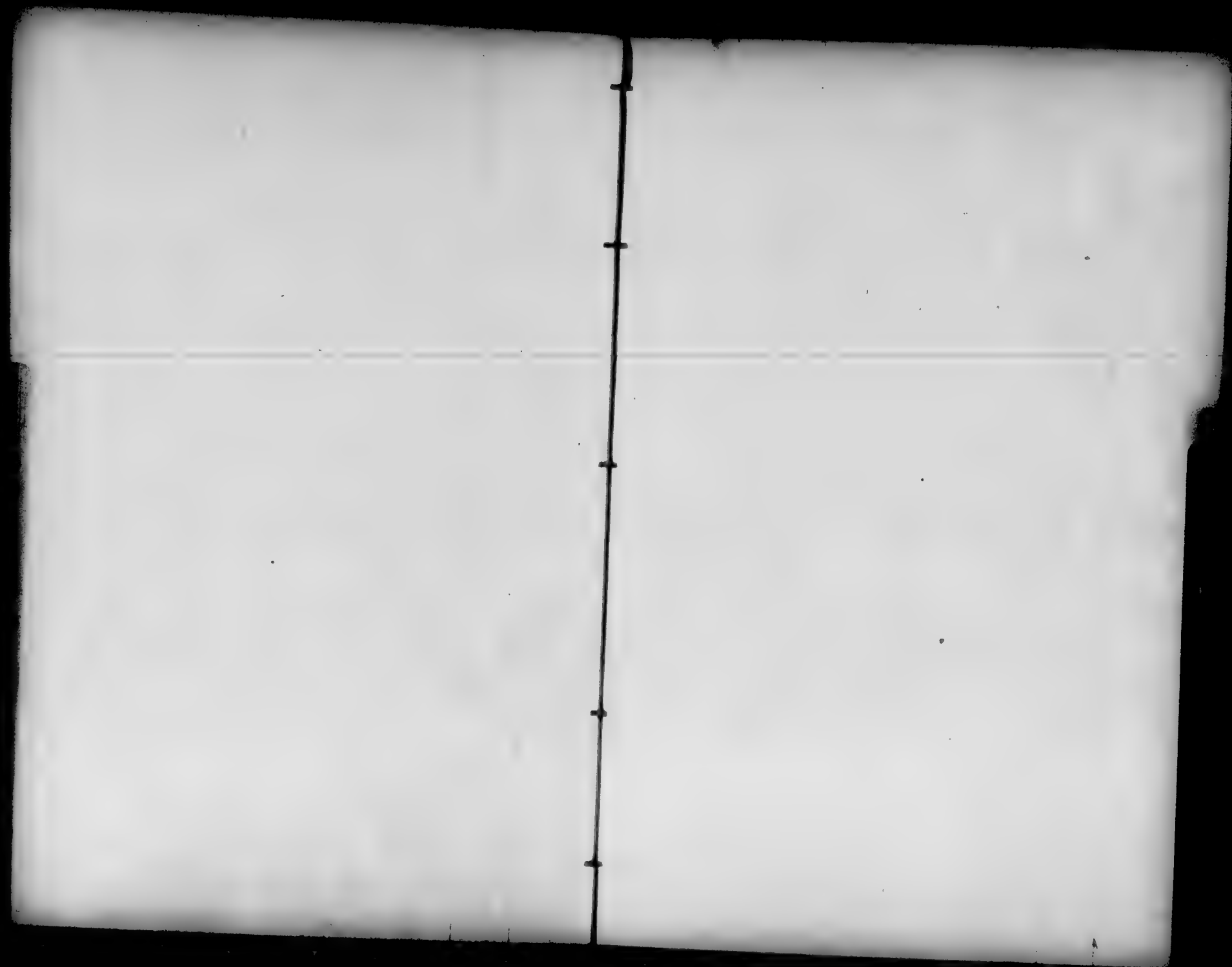


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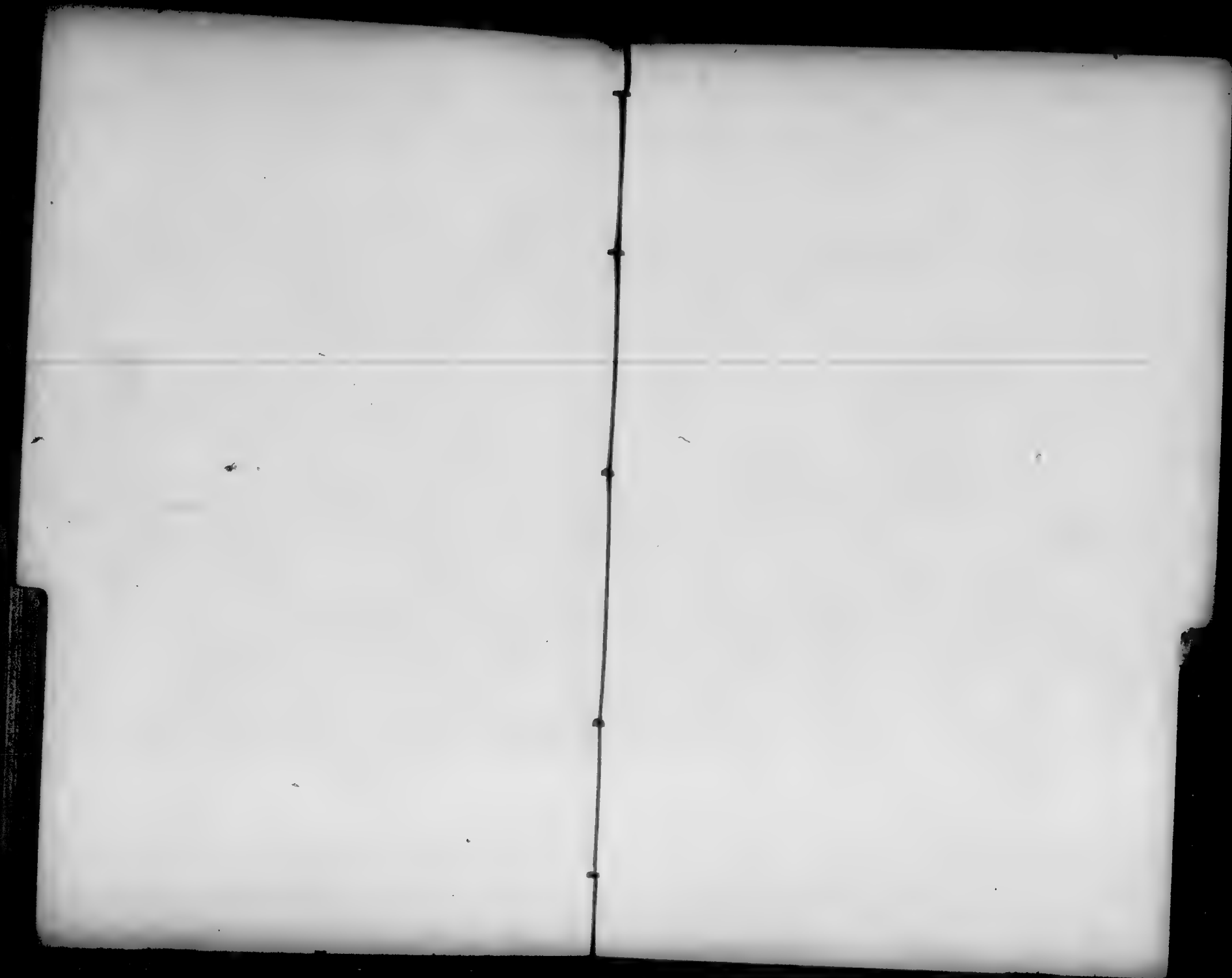
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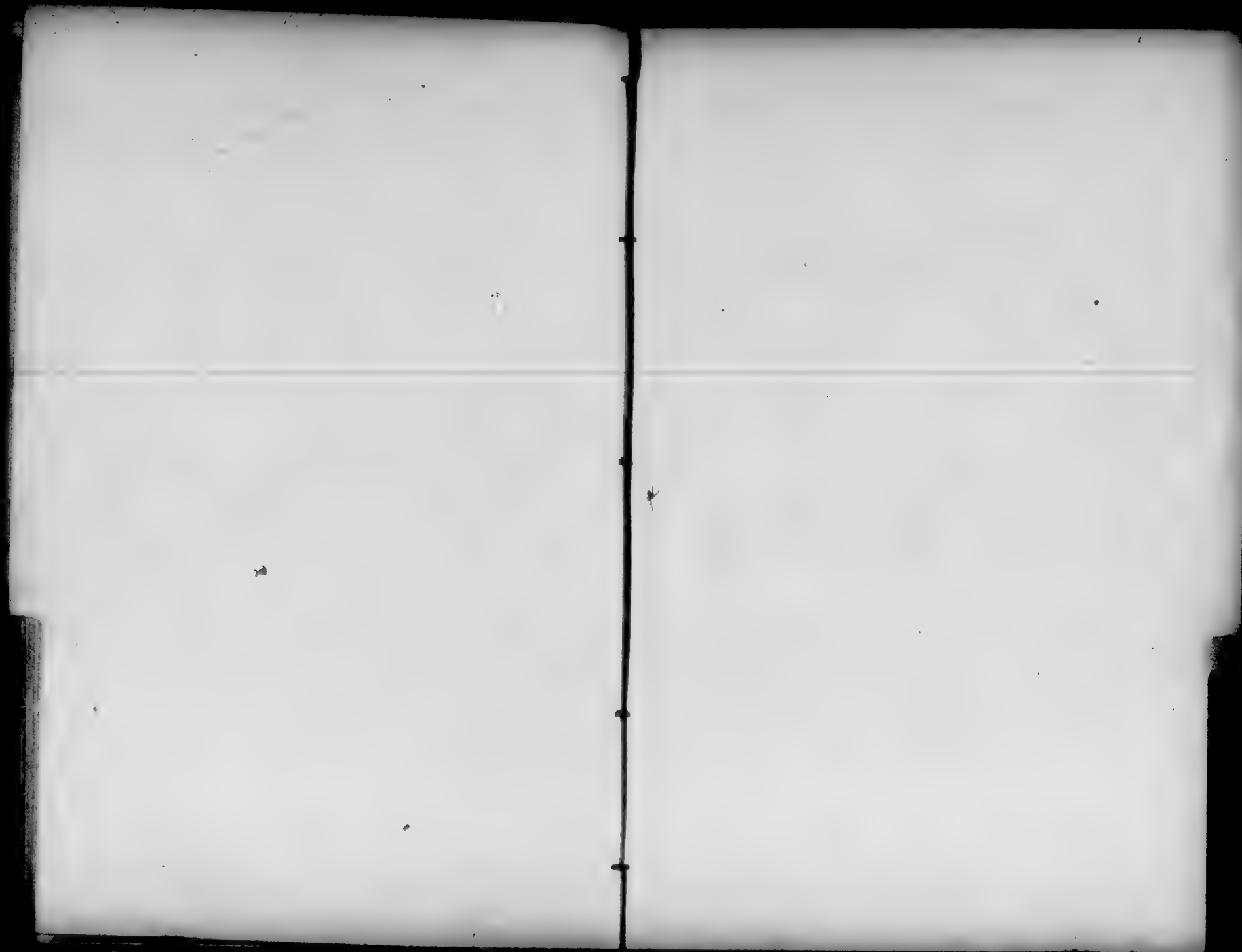
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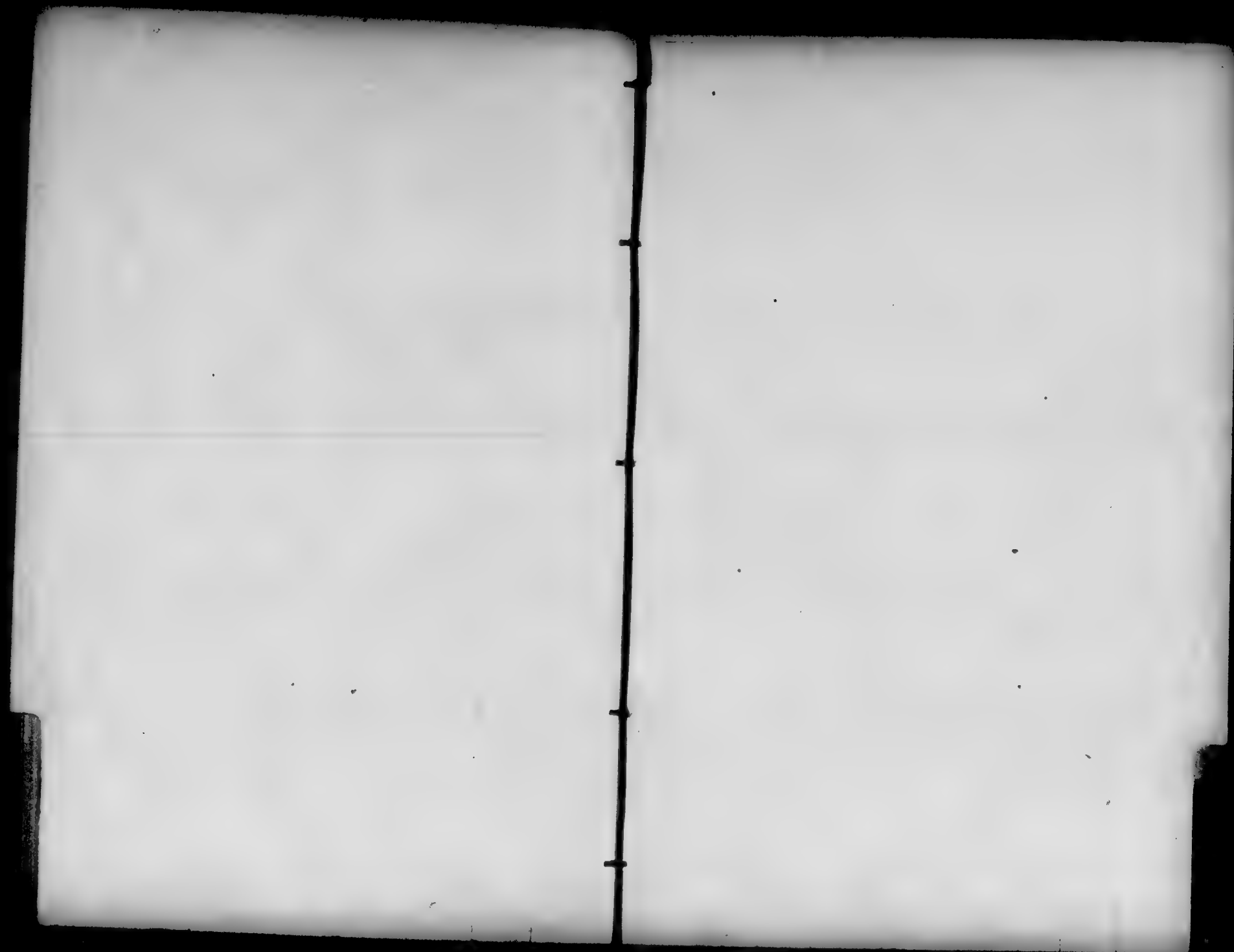
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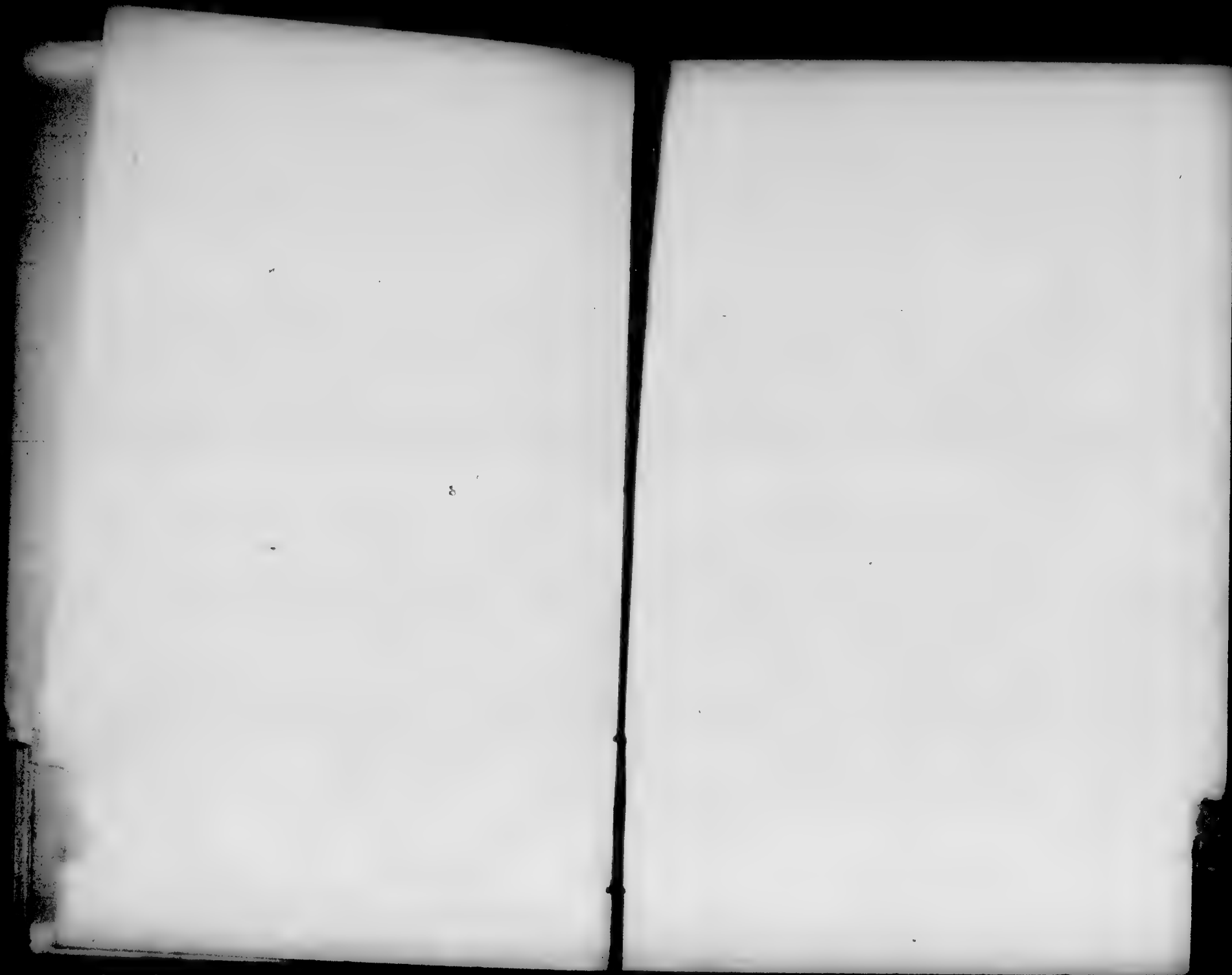
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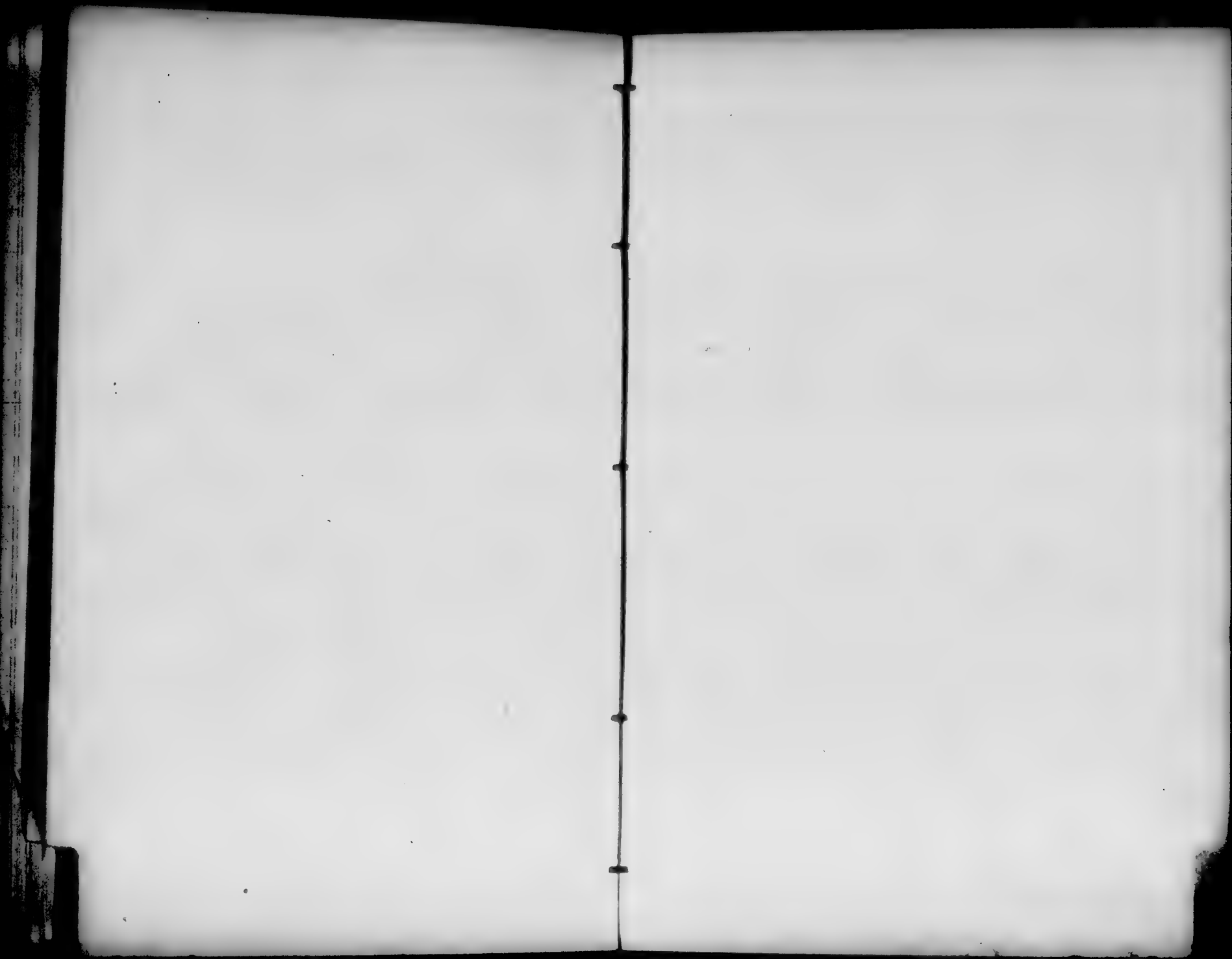
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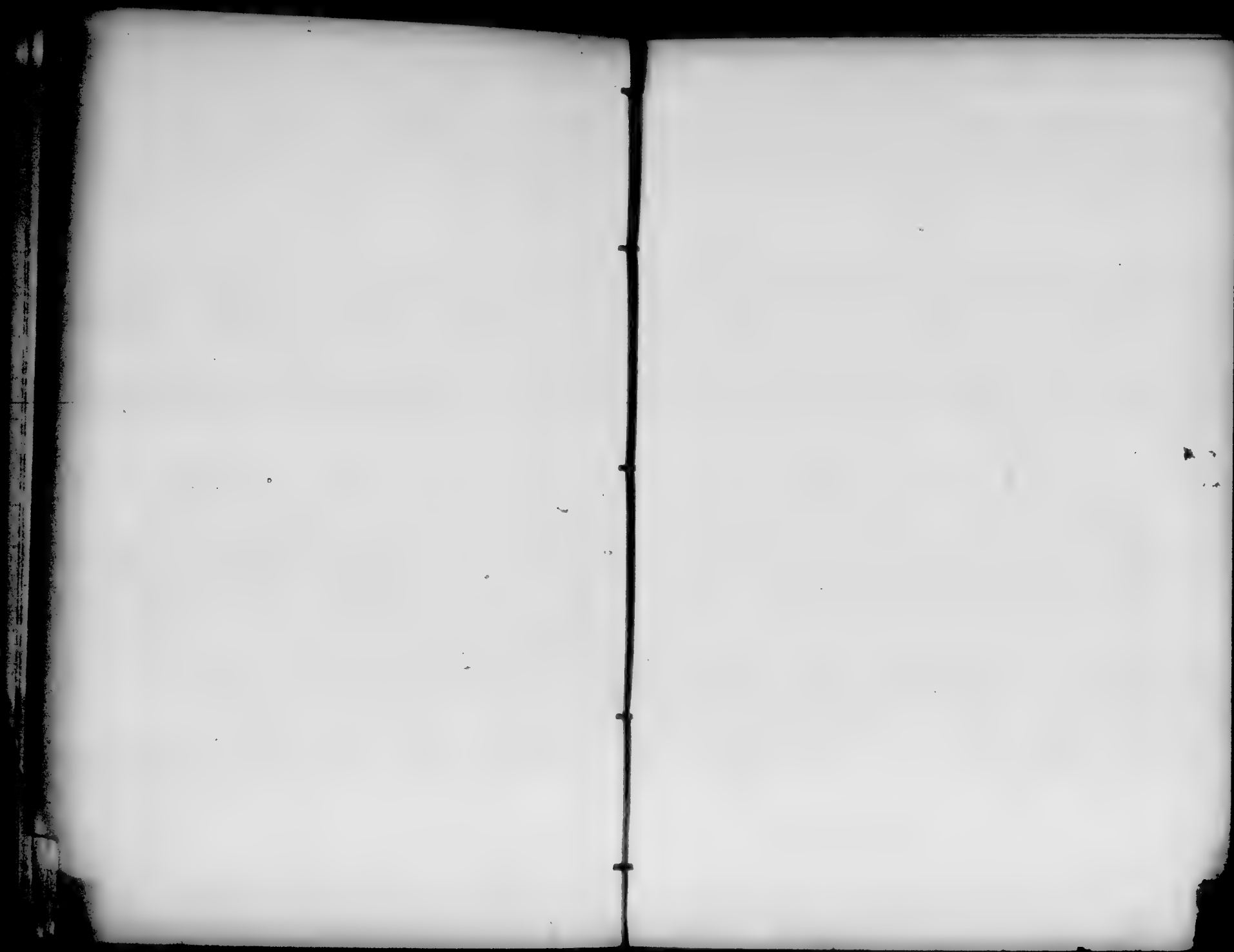
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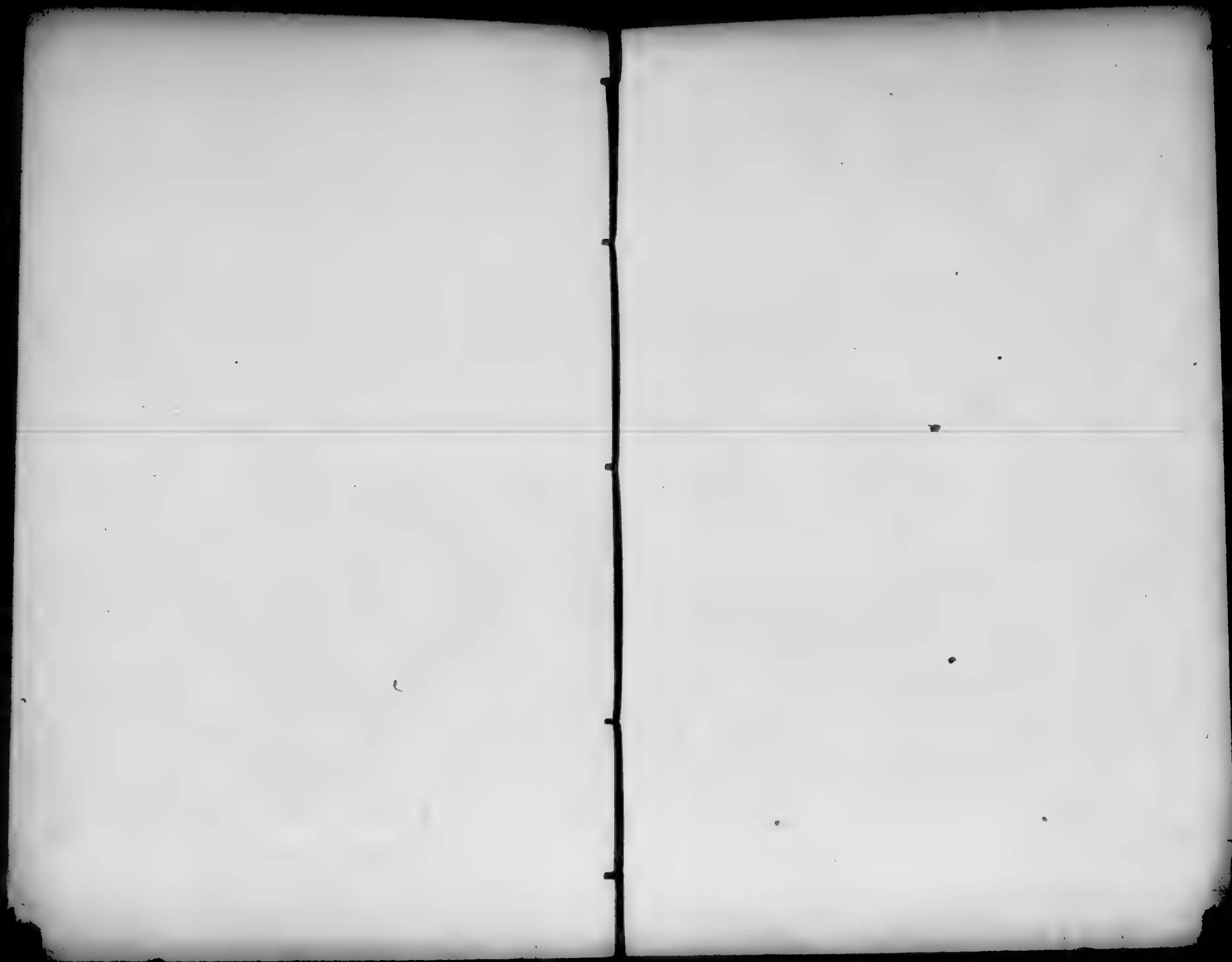




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Choc Refwed Monel

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1

Choctaw

1

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

MEMORANDUM.

In the Matter of the
Application for Enrollment of

Nancy Bonisburger

As a citizen of the *CHOCTAW* Nation.

Refused *Aug 30 1900* under the Act of
Congress of May 31, 1900.

Muskogee, I. T., *Dec 3* 1900

Respectfully forwarded to the Secretary of
Interior for review.

W. H. Perry
Acting Chairman.

N 1 1 1 1 01

MEMORANDUM.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. July 21, 1900.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Nancy Bonisburger. Being duly sworn:

- Q What is your name? A Nancy Bonisburger.
Q What is your age? A Twenty one.
Q What is your postoffice address? A Reek.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
Q Does your name appear on the tribal rolls of the Choctaw Nation? A No sir.
Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress approved June 10th, 1896? A No sir. That is something I don't know anything about. I have been raised an orphan in the Indian Territory.

The records of the Commission of those admitted to citizenship by the Commission in 1896, examined and the name of Nancy Bonisburger not found thereon.

- Q Were you admitted by the United States Court in the Indian Territory on an appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes under the act of June 10th, 1896? A I guess not.

The names of parties admitted to citizenship by the United States Court examined and the name of Nancy Bonisburger not found thereon.

Your application for enrollment as a citizen of the Choctaw Nation is refused for the reason that under the act of Congress approved May 31st, 1900, the Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment of any tribe in the Indian Territory as a citizen thereof who has not been recognized as a citizen thereof and duly enrolled and admitted as such. Said law provides that the refusal of this Commission shall be final when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so and this Commission will transmit this refusal of your application to the Secretary of the Interior.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Nancy Bonisburger.

.

DECISION.

It appears from the evidence in this case that on July 31st, the applicant, Nancy Bonisburger, appeared before the Commission at Muskegee and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10th, 1896, or by judgment of the United States Court in the Indian Territory on appeal

The act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Nancy Bonisburger as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 20th day of ^{August} July, 1900.

COPY.

Muskogee, Indian Territory, August 20, 1900.

Nancy Bondsburger,

Reck, Indian Territory,

Dear Madam:

There is inclosed you herewith a copy of the decision of the Commission, refusing your application for enrollment as a citizen of the Choctaw Nation by blood. A copy of the testimony given by you at that time is also attached to the judgment.

Yours truly,

SIGNED *Tams Dixby.*
Acting Chairman.

Nancy Bonisburger.

^{vs.}
Choctaw Nation

Memoranda Case No. 1.

Original testimony and all papers filed in
this case forwarded Secretary of Interior,

Dec, 3rd, 1900,

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

Land.
61,035-1901.

(Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Nancy Bonisburger, for enrollment as a citizen, by blood, of the Choctaw Nation, Indian Territory.

It appears from the memorandum made by the commission that the applicant appeared before it at Muscogee, on July 21, 1900, and filed her application. She stated under oath that she was 21 years of age, had never been recognized by the tribal authorities of the Choctaw Nation as a citizen, that she had never been enrolled by the authorities of the Choctaw Nation as a citizen, that her name did not appear on the tribal rolls of the Choctaw Nation, that she had never been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, acting under authority of the Act of Congress approved June 10, 1896, and that she had been raised an orphan in the Indian Territory. The commission stated that the records of the commission of those admitted to citizenship by it in 1896 had been examined and that the name of the applicant was not found thereon. The applicant also stated that she had not been admitted to citizenship by the United States courts, and the commission stated that an

examination of the records failed to show that she had been so admitted.

Acting under authority of the Act of Congress of May 31, 1900 as follows: "That said commission shall continue to exercise all authority heretofore conferred on it by law, but it shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof and duly and lawfully enrolled or admitted as such, and its refusal of such application shall be final when approved by the Secretary of the Interior", the commission refused the application and on August 22, 1900, notified the applicant by registered letter.

It appears that the action of the commission in this case was correct, and the office respectfully recommends that it be advised that the applicant cannot be enrolled as a member of the Choctaw tribe of Indians on the facts as shown.

Very respectfully,
Your obedient servant,

W.A. Jones,
Commissioner.

(W.C.V.)
P.

(Copy)

G. R. S.

31999.

J. P.

I. T. D.
1177-1901

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

C.

June 14, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the case of Nancy Bonisburger, an applicant for enrollment as a citizen by blood of the Choctaw Nation.

You found in this case, rejecting the application under the provisions of the act of May 31, 1900 (31 Stat., 221), that the applicant has never been enrolled by the tribal authorities of said nation, that her name does not appear upon any rolls of the nation now in your possession, that she was never admitted to citizenship by your Commission, by the authorities of the nation or by the United States Court,

The Commissioner concurs in your decision. No legal or other objection appearing, your decision is affirmed, and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan.
Acting Secretary.

1 inclosure.

COPY.

Mudrogon, Indian Territory, August 31, 1901.

Nancy Bonisberger,

Reok, Indian Territory.

Dear Madam:

With respect to your application for enrollment as a citizen of the Cheotaw Nation, in regard to which you were informed by the Commission's letter of August 20, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1901, stating that he has approved of the refusal of this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, as well as for that of any others concerned, and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been recognized citizen thereof, and duly and

F B I

lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior.

As previously indicated, it was shown that you have never been recognized as a citizen of the Chectaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through either of your parents. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

SIGNED: *C. R. Breckinridge,*
Commissioner in Charge.

7-4-1

Choc Refused memo 2

Choc memo 1

MEMORANDUM/

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. July 21, 1900.

In the matter of the application of Joseph W. Hunt for enrollment as a citizen by blood of the Choctaw Nation. Joseph W. Hunt being duly sworn:

- Q What is your name? A Joseph W. Hunt.
Q What is your age? A 43 the first day of this coming August
Q What is your post-office address? A Reek, I. T.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the authorities of the Choctaw Nation as a citizen of that Nation? A I have not.
Q Does your name appear on the tribal rolls of the Choctaw Nation? A Not that I know of.

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of Joseph W. Hunt is not found thereon.

Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress approved June 10th, 1896? A No sir.

Q Were you admitted by the United States Court in the Indian Territory upon an appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes under the act of June 10, 1896? A I suppose not.

Your application for enrollment as a citizen of the Choctaw Nation is refused for the reason that under the act of Congress approved May 31st, 1900, the Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of any application for the enrollment of any tribe in the Indian Territory who has not been recognized as a citizen thereof and duly enrolled and admitted as such. The said law further provides that the refusal of this Commission to entertain your application shall be final when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so and this Commission will transmit this refusal of your application to the Secretary of the Interior.

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

In the matter of the application for enrollment of Joseph W. Hunt as a citizen by blood of the Choctaw Nation.

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

It appears from the evidence in this case that on July 31st the applicant, Joseph W. Hunt, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10th, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Joseph W. Hunt as a citizen by blood of the Choctaw Nation be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.

Dated this 20th day of August, 1900.

COPY.

Muskogee, Indian Territory, August 20, 1900.

Joseph W. Hunt,

Reok, Indian Territory,

Dear Sir:

There is inclosed you herewith a copy of the decision rendered by the Commission, refusing your application for enrollment as a citizen by blood of the Choctaw Nation. A copy of the statement made by you when you appeared as such applicant, is also attached to the judgment.

Yours truly,

(SIGNED).

Tams Bixby.

Acting Chairman.

4-80

Joseph W. Hunt

^{vs.}
Choctaw Nation

Memoranda

Case No. # 2

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

(Copy)

Land.
61,035-1901.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Joseph W. Hunt for enrollment as a citizen, by blood of the Choctaw Nation.

It appears that Hunt came before the commission at Muscogee, on July 21, 1900, and that the personal examination of him under oath and an examination of the records in the possession of the commission showed that he had never been recognized as a citizen of the Choctaw Nation and had never been enrolled or admitted as such either by the authorities of that tribe, by the United States court or by the Commission to the Five Civilized Tribes. The commission, therefore, acting under the authority of the Act of Congress of May 31, 1900, refused to receive, consider or make any record of the application and advised him on August 22, 1900, by registered letter that his application for enrollment had been refused.

In the opinion of this office the action of the commission was correct, and it is respectfully recommended that

it be so advised.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W. C. V.)
P.

(Copy)

16662

L. R. S.

J. P.
C.

DEPARTMENT OF THE INTERIOR

Washington.

March 27, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by your Commission in the matter of the application of Joseph W. Hunt for enrollment as a citizen by blood of the Choctaw Nation.

You state that it appears from a personal examination of the applicant and from your records that the party has never been enrolled by the tribal authorities of the said nation, that his name does not appear upon any of the rolls of said nation now in the possession of the Commission, and that he was never admitted to citizenship in said nation by your Commission, by the legally constituted authorities of said nation or by the United States court.

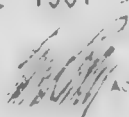
In view of the act of May 31, 1900 (31 Stat., 221, 236), which provides that:

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

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original with
transferred to the
Cylinder file.*

you refused the application for enrollment.

The Commissioner recommends that your action be approved. The Department concurs in this recommendation, and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan.
Acting Secretary.
Dep.

Ind. Ter. Div.
1176-1901.
1 inclosure.

COPY.

Muskogee, Indian Territory, May 27, 1901.

Joseph W. Hunt,
Beck, Indian Territory.

Dear Sir:

On July 21, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On August 20, 1900, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address August 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on March 27, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED): *Tams Bixby.*

Acting Chairman.

? H. B

choc Refused memo 3

choc R memo 1

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, JULY 24, 1900.

IN THE MATTER OF THE APPLICATION .
FOR ENROLLMENT AS CITIZENS BY .
BLOOD OF THE CHOCTAW NATION OF .
OF JOHN W. WOOLDRIDGE AND HIS SEV- .
EN MINOR CHILDREN. .
.....

John W. Wooldridge, being first duly sworn by Acting Chair-
man Tams Bixby, testifies as follows:

- Q What is your full name? A Jehn William Thomas Wooldridge.
Q What is your age? A I am thirty eight years; born in 1862. I will
be thirty eight in October.
Q What is your post office address? A Whitt.
Q Whitt, Texas? A Yes sir.
Q How long have you lived at Whitt, Texas? A I went there in December
'88.
Q You have lived there continuously ever since? A Yes sir.
Q You make application for the enrollment of yourself and your minor
children as citizens by blood of the Choctaw Nation, do you?
A Yes sir.
Q Please give the names and ages of your children for whom you make
application? A I will have to give them from a list. I could not
remember them. I have seven children. I just made a list of their
names and ages.
Q Just read them off from your list. A Katie Wooldridge, born Novem-
ber 23rd, 1884; Charles Wooldridge, born October 9th, 1886.
Joe Wooldridge, born July 28th, 1888; Ausey, born February 15th,
1890; Harmon, born August 12th, 1893; Lloyd Wooldridge, born Decem-
ber 6th, 1896; Nora Wooldridge, born March 14th, 1899.
Q Are these children now living with you, and has their residence
always been the same as yours? A Yes sir.
Q Have you, or any of the children for whom you make application,
ever been recognized by the tribal authorities of the Choctaw Na-
tion as citizens of that Nation? A Not that I know of.
Q You would know it if you had, wouldn't you? A I expect so. The
fact of the business is I never thought anything about it until
this came up in '96.
Q Neither you nor any of the children for whom you make application
ever applied to the Choctaw tribal authorities for citizenship in
that Nation? A No sir.
Q Have you or any of the children for whom you make application ever
been enrolled by the Choctaw tribal authorities as a citizen of
that Nation? A Not that I know of.
Q Does your name, or the name of any of your children for whom you
make application, appear upon any of the tribal rolls of the Choctaw
Nation? A Not that I know of.

Tribal roll of citizens of the Choctaw Nation,
prepared by the tribal authorities of that Nation
in the year 1896 is examined and the names of
none of the applicants are found thereon.

- Q Were you or any of the children for whom you make application, ad-
mitted to citizenship in the Choctaw Nation by the Commission to
the Five Civilized Tribes, commonly known as the Dawes Commission,
acting under the act of Congress of June 10th, 1896? A No sir, not

unless I was by my kindred or blood, or something like that. You see I never made no application.

- Q Did you, for yourself, or for any of the children for whom you make application, apply to the Commission to the Five Civilized Tribes in the year 1896 for citizenship in the Choctaw Nation? A No sir, I did not.
- Q Did any one make application for you that you know of? A The only application, as I told you, was the application that I made to that lawyer at Hartshorne.
- Q Well, go ahead and tell about that application. A He just wrote me to send him \$5.00 and a list of my children signed and sworn to before a Notary Public and he would have me and my children put on the rolls and when the decision was given that I would be entitled to land, a home in that country. And I made the application and sent to him with the money to pay him, and that was the last I ever heard of it until here just a while back after my brother had done been enrolled, my brother, Eli Wooldridge, and my sister and half sister. They didn't write to me and tell me what Ross had done until here a while back, I thought I would write to the Commission and see if they would give me a hearing. I didn't know what to do.

Records of applications for citizenship in the Choctaw Nation, made to this Commission in the year 1896 under the act of Congress approved June 10th, 1896, are examined and the names of the applicants herein are not found thereon.

- Q Were you or any of your minor children for whom you now make application admitted to citizenship in the Choctaw Nation by a decree of the United States Court in the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or from the decision of the Commission to the Five Civilized Tribes, rendered under the act of Congress of June 10th, 1896? A No sir.

Commission: Your application for enrollment of yourself and your minor children as citizens of the Choctaw Nation is refused for the reason that under the act of Congress approved, May 31st 1900, this Commission has no authority to receive consider or make any record of the application of any person for enrollment in any tribe in Indian Territory as a citizen thereof, who has not been duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application for the enrollment of yourself and your minor children shall be final when approved by the Secretary of the Interior. In the event that you should desire to appeal from this decision to the Secretary of the Interior, you will have the right to do so, and the Commission will transmit its decision, refusing your application, together with any argument in support of such appeal, you may desire to file to be transmitted to the Honorable Secretary of the Interior.

Anna Bell, being duly sworn by Acting Chairman Bixby, says: That as stenographer to the Commission to the Five Civilized Tribes she reported in full the testimony in the above cause, and the foregoing is a true and correct transcript of her stenographic notes in said cause.

Subscribed and sworn to before me this 24th day of July, 1900.

Anna Bell
Acting Chairman.

John Woodruff - 38
Whitt, Texas.

Katie Woodruff
born Nov. 23, 1874

Charlie born Oct. 9, 1886

Joe born July 28, 1888

Ansey L. Boy born Feb. 15, 1890

Harrison born Aug. 12, 1893

Lloyd born Dec. 6, 1896

Nora born Mch. 14, 1899

Refused

July 24, 1900

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

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of John W. T. Wooldridge, on his own behalf, and on behalf of his seven minor children, Katie, Charles Joe, Ausey, Harmon, Lloyd, and Nora Wooldridge.

.
D E C I S I O N .

It appears from the evidence in this case that on July 24th the applicant, John W. T. Wooldridge, appeared before the Commission at Muskogee, and made application for the enrollment of himself and seven minor children as citizens by blood of the Choctaw Nation; it further appears that none of the applicants named herein have ever been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they never were admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10th, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application for enrollment of John W. T. Wooldridge on his own behalf and on behalf of his seven minor children, Katie, Charles, Joe, Ausey Harmon, Lloyd and Nora Wooldridge, as citizens by blood of the Choctaw Nation, be and the same is hereby refused.

The Commission to the Five Civilized Tribes.

Dated this 25th day of July, 1900.

 Acting Chairman.

COPY.

Muskogee, Indian Territory, July 25, 1900.

Mr. J. W. Wooldridge,
Whitt, Texas,

Dear Sir:

There is inclosed you herewith a copy of the decision of the Commission in regard to your application for enrollment in the Choctaw Nation as a citizen by blood, made July 25th, 1900, before the Commission at its office in Muskogee.

Yours truly,

SIGNED, *Tamo Dixey*

Acting Chairman.

John W. Woolbridge et al

vs.

Choctaw Nation

Memoranda

Case No. # 3

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

(Copy)

Land.
61,035-1901.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

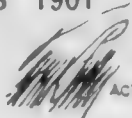
I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes in the matter of the application of John W. Wooldridge, of Whitt, Texas, for enrollment as a citizen, by blood, of the Choctaw Nation, for himself and his children Katie, Charles, Joe, Ausey, Harmon, Lloyd and Nora Wooldridge.

A personal examination of the applicant, under oath, and an examination of the records in the possession of the Commission, showed that the applicant had never been admitted to citizenship in the Choctaw Nation either by the tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court, and that his name was not, ^{on} any roll of the said tribe, and further, that he had not made application for admission. He stated, however, that he did send \$5 to an attorney in Hartshorne for the purpose of having the names of himself and his children placed upon the Choctaw tribal rolls, but that he never heard from the attorney "until here just awhile back after my brother had done been enrolled. My brother Eli Wooldridge and my sister and half sister

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

they didn't write to me and tell me what Ross had done until here awhile back. I thought I would write to the commission and see if they would give me a hearing. I didn't know what to do."

It is possible that the applicant paid an attorney in 1896 to present his case or claim for membership and that the attorney was guilty of neglecting to so present it. The negligence of the attorney is the negligence of his client and the Department cannot, it seems, grant relief in cases of this character. The action of the commission appears to have been proper in refusing to make a record of the application and it duly gave him notice thereof on July 26, 1900.

It is respectfully recommended that the commission be advised that its action is approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.)

P.

C O P Y.

J.P.

16661

L.R.S.

DEPARTMENT OF THE INTERIOR,
Washington.

C.

March 27, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of John W. Wooldridge, of Whitt, Texas, for the enrollment of himself and his seven children as citizens by blood of the Choctaw Nation.

You rejected the application for the reason that, under the act of May 31, 1900 (31 Stat., 221, 236), the Commission has no authority to receive, consider, or make any record of the application of any person for enrollment in any tribe in the Indian Territory as a citizen thereof who has not been duly enrolled or admitted as such.

It was shown by a personal examination of Wooldridge under oath and by the records of the Commission that the applicants had never been admitted to citizenship in said nation either by the tribal authorities, by your Commission, or by the United States court, and that their names are not found on any roll of said tribe and that they have not made previous applications for admission.

Wooldridge states that his brother and sister and half-

16661

-2-

sister have been enrolled.

The Commissioner of Indian Affairs states that your action in the case appears to have been proper.

Your decision is in accordance with the law and the facts, and it is hereby approved. You will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.
Dep

Ind. Ter. Div.
1174-1901.
1 inclosure.

COPY..

Muskogee, Indian Territory, June 3, 1901.

John W. Wooldridge,
Whitt, Texas.

Dear Sir:

On July 24, 1900, you made application to this Commission for the enrollment of your self and your minor children, Katie, Charles, Joe, Ansey, Harmon, Lloyd and Nora Wooldridge as citizens by blood of the Choctaw Nation. On July 25, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address July 25, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on March 27, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED) *Tame Dixey.*

Acting Chairman.

Choc Retwed memorandum 4

Choc R. memo 4

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES:
MUSKOGEE, I. T. July 26, 1900.

MEMORANDUM.

In the matter of the application of Nancy Smith, an incompetent represented by her brother, John W. Smith, for enrollment as a citizen by blood of the Choctaw Nation. John W. Smith being duly sworn by Acting Chairman Bixby testified as follows:

- Q What is your name? A John W. Smith.
- Q What is your age? A Sixty.
- Q What is your post-office address? A Hexbar.
- Q In the Chickasaw Nation? A Chickasaw Nation.
- Q You make application for the enrollment of your sister, Nancy Smith, as a citizen by blood of the Choctaw Nation? A Yes sir.
- Q How old is Nancy Smith? A She is about 48 years old.
- Q Is she of sound mind or incompetent? A She is incompetent.
- Q Has she always been an incompetent? A No, not always. When she was a child we thought she was a pert child.
- Q How long has she been an incompetent? A We never discovered it until after the Civil War.
- Q How old was she then? A I can't -- that has been 31 years.
- Q Ever since she has been grown then she has been an incompetent? A Yes sir, incompetent to handle her business.
- Q Has she always lived with you? A Since my father's death.
- Q How long has she lived with you? A I can just guess at it. It has been twenty some odd years.
- Q She is living with you at present? A Yes sir.
- Q You support her do you and have during all this time? A Yes sir.
- Q She is a full sister of yours? A Yes sir.
- Q Her post office address and residence is the same as yours? A The same as mine.
- Q Has she ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
- Q Has she ever been enrolled by the authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
- Q Does her name appear upon any of the tribal rolls of the Choctaw Nation? A No sir, I don't believe it does.

The tribal rolls of citizens of the Choctaw Nation prepared by the tribal authorities of that Nation in the year 1896, is examined and the name of applicant, Nancy Smith, is not found thereon.

- Q Was your sister, Nancy Smith, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, in the year 1896? A No sir.

The record of applications made to this Commission in the year 1896 for citizenship in the Choctaw Nation, is examined and the name of Nancy Smith is not found thereon.

- Q Was your sister, Nancy Smith, admitted to citizenship in the Choctaw Nation by a decree of the United States Court in the Indian Territory upon appeal from the decision of the tribal authorities of the Choctaw Nation or of this Commission acting under the act of Congress approved June 10, 1896? A No sir.

Nancy Smith & -----

Record of applicants admitted to citizenship in the Chectaw Nation by decree of United States Court in the Indian Territory, is examined and the name of the applicant, Nancy Smith, is not found thereon.

The application for the enrollment as a citizen of the Chectaw Nation of your incompetent sister, Nancy Smith, is refused for the reason that under the Act of Congress approved May 31st, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment as a citizen of any tribe in the Indian Territory, who has not been duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application shall be final when approved by the Secretary of the Interior.

The Commission will transmit such memoranda of this application as has been taken at this time together with this decision denying the application of your sister, Nancy Smith, for enrollment, to the Honorable Secretary of the Interior when the final rolls of the citizens of the Chectaw Nation are sent to him for consideration and approval.

Myra Young, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes.

Myra Young

Sworn to and subscribed in my presence this 14 day of August 1900.

[Signature]
_____ Acting Chairman.

Memorandum.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
1877-1911
JUL 26 1900

[Signature]
ACTING CHAIRMAN.

Choctaw by blood
Hoxby & J.
Chick &

Nancy Smith: 48 yr.

Father Masson Smith ^{1/4} dead
mother Margaret Smith (white) dead

Memorandum

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

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Nancy Smith, an incompetent, by her brother, John W. Smith.

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D E C I S I O N .

It appears from the evidence in this case that on July 26th, 1900, the applicant, Nancy Smith, incompetent, represented by her brother, John W. Smith, appeared before the Commission at Muskogee and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress, approved June 10, 1896, or by judgment of the United States Courts in the Indian Territory on appeal.

The act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Nancy Smith, incompetent, by her brother, John W. Smith, as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., Sept. 5, 1900.

John W. Smith,
Hoxbar, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of your sister, Nancy Smith, an incompetent, as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory.

Also the decision of the Commission, of September 4th, 1900, refusing the application made by you on behalf of your sister, Nancy Smith, an incompetent, for her enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record on the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamc Bixby.*
Acting Chairman.

Registered mail.

Nancy Smith
vs.
Choctaw Nation

Memoranda Case No. #4

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED
ACT OF MARCH 3, 1900.
MEMORANDUM.

Land.
61,035-1901.

(Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington,

March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes in the matter of the application of Nancy Smith, an incompetent, for enrollment as a citizen, by blood of the Choctaw Nation. It appears that her brother, John W. Smith, went before the commission at Muscogee, on July 26, 1900, and that an examination of him, under oath, and of the records in the possession of the commission showed that the applicant had never been a recognized citizen of the Choctaw Nation and that she had never been admitted to citizenship therein by the authorities of that nation, by the commission to the Five Civilized Tribes, or by the United States Court.

The commission therefore refused her application, acting under authority of the Act of Congress of May 31, 1900. It appeared from the testimony of the said John W. Smith that the applicant, 48 years of age, was incompetent to transact her own business; that she had lived with him for about 20 years, and that his residence was Hoxbar, in the Chickasaw Nation. It may be possible that the applicant is a Choctaw Indian by blood and that she was born and had resided since her birth in the Choctaw-Chickasaw country.

However that may be, and the facts are not clearly shown, the Department seems to be without authority to grant her relief, and it is therefore respectfully recommended that the commission be advised that its action is approved.

Very respectfully,
Your obedient servant,

W. A. Jones, -

(W. U. V.)

Commissioner.

P.

(COPY).

DEPARTMENT OF THE INTERIOR,
Office of the Assistant Attorney-General.

WASHINGTON.

June 8, 1901.

The Secretary of the Interior,

Sir:

By letter of April 2, 1901, you make inquiry respecting the effect and meaning of that provision in the act of May 31, 1900 (31 Stat., 221, 236) which, referring to the Commission to the Five Civilized Tribes, reads:

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

This request seems to be made with especial reference to the application of Nancy Smith, made to said commission July 26, 1900, for enrollment as a member of the Choctaw Nation, and to the application of Lottie R. Adams, made to said commission August 15, 1900, for enrollment as a member of the Chickasaw Nation. These applications were not presented within the time limited by the act of June 10, 1896 (29 Stat., 321, 339).

The papers submitted tend to show that Nancy Smith is by descent, a Choctaw Indian; that at the time of her said application she was forty eight years old, and had been of unsound mind for thirty-one years; that her name is not borne upon any roll of the citizens or members of the nation; that she has not

been admitted to enrollment or citizenship in the nation by the tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court for Indian Territory; and that she was born before and not since the last authenticated tribal roll was made.

The papers submitted tend to show that Lottie R. Adams is, by descent, a Chickasaw Indian; that at the time of her said application she was sixteen years old; that her name is not borne upon any roll of the citizens or members of that nation; that she has not been admitted to enrollment or citizenship in the nation by the tribal authorities, the Commission to the Five Civilized Tribes, or the United States court for Indian Territory; and that she was born before and not since the last authenticated tribal roll was made.

Presumably the questions intended to be submitted are whether the state of unsound mind in the one case and of infancy in the other exempt^{ed} these applicants from the limitations upon the time within which applications for citizenship by persons not on the tribal rolls were required to be made by the act of June 10, 1896. If so, my answer is in the negative. There is nothing in the legislation of Congress upon which such an exemption can be predicated, and the acts of June 10, 1896, June 19, 1897 (20 Stat., 62, 84), June 28, 1898 (30 Stat., 498, 502), and May 31, 1900, clearly indicate that no such exemption was intended. In this connection I refer to the opinions rendered by me September 26, 1898, and March 17, 1899, respecting the work of

enrollment by said commission.

Very respectfully,

Willis Van Devanter,

Assistant Attorney-General.

Approved, June 8, 1901:

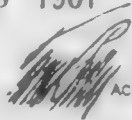
Thos. Ryan,

Acting Secretary.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

L. F. S.

F.

I. T. D. 1175, 2227-1901

DEPARTMENT OF THE INTERIOR,
Washington,

June 12, 1901.

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

Gentlemen:

The Department is in receipt of your memorandum and judgment in the case of Nancy Smith, applicant for enrollment as a citizen of the Choctaw Nation.

You found from the evidence that the applicant had never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the nation now in the possession of the Commission, and that she never was admitted to citizenship in said nation by your Commission, nor by the legally constituted authorities of the Choctaw Nation, nor by any judgment of the United States court in the Indian Territory on appeal, and you refused to enroll the applicant.

The Commissioner of Indian Affairs forwarded your said communication on March 23, 1901, and recommended that you be advised that your action in the premises is approved.

The Department concurs in the recommendation of the Commissioner of Indian Affairs, and your decision rejecting the application of Nancy Smith is affirmed. A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,
Acting Secretary.

1-inclosure.

COPY,

Waskogee, Indian Territory, August 31, 1901.

John W. Smith,

Hexbar, Indian Territory.

Dear Sir:

With respect to your application for the enrollment of Nancy Smith, an incompetent, as a citizen of the Choctaw Nation, in regard to which you were informed by the Commission's letter of September 5, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 12, 1901, stating that he has approved of the refusal by this Commission of the application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, and in compliance with the tenor of the Secretary's instructions, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

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

J W S 2

As previously indicated, it was shown that Nancy Smith has never been recognized as a citizen of the Chestaw Nation and duly and lawfully enrolled or admitted as such, nor was any right of that character found to exist through her parents. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

SIGNED: *C. R. Brockinridge.*
Commissioner in Charge.

7-M-4

7-R-648
7-M- 7
7-V- 10

Muskogee, Indian Territory, December 12, 1902.

Rosie Harris,

Hlk, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 2d inst., enclosing applications for enrollment as citizens of the Choctaw Nation of Ruby Harris, infant daughter of Frank and Sylvester Harris, born May 11, 1901; Nettie W. Milburn, infant daughter of Sam J. and Josie Milburn, born September 12, 1901; and Annie Marlow, infant daughter of Charles D. and Ida I. Marlow, born July 1, 1902; and the same are herewith returned to you, for the reason that the notary public before whom the affidavits of the mothers were acknowledged neglected to affix his notarial seal thereto.

You are advised that it appears from the records of this office that on September 4, 1900, the Commission rendered its decisions denying the applications for enrollment as citizens of the Choctaw Nation of Frank Harris, father of Ruby Harris, and Ida Marlow, mother of Annie Marlow; of which action of the Commission they were duly notified on that date; and on March 28, 1901, the

R H 2

Secretary of the Interior affirmed the decisions of the Commission in these cases, of which action of the Secretary the applicants were duly notified.

The rights of these children being entirely dependent upon the rights of the parents, the Commission is therefore without authority to enroll them as citizens of the Choctaw Nation.

Respectfully,

Acting Chairman.

Enc B I 106.

Choc memo 5

Choc memo 5

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T. JULY 26, 1900.

MEMORANDUM.

In the matter of the application of Calvin A. Harris for the enrollment of himself and minor children as citizens by blood of the Choctaw Nation and the enrollment of his wife, Mary Lee Harris, as an intermarried citizen of the Choctaw Nation.

- Q What is your name? A Calvin A. Harris.
- Q What is your age? A Thirty.
- Q What is your post-office address? A Elk, I. T.
- Q You make application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
- Q Do you make application for any one besides yourself? A for me and my children and my wife.
- Q What is the name of your wife? A Mary Lee Harris.
- Q How old is she? A She is 25 I believe.
- Q What are the names of your children? A Henry Herman Harris.
- Q Is that all? A No sir, I have got five. Nettie May Harris, Wm. Lucas Harris, Albert Houston Harris, Gussie Lee Harris.
- Q Give the ages of these children? A Nine, six, four two, and two months.
- Q Have you, your wife or any of the minor children for whom you make application ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
- Q Have your, your wife, or any of your minor children for whom you make application at this time ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
- Q Do the names of yourself, the name of your wife or the names of any of your minor children for whom you make application, appear on any of the Tribal rolls of the Choctaw Nation? A Not that I know of.

The tribal rolls of the Choctaw Nation prepared by The Choctaw tribal authorities ~~in~~ in the year 1896, examined and the names of none of the applicants are found thereon.

- Q Were you, your wife or any of your minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in the year 1896 examined and the names of none of the applicants are found among those admitted to citizenship in the Choctaw Nation by said Commission.

- Q Were you, your wife or any of the minor children for whom you make application at this time ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory upon an appeal from the decision of the tribal authorities of the Choctaw Nation or an appeal from the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of Congress approved June 10th, 1896? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by decree of the United States Court for the Indian Territory, is examined and none of the applicants found thereon.

Q Mr. Harris how long have you lived in the Indian Territory?
A It has not been a year.

Q Where did you live before you came here? A Fannin County, Texas.

Q You never lived in the Indian Territory prior to your removal here about a year ago? A No sir.

Q The residence of your family has always been the same as yours? A Yes sir.

Your application for enrollment in your own behalf and in behalf of your wife and children as citizens of the Choctaw Nation, is refused for the reason that under the Act of Congress approved May 31st, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment as a citizen of any tribe in the Indian Territory who has not been duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application and the application you make in behalf of your wife and children, shall be final when approved by the Secretary of the Interior.

Your application for enrollment made in your own behalf and in behalf of your family is also refused for the additional reason that neither you or any member of your family have removed to and settled in good faith in the Indian Territory prior to June 28th, 1898.

The Commission will transmit such memoranda of your application as has been taken at this time together with this decision the application made in your own behalf and in behalf of your family for enrollment as citizens of the Choctaw Nation, to the Secretary of the Interior when the final rolls of the Choctaws are sent to him for his consideration and approval.

Myra Young, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes.

Myra Young

Sworn to and subscribed in my presence this 12 day of August 1900.

[Signature]
Acting Chairman.

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

In the matter of the application of Calvin A. Harris for the enrollment of himself and five minor children, Henry Herman Harris, Nettie May Harris, Wm. Lucas Harris, Albert Houston Harris, Gussie Lee Harris, as citizens by blood of the Choctaw Nation, and his wife, Mary Lee Harris as an intermarried citizen of the Choctaw Nation.

.
D E C I S I O N .

It appears from the evidence in this case that on July 26, 1900, the applicant, Calvin A. Harris, appeared before the Commission at Muskogee and made application for enrollment of himself and his five minor children, Henry Herman Harris, Nettie May Harris, Wm. Lucas Harris, Albert Houston Harris and Gussie Lee Harris, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Mary Lee Harris, as an intermarried citizen of the Choctaw Nation; It further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Calvin A. Harris and his five minor children, Henry Herman Harris, Nettie May Harris, Wm. Lucas Harris, Albert Houston Harris and Gussie Lee Harris, as citizens by blood of the Choctaw Nation, and his wife, Mary Lee Harris as an inter-

married citizen of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

~~XXXXXXXXXX~~
Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 5, 1900.

Calvin A. Harris,
Elk, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself, and minor children, Henry H., Nettie K., Wm. L., Albert H. and Gussie L. Harris, as citizens by blood of the Choctaw Nation, and for the enrollment of your wife, Mary Lee Harris, as an inter-married citizen of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission, of September 4th, 1900, refusing the application made by you for the enrollment of yourself, and five minor children as citizens by blood of the Choctaw Nation, and the application made by you on behalf of your wife, Mary Lee Harris, for enrollment as an intermarried citizen of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Fame Kirby*

Acting Chairman.

Enc. B.
Registered mail.
C. M. S.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 5 1900

 ACTING CHAIRMAN

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

In the matter of Calvin A. Harris
applicant for citizenship in the Choctaw Nation.

YOUR PETITIONER Most respectfully states that they have received notice from the Dawes Commission of their rejection as citizens of said nation, together with a transcript of the testimony therein and most respectfully ask that said Commission transmit to the Honorable Secretary of the Interior their petition for citizenship, together with all testimony and records therein, for his final hearing and that the same be submitted to him for such action as he may see fit.

RESPECTFULLY Presented this the 16th day of September,
1900.

Calvin A. Harris

COPY,

Muskegee, Indian Territory, October 5, 1900.

Calvin A. Harris,

Mik, Indian Territory.

Dear Sir:

The Commission is in receipt of the written request to have the records in the matter of your application for enrollment as a citizen by blood of the Choctaw Nation, forwarded to the secretary of the Interior for his consideration.

The same has been filed with the other papers in the case and the record so made will be transmitted to the Secretary of the Interior for his consideration when the final rolls of citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED). *Tams Dixby.*

Acting Chairman.

7-R-5

Cahin W. Harris
vs.
Choctaw Nation

Memoranda Case No. # 5

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,036-1901.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Calvin A. Harris, for the enrollment of himself and minor children, Henry, Herman H., Nettie May, William Lucas, Albert Houston and Gussie Lee Harris, as citizens, by blood, and of his wife, Mary Lee Harris, as an intermarried citizen of the Choctaw Nation.

An examination of the applicant and of the records in the possession of the commission showed that neither he, his wife, nor their children, have ever been recognized as citizens of the Choctaw Nation, and that none of them had ever been duly and lawfully enrolled or admitted as such either by the Choctaw authorities, by the commission, or by the courts.

Calvin A. Harris filed his affidavit stating that he is a son of Alice J. and W.H. Harris, citizens of the Choctaw Nation whose application is filed with application No. 623, heard at Colbert, Indian Territory; that he is a resident of the Choctaw Nation and has always claimed citizenship therein, and he asks that the testimony filed in the case No. 623 be made a part of the

records in this case. He also filed the affidavit of one S. T. Carter who swore that Guss Harris was a grandchild of Matterson Smith and a child of W. H. Harris and Alice J. Smith (Harris), also the affidavit of W.A. Lang to the effect that he was well acquainted with W. H. Harris and J. T. Harris and knew them to be sons in law of Matterson Smith who married Alice J. Smith and Rosa Smith; that he also knew Jim Smith, commonly known as Indian Jim, who was killed at Pen Franklin's, and that he also knew John Smith, the son in law of Matterson Smith.

This office has no knowledge of the record in the case of Alice J. and W.H. Harris and it is doubtful if it could be called upon to go to the records in one case in order to complete the records in another. At any rate, as the applicants have never been recognized as citizens or admitted to citizenship in the Choctaw Nation, the action of the Commission seems to have been proper, and it is therefore respectfully recommended that the commission be informed that its action in refusing to admit the applicant is approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.)

P.

16462

C O P Y.

J. P.

L.R.S.

DEPARTMENT OF THE INTERIOR,
Washington.

C.

March 26, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by you in the matter of the application of Calvin A. Harris for the enrollment of himself and five minor children, as citizens by blood, and of his wife as an intermarried citizen, of the Choctaw Nation.

You rejected the application for two reasons. First, in accordance with the act of May 31, 1900(31 Stat.,221,236), because none of the claimants had been duly enrolled or admitted as citizens of said nation, and, second, because neither one of them had removed to the Indian Territory prior to the act of June 28, 1898 (30 Stat.,495), which provides that "No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship".

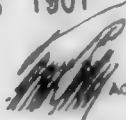
The claimant, the head of the family, states that he removed to the Territory in 1899.

The Commissioner states that the examination of the applicant and the record in the possession of the Commission showed that

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

FILED

OCT 8 1901

A handwritten signature in dark ink, appearing to be 'W. H. H. H.', written over the typed name 'W. H. H. H.'.

ACTING CHAIRMAN.

neither Harris, his wife, nor their children have ever been recognized as citizens of the Choctaw Nation, and that none of them have ever been duly and lawfully enrolled or admitted as such either by the Choctaw authorities, by the Commission or by the United States court, and he recommends that your action be affirmed.

Your decision is in accordance with the law and the facts and is concurred in. It is, therefore, not necessary for the Department to consider the affidavits submitted in the case.

You will advise the party hereof. A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

Dep

Ind. Ter. Div.
1173-1901.
1 inclosure.

COPY.

Muskogee, Indian Territory, June 5, 1901.

Calvin A. Harris,

Hlk, Indian Territory.

Dear Sir:

On July 26, 1900, you made application to this Commission for the enrollment of yourself and your five minor children, Henry Herman, Bettie May, William Lucas, Albert Houston and Gussie Lee Harris as citizens by blood of the Choctaw Nation and your wife, Mary Lee Harris as a citizen by intermarriage of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your family as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 5, 1901.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on March 26, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation and of your wife as a citizen by intermarriage of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED)

Tame Dixie

Acting Chairman.

V-X-5

Choc memo 6

Choc memo 6

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. July 26, 1900.

M E M O R A N D U M .

In the matter of the application of Oscar Harris for the enrollment of himself and two minor children as citizens by blood of the Choctaw Nation. Oscar Harris being duly sworn and examined by the Commission testified as follows:

- Q Please state your name? A Oscar Harris.
Q What is your age? A 23 years.
Q What is your post-office address? A Elk, Chickasaw Nation.
Q Where do you live? A I live near Elk.
Q You make application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Do you make application for any one besides yourself?
A Yes sir. Two children.
Q What are their names and ages? A Ethel Harris, four years old. Annie Harris, two.
Q Have you or either of your minor children for whom you now make application, ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.
Q Have you or either of your minor children for whom you now make application ever been enrolled by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.
Q Are the names of yourself or either of your minor children for whom you make application at this time, on the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of citizens of the Choctaw Nation prepared by the tribal authorities in the year 1896, examined and the names of none of the applicants are found thereon.

- Q Were you or either of your minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, acting under the act of Congress approved June 10th, 1896?
A No sir.

Record of applications made to the Commission to the Five Civilized Tribes in the year 1896, under the act of Congress approved June 10th, 1896, for citizenship in the Choctaw Nation, is examined and the names of none of the applicants are found thereon.

- Q Were you or either of your minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation by decree of United States Court for the Indian Territory upon appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896?
A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities and the Commission to

Oscar Harris 2--

the Five Civilized Tribes, acting under the act of Congress approved June 10th, 1896, is examined and the names of none of the applicants are found thereon.

- Q How long have you lived in the Indian Territory? A Nine years.
- Q Never have lived out of the Indian Territory within that time? A No sir.
- Q Your children now reside and always have resided with you? A Yes sir.

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application for the enrollment of yourself and your minor children, mailed to you at your proper post-office address.

The Commission will transmit such memoranda of the application made by you for yourself and minor children as has been taken at this time, together with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and your two minor children as citizens of the Choctaw Nation, to the Honorable secretary of the Interior when the final rolls of citizens of the Choctaw Nation are forwarded to him for consideration and approval.

Myra Young, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.


Notary Public.

Memorandum

Oscar Harris, 23
Elk, D. T.

RECEIVED
JUL 26 1900
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE CIVILIZED TRIBES.

2 children
Ethel Harris 4
Aune " 2

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

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Oscar Harris and his two minor children, Ethel Harris and Annie Harris.

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

It appears from the evidence in this case that on July 26th, 1900, the applicant, Oscar Harris, appeared before the Commission at Muskogee and made application for enrollment as citizens by blood of the Choctaw Nation of himself and his two minor children, Ethel Harris and Annie Harris; It further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Oscar Harris and his two minor children Ethel Harris and Annie Harris, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Osoar Harris,

Elk, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and your minor children, Ethel and Annie Harris, as citizens by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission of September 4th, 1900, refusing the application made by you for the enrollment of yourself and minor children, Ethel and Annie Harris, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so notify the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamo Dixey.*

Acting Chairman.

Enc. I.
Registered mail.
C. N. 6.

COPY.

Muskogee, Indian Territory, October 5, 1906.

Oscar Harris,

Mk, Indian Territory.

Dear Sir:

The Commission is in receipt of your written request to have the record in the matter of your application for the enrollment of yourself and minor children as citizens by blood of the Choctaw Nation forwarded to the Secretary of the Interior for his consideration.

The same has been filed with the other papers in your case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *James Birney*
Acting Chairman.

7-R-6

Oscar Harris et al

vs.

Choctaw Nation

Memoranda

Case No. # 6

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

(Copy)

Land.
6L,035-1901.

Department of the Interior,
Office of Indian Affairs,
Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Oscar Harris for enrollment of himself and two minor children, Ethel and Annie Harris, as citizens, by blood, of the Choctaw Nation. Harris appeared before the commission at Muscogee, on July 26, 1900, and it appears from the examination of himself, under oath, and an examination of the records in possession of the commission, that the name of himself and his children had been placed on any roll of the Choctaw Nation, and that neither of them had ever been recognized as citizens thereof, or had been admitted as such by the Choctaw authorities, by the commission or by the United States Court, and the commission, therefore, acting under authority of the Act of Congress of May 31, 1900 refused the applications.

It is respectfully recommended that the commission be advised that its action is approved.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(W. C. V.)P

DEPARTMENT OF THE INTERIOR.

Washington.

March 28, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Oscar Harris for the enrollment of himself and two minor children as citizens by blood of the Choctaw Nation.

It appears from the examination of Harris by you, under oath, and from an examination of the records in your possession that the names of Harris and his children have never been placed upon any roll of said nation and that none of them have ever been recognized as citizens thereof or been admitted as such by the Choctaw authorities or by your Commission or by the United States court.

Therefore, in view of the provisions of the act of May 31, 1900, you refused to accept the application.

The Department concurs in the recommendation of the Commissioner that your action be approved. It is accordingly hereby approved and you will so advise the party. A copy of the Commissioner's letter is inclosed.

Ind. Ter. Div.
1179-1901.
1 inclosure.

Respectfully,

Thos. Ryan,
Acting Secretary. Dep.

COPY:

Muskogee, Indian Territory, June 6, 1901.

Oscar Harris,

Elk, Indian Territory.

Dear Sir:

On July 26, 1900, you made application to this Commission for the enrollment of yourself and your two minor children, Ethel and Annie Harris as citizens by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post office address September 6, 1900.

On December 3, 1900, there was forwarded to the secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on ~~January 10~~ 1901 the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED:

Tamm Dixby.

Acting Chairman.

Choc memo 7

Choc memo 7

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. July 26, 1900.

M E M O R A N D U M .

In the matter of the application of Frank Harris for enrollment as a citizen by blood of the Choctaw Nation. Frank Harris being duly sworn and examined by the Commission testified as follows:

- Q What is your name? A Frank Harris.
Q What is your age? A 20.
Q Where do you live? Chickasaw Nation at Elk.
Q What is your post-office address? A Elk.
Q How long have you lived in the Indian Territory? A Nine years.
Q You apply for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
Q Do you apply for any one besides yourself? A No.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation? A No sir.
Q Does your name appear upon the tribal rolls of citizens of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation prepared by the Choctaw tribal authorities thereof in the year 1896, examined and the name of the applicant is not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to the Commission to the Five Civilized Tribes in the year 1896, is examined and the name of the applicant not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities of the decision of the Commission to the Five Civilized Tribes acting under the act of Congress of June 10th, 1896? A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the tribal authorities or from the decision of the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896, is examined and the name of the applicant is not found thereon.

- Q Are you married? A Yes sir.
Q You make no claim for your wife? A No sir.

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application for


Frank Harris 2-----

enrollment as a citizen by blood of the Cheetaw Nation, mailed to you at your present post-office address. The Commission will transmit such memoranda of your application as has been taken at this time together with its decision with reference to your application for enrollment as a citizen by blood of the Cheetaw Nation to the Honorable Secretary of the Interior when the final rolls of citizens of the Cheetaw Nation are sent to him for his consideration and approval.

Myra Young, being duly sworn states, that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.


Acting Chairman.

COMMISSION TO
JUL 1 1888

Memorandum
Frank Davis 20/10
B&K

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Frank Harris.

D E C I S I O N .

It appears from the evidence in this case that on July 26th, 1900, the applicant, Frank Harris, appeared before the Commission at Muskogee and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The act of Congress of May 31st, ~~1896~~ provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Frank Harris as a citizen by blood of Choctaw Nation, be, and the same is hereby refused.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

~~Acting~~ Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY,

Muskogee, Ind. Ter., Sept. 6, 1900.

Frank Harris,

Elk, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for enrollment as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission of September 4th, 1900, refusing the application made by you for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tams Dingle*
Acting Chairman.

Enc. C.
Registered mail.
C. N. 7.

The Honorable Commission to the Five Civilized Tribes,

At Muskogee, Indian Territory.

In the matter of Frank Harris
applicant for citizenship in the Choctaw Nation.

YOUR PETITIONER Most respectfully represents that that they have received notice from the Dawes Commission of their rejection as citizens of said nation, together with a transcript of the testimony therein, and most respectfully ask that said Commission transmit to the Honorable Secretary of the Interior their petition for citizenship, together with all testimony and records therein, for his final hearing, and that the same be submitted to him for such action as he may see fit.

RESPECTFULLY Presented this the 16th day of September,
1900.

Frank Harris

COPY.

Muskogee, Indian Territory, October 5, 1900.

Frank Harris,

Wlk Indian Territory.

Dear Sir:

The Commission is in receipt of your written request to have the record in the matter of your application for enrollment as a citizen by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The same has been filed with the other papers in your case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tams Dixey.*

Acting Chairman.

7-2-7

Frank Harris

vs.

Choctaw Nation

Memoranda Case No. # 7

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED
ACT C. 1900.
MEM. OF

C O P Y.

Land.
61,035-1900.

Department of the Interior,
Office of Indian Affairs,
Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Frank Harris, for enrollment as a citizen, by blood, of the Choctaw Nation.

Harris appeared before the Commission on July 26, 1900, at Muscogee. His examination, under oath, and an examination of the records in the possession of the commission, showed that he had never been recognized as a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such, either by the Choctaw authorities, by the Commission to the Five Civilized Tribes, or by the United States courts, and the commission, therefore, as this office believes, properly refused to accept the application.

It is respectfully recommended that it be advised that its action is approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.) P.

*Original with transcript
to the office file
OCT 4 1901*

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

FILED

OCT 4 1901



ACTING CHAIRMAN:

CHOTAM, M. J.

J.P.

C O P Y.

Department of the Interior.

17038 L.R.S.

Washington.

C.

March 28, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Frank Harris for enrollment as a citizen by blood of the Choctaw Nation.

The Commissioner states that the examination of Harris under oath by you and an examination of the records in the possession of the Commission showed that Harris had never been recognized as a citizen of said nation and duly and lawfully enrolled or admitted as such, either by the Choctaw authorities, by your commission or by the United States Court; that, therefore, your action in rejecting the application, in accordance with the act of May 31, 1900 (31 Stat., 221, 236), was proper.

The Department concurs in the views of the Commissioner and your decision is affirmed and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

Ind. Ter. Div.
1210-1901.

1 inclosure

COPY.

Muskogee, Indian Territory, May 27, 1901.

Frank Harris,

Elk, Indian Territory.

Dear Sir:

On July 26, 1900, you made application to this Commission for enrollment as a citizen of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused your enrollment as a citizen by blood of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamc Dixby.*

Acting Chairman.

7-M-7

Muskogee, Indian Territory, July 10, 1901.

Mrs. Rosa Harris,

Klk, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of June 7th, 1901, relative to the rights to enrollment of yourself and your children as citizens of the Choctaw Nation.

Replying to your inquiry you are informed that it appears from the records of the Commission that at Colbert, Indian Territory, on June 21, 1900, you made personal application to this Commission for the enrollment of yourself and your children as citizens of the Choctaw Nation.

From a careful examination of the records of the Choctaw Nation in our possession and also of the records of the Commission and of the United States Court relative to Choctaw citizenship, it does not appear that you and your children have ever been enrolled, recognized or admitted as citizens of the Choctaw Nation, and that under the authority of law now vested in the Commission, you and your children would not be entitled to enrollment as citizens of that Nation.

As to your son, Frank Harris, the Commission can render you no further information or opinion than that given in our letter

R. H.--S.

of May 27, 1901.

Yours truly,

Commissioner in Charge.

7-2 645
7-2 7

MoM

BIRTH AFFIDAVIT.

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

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a Freedman of the Cherokee Nation, of

Ruby Barnes, born on the 11 day of May, 1901
(Here insert name of child)

Name of Father: Frank Barnes a citizen of the Cherokee Nation

Name of Mother: Myrtle Barnes a Freedman of the Cherokee Nation

Post-office: Etta, Ind. T.

Affidavit of Mother.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Sevier District.

I, Myrtle Barnes, on oath state that I am 18
years of age and a Freedman, by marriage of the Cherokee Nation;
that I am the lawful wife of Frank Barnes, who is a citizen, by
blood, of the Cherokee Nation; that a male child was
(Male or Female.)
born to me on 11th day of May, 1901; that said child has been
named Ruby Barnes, and is now living.

Witness to mark.

Myrtle Barnes

(Must be two
Witnesses.)

Subscribed and sworn to before me this 22nd day of October, 1902

Robert H. Taylor
Notary Public.

Affidavit of Attending Physician, or Midwife.

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Sevier District.

I, Dr. J. D. [unclear], a physician, on oath state that I
attended on Mrs. Myrtle Barnes, wife of Frank Barnes
on the 11th day of May, 1901; there was born to her on
said date a male child; that said child is now living and is said to have been
(Male or Female.)
named Ruby Barnes.

WITNESS TO MARK.

J. D. [unclear]

(Must be two
Witnesses.)

Subscribed and sworn to before me this 22nd day of October, 1902

Robert H. Taylor
Notary Public.

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

--oOo--

In the matter of the application for the enrollment of Ruby Harris as a citizen by blood of the Choctaw Nation.

--oOo--

Written application for the enrollment of Ruby Harris, born May 11, 1901, was received at the General Office of the Commission, at Muskogee, Indian Territory, December 24, 1902.

The applicant is the minor child of Frank Harris and Sylvester Harris. The mother of the applicant, Sylvester Harris, is a non-citizen white woman, and whatever right the applicant may have to enrollment as a citizen of the Choctaw Nation is through her father, Frank Harris.

Frank Harris, the father of this applicant, made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation on July 26, 1900. On September 4, 1900, a decision was rendered therein refusing his application for enrollment, and declining to entertain the same under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221), which decision of the Commission was affirmed by the Secretary of the Interior March 28, 1901.

It is therefore ordered that the application for the enrollment of Ruby Harris as a citizen by blood of the Choctaw Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

DEC - 8 1904

Choc memo 8

Choc memo 8

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. July 26, 1900.

M E M O R A N D U M .

In the matter of the application of Lucy Jones for the enrollment of herself and her three minor children as citizens by blood of the Choctaw Nation. Lucy Jones being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Lucy Jones.
Q What is your age? A 22 years.
Q What is your post-office address? A Sulphur Springs.
Q Where do you live? A Near Sulphur Springs.
Q What Nation? A Chickasaw Nation.
Q How long have you lived in the Indian Territory? A Nine years.
Q Have never lived outside of the Territory in that time? A No sir.
Q Do you make application for any one besides yourself?
A My three children.
Q What are their names and ages? A Heber Jones, 6; Etter Jones, 4; Emmer Jones, 1.
Q Has the residence of these children always been the same as yours? A Yes sir.
Q They are living with you now? A Yes sir.
Q Have you or any of your minor children for whom you now make application ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.
Q Have you or any of your minor children for whom you make application at this time, ever been enrolled by the Choctaw tribal authorities as citizens of that Nation. A No sir.
Q Are the names of yourself or any of your minor children for whom you make application at this time on the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of citizens of the Choctaw Nation prepared by the tribal authorities of that Nation in the year 1896, examined and the names of none of the applicants are found thereon.

- Q Were you or any of your minor children for whom you make application at this time admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, acting under the act of Congress approved June 10th, 1896? A No sir.

Record of applications made to the Commission to the Five Civilized Tribes in the year 1896 under the act of Congress approved June 10th, 1896, for citizenship in the Choctaw Nation, is examined and the names of none of the applicants found therein.

- Q Were you or any of your minor children for whom you make application at this time admitted to citizenship in the Choctaw Nation on appeal from the decision of the tribal authorities of the Choctaw Nation or on appeal from the decision of this Commission acting under the act of Congress approved June 10th, 1896? A No sir.

Record of applicants admitted to citizenship in the

Lucy Jones R--

Choctaw Nation by the United States Court in the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes, acting under the act of Congress of June 10th 1896, examined and the names of none of the applicants found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and your three minor children as citizens by blood of the Choctaw Nation, mailed to you at your proper post office address.

The Commission will transmit such memorandum of the application made by you at this time for the enrollment of yourself and your three minor children as citizens by blood of the Choctaw Nation as has been taken at this time together with its decision in regard to your application to the Honorable Secretary of the Interior when the final rolls of the citizens of the Choctaw Nation are sent to him for consideration and approval.

Myra Young, being duly sworn, states that ~~she~~ as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug. 1900.

[Signature]
Acting Chairman.

Memorandum

Lucy Jones. 22.
Sulphur Springs
D. 9.

COMM. ...
JUL 22 1898

3 children

Heber Jones 6

Ether Jones 4

Emma Jones 1.

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

In the matter of the application for enrollment of Lucy Jones and her three minor children Heber Jones, Etter Jones and Emma Jones, as citizens by blood of the Choctaw Nation.

.....

D E C I S I O N .

It appears from the evidence in this case that on July 26, 1900, the applicant, Lucy Jones, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her three minor children, Heber Jones, Etter Jones and Emma Jones, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of Lucy Jones for enrollment of herself and her three minor children, Heber Jones, Etter Jones and Emma Jones, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Mrs. Lucy Jones,

Sulphur Springs, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself, and three children, Heber, Etter and Emmer Jones, as citizens by blood of the Choctaw Nation, before the Commission at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission of September 4th, 1900, refusing the application made by you for the enrollment of yourself and three children, Heber, Etter and Emmer Jones for enrollment as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *James Dwyer*

Acting Chairman.

no. 9.
Registered mail.
C. A. S.

1000

DEPARTMENT OF THE INTERIOR,
COMMISSIONER OF THE BUREAU OF LANDS,
WASHINGTON,
MAY 5 1900

[Handwritten signature]
COMMISSIONER

The Honorable Commission to the Five Civilized Tribes,

At Muskogee, Indian Territory.

In the matter of Miss Lucy Jones,
applicant for citizenship in the Choctaw Nation.

YOUR PETITIONER Most respectfully states that they have received notice from the Dawes Commission of their rejection as citizens of said nation, together with a transcript of the testimony therein and most respectfully ask that said Commission transmit to the Honorable Secretary of the Interior their petition for citizenship, together with all testimony and records therein, for his final hearing and that the same be submitted to him for such action as he may see fit.

RESPECTFULLY Presented this the 16th day of September,
1900.

Lucy Jones

COPY.

Muskegee, Indian Territory, October 4, 1900.

Mrs. Lucy Jones,

Sulphur Springs, Indian Territory.

Dear Madam:

The Commission is in receipt of your written request to have the record in the matter of your application for the enrollment of yourself and minor children as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The same has been filed with the other papers in your case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are forwarded him for approval.

Yours truly,

SIGNED: *James Kirby*

Acting Chairman.

7-R-8

Lucy Jones et al
^{vs.}
Choctaw Nation

Memoranda Case No. #8

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Lucy Jones for the enrollment of herself and her minor children Heber, Etter and Emmer Jones, as citizens, by blood, of the Choctaw Nation.

The applicant appeared before the commission, at Muscogee, on July 26, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission, showed that neither she nor her children had ever been recognized as citizens of the Choctaw Nation and that neither of them had ever been enrolled as such citizens or admitted to citizenship rights by the Choctaw authorities, by the commission, nor by the United States courts. The applications were therefore refused.

The action of the commission appears to have been proper, and it is therefore respectfully recommended that it be advised that its action is approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.) P.

C O P Y.

L. R. S.

DEPARTMENT OF THE INTERIOR,

C.

I. T. D.
1211-1901

Washington.

June 14, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Lucy Jones for the enrollment of herself and her three minor children as citizens by blood of the Choctaw Nation.

You found that the applicants had never been enrolled by the tribal authorities of said nation, that their names do not appear upon the rolls of the nation now in your possession, and that they were never admitted to citizenship in the nation by your commission, by the authorities of the nation or by the United States Court. In accordance with the act of May 31, 1900 (31 Stat., 221), you rejected the application.

The Commissioner concurs in your action. No legal or other objection appearing, your decision is affirmed.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, August 31, 1901.

Lucy Jones,

Sulphur Springs, Indian Territory.

Dear Madam:

With respect to your application for the enrollment of yourself and your children, Heber Jones, Etter Jones and Emma Jones as citizens of the Choctaw Nation, in regard to which you were informed by the Commission's letter of September 6, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1901, stating that he has approved of the refusal of this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, as well as for that of any others concerned, and in compliance with the tenor of the Secretary's instructions, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

"That said Commission shall continue to exercise all au-

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

As previously indicated, it was shown that neither you nor any of the persons for whom you have applied have ever been recognized as a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through a parent of any of the persons applied for in this case. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

(SIGNED) *C. R. Breckinridge.*

Commissioner in charge.

Choc memo 9

Choc memo 9

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. July 26, 1900.

M E M O R A N D U M .

In the matter of the application of Dovie Ferguson for enrollment of herself and her three minor children as citizens by blood of the Choctaw Nation, Dovie Ferguson being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Dovie Ferguson.
Q What is your age? A 25 years.
Q What is your post-office address? A Elk, I. T.
Q Where do you live? A Near Elk.
Q You are applying for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Do you make application for any one besides yourself?
A Yes sir. Myself and three children.
Q What are their names and ages? A Bertha, 7; James, 5; Fred, 3.
Q Have you or any of your minor children for whom you now make application, ever been recognized by the Choctaw tribal authorities as citizens of that Nation? A No sir.
Q Have you or any of your minor children for whom you now make application ever been enrolled by the tribal authorities of the Choctaw Nation? A No sir.
Q Are the names of yourself or any of your minor children for whom you make application, on the Choctaw tribal rolls of citizens of the Choctaw Nation? A No sir, I reckon not.

Tribal rolls of citizens of the Choctaw Nation prepared by the Choctaw ~~Nation~~ tribal authorities in the year 1896, examined and the names of none of the applicants are found thereon.

- Q Were you or any of your minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes commonly known as the Daves Commission, acting under the act of Congress, approved June 10th, 1896? A No sir.

Record of applications made to the Commission to the Five Civilized Tribes in the year 1896, under the act of Congress approved June 10th, 1896, for citizenship in the Choctaw Nation, is examined and the names of the applicants are not found thereon.

- Q Were you or any of your minor children for whom you make application at this time admitted to citizenship in the Choctaw Nation by decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or from the decision of this Commission rendered in 1896 acting under the act of Congress approved June 10th, 1896? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of the Commission to the Five Civilized Tribes acting under the act of Congress, approved June 10th, 1896, is

Devie Ferguson S--

examined and the names of none of the applicants are found thereon.

Q How long have you lived in the Indian Territory? A Three years.

Q Have you been outside of the Indian Territory in the past three years? A No sir.

Q The residence of your minor children for whom you now make application has always been the same as yours has it? A Yes sir.

In the event that the Commission denies the application made by you for the enrollment of yourself and of your minor children as citizens by blood of the Choctaw Nation, you will be so advised in writing and you will be furnished with a copy of the decision of the Commission in this case, mailed to you at your present post-office address.

The Commission will transmit such memoranda of the application made for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation at this time, together with the decision of the Commission with reference to such application to the Honorable Secretary of the Interior when the final rolls of citizens of the Choctaw Nation are sent to him for consideration and approval.

Myra Young, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.


Acting chairman.

W. Ferguson

Alice Ferguson 25
Edk. 27.

3 Children

Bertha Ferguson 7
James Ferguson 5
Fred Ferguson 3.

THE UNIVERSITY OF CHICAGO
LIBRARY

1911

3 children
Bertha Ferguson
Lewell Ferguson
Fred Ferguson 3

William
Lewell Ferguson 25
E.L.K. 29

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Dovie Ferguson and her three minor children, Bertha, James and Fred, for enrollment as citizens by blood of the Choctaw Nation.

.....

D E C I S I O N .

It appears from the evidence in this case that on July 26, 1900, the applicant, Dovie Ferguson, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her three minor children, Bertha, James and Fred, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, Provides:

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

It is therefore the judgment of the Commission that the application of Dovie Ferguson for the enrollment of herself and her three minor children, Bertha, James and Fred, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Mrs. Dovie Ferguson,

Musk. Ind. Ter.,

Dear Madam:-

There is enclosed for you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself, and three children, Bertha, James and Fred Ferguson, as citizens by blood of the Choctaw Nation, before the Commission at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission of September 4th, 1900, refusing the application made by you for the enrollment of yourself and three children, Bertha, James and Fred Ferguson, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

SIGNED: *Tame Dixby.*
Acting Chairman.

Enc. E.
Registered mail.
C. M. 9.

COPY.

Muskogee, Indian Territory, October 5, 1900.

Mrs. Dovie Ferguson,
Elk, Indian Territory.

Dear Madam:

The Commission is in receipt of your written request to have the record in the matter of the application of yourself and minor children for enrollment as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The same has been filed with the other papers in the case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamo Dixby.*

Acting Chairman.

7-R-9

Dorrie Ferguson et al
^{vs.}
Choctaw Nation

Memoranda Case No. # 9

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes in the matter of the application of Dovie Ferguson for the enrollment of herself and her minor children, Bertha, James and Fred Ferguson as citizens, by blood, of the Choctaw Nation. She appeared before the commission at Muscogee on July 26, 1900. Her testimony and an examination of the records in the possession of the commission showed that neither she nor her children had ever been recognized as citizens of the Choctaw Nation, and that they had never been enrolled as such either by the Choctaw authorities, by the commission or by the United States courts, and the commission therefore refused the applications.

The office believes that its action was correct, and it respectfully recommends that it be so advised.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(W. C. V.) P.

31994.

L. F. S.

I. T. D.
1209-1901.

J. P.
C.

DEPARTMENT OF THE INTERIOR,
Washington,

June 14, 1901.

The Commission to the

Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Commissioner of Indian Affairs, with his letter of March 23, 1901, transmitted your memorandum in the matter of the application of Dovie Ferguson for the enrollment of herself and her minor children as citizens by blood of the Choctaw Nation.

You found that the applicants have never been enrolled by the tribal authorities of said nation, that their names do not appear upon the rolls of the nation now in your possession, and that they were never admitted to citizenship in the nation by your Commission, by the authorities of the nation or by the United States Court. In accordance with the act of May 31, 1900 (31 Stat., 221), you rejected the application.

The Commissioner concurs in your action. No legal or other objection appearing, your decision is affirmed.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Eyan,

Acting Secretary.
I. T. D.

1 inclosure.

COPY.
Muskogee, Indian Territory, August 31, 1901.

Dovie Ferguson,

Elk, Indian Territory.

Dear Madam:

With respect to your application for the enrollment of yourself and your children, Bertha, James and Fred Ferguson as citizens of the Choctaw Nation, in regard to which you were informed by the Commission's letter of September 6, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1901, stating that he has approved of the refusal by this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, as well as for that of any others concerned, and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any report of any application of any person for enrollment as a member of any tribe in Indian Territory."

D F S

tery who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

As previously indicated, it was shown that neither you nor any of the persons for whom you applied have ever been recognized as a citizen of the United States and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through a parent of any of the persons applied for in this case. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

(SIGNED) *James D. Dineen*

Commissioner in Charge.

7-4-9

Choc memo 10

Choc memo 10

Department of the Interior,
Commission to the five civilized Tribes,
Muskegee, I. T. July 26, 1900.

M E M O R A N D U M .

In the matter of the application of Ida Marlow for enrollment of herself and four minor children as citizens by blood of the Choctaw Nation. Ida Marlow being duly sworn and examined by the Commission, testified as follows:

- What is your name? A Ida Marlow.
Q What is your age? A 31 years.
Q What is your post-office address? A Elk, I. T.
Q Where do you live? A Near Elk.
Q You apply for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
Q Do you apply for any one besides yourself? A My four children.
Q What are their names and ages? A Rolla R. Marlow, thirteen years old. William Houston Marlow, 11 years. Daisy Marlow 8. Emy Marlow, 1 year.
Q These children live with you do they? A Yes sir.
Q Have always lived with you? A Yes sir.
Q Have either you or your minor children for whom you now make application been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.
Q Have you or any of your minor children for whom you now make application, been enrolled by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.
Q Does your name or the name of your minor children for whom you now make application, appear on any of the Choctaw tribal rolls as citizens of the Choctaw Nation? A No sir.

Tribal rolls of citizens of the Choctaw Nation prepared by the tribal authorities of that Nation in the year 1896, is examined and the names of none of the applicants are found thereon.

- Q Were you or any of your minor children for whom you now make application, admitted to citizenship in the Choctaw Nation by the Commission to the five civilized Tribes acting under the act of Congress approved June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in the year 1896 under the act of congress approved June 10th, 1896, is examined and the names of none of the applicants are found among those admitted to citizenship in the Choctaw Nation by this Commission.

- Q Were you or any of your minor children for whom you now make application, admitted to citizenship in the Choctaw Nation by a decree of United States Court in the Indian Territory upon appeal from the decision of the tribal authorities of the Choctaw Nation or from the decision of the Commission to the Five civilized Tribes acting under the act of June 10th, 1896? A No sir.

Record of applicants admitted to citizenship in the Chectaw Nation by the United States Court for the Indian Territory on appeal from the decision of the tribal authorities of the Chectaw Nation and the decision of the Commission to the Five Civilized Tribes acting under the act of Congress of June 10th, 1896, examined and the name of the applicants not found thereon.

Q How long have you lived in the Indian Territory? A About ten years.

In the event that the Commission denies the application of yourself or any of your minor children you will be so advised in writing and you will be furnished with a copy of the decision of the Commission in your case, mailed to you at your present post-office address.

The Commission will transmit such memoranda of the application made by you on behalf of yourself and your minor children as has been taken at this time, together with a copy of its decision with reference to your application for the enrollment of yourself and minor children as citizens of the Chectaw Nation, by mail, to the Honorable Secretary of the Interior when the final rolls of citizens of the Chectaw Nation are sent to him for consideration and approval.

Myra Young being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.



Acting Chairman.

COMMISSIONER OF THE GENERAL LAND OFFICE
WASHINGTON, D. C.

JUL 20 1900

4 Charles Street

Wm. A. Mackay
W.A.M. 31

Wm. A. Mackay

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

In the matter of the application of Ida Marlow for enrollment of herself and her four minor children, Rolla R. Marlow, Emmy Marlow, William Houston Marlow, Daisy Marlow, as citizens by blood of the Choctaw Nation.

.
D E C I S I O N .

It appears from the evidence in this case that on July 26, 1900, the applicant, Ida Marlow, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her four minor children, Rolla R. Marlow, William Houston Marlow, Daisy Marlow and Emmy Marlow, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, provides:

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

It is therefore the judgment of the Commission that the application of Ida Marlow for the enrollment of herself and her four minor children, Rolla R. Marlow, William Houston Marlow, Daisy Marlow and Emmy Marlow, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

 Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Mrs. Ida Marlow,
Elk, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and minor children, Rolla R., Wm. H., Daisy and Emay Marlow, as citizens by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of yourself and minor children, Rolla R., Wm. H., Daisy and Emay Marlow, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamo Dindoy.*
Acting Chairman.

Enc. F.
Registered mail.
C. M. 10.

COPY.

Waskogee, Indian Territory, October 3, 1900.

Mrs. Ida Marlow,

Elk, Indian Territory.

Dear Madam:

The Commission is in receipt of your written request to have the record in the matter of your application for enrollment of yourself and four minor children as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The same has been filed with the other papers in your case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED): *James Dwyer*

Acting Chairman.

7-R10

Ida Marlow et al
vs.
Choctaw Nation

Memoranda Case No. 10

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR.

OFFICE OF INDIAN AFFAIRS,

Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Ida Marlow for the enrollment of herself and her children, Rolla R., William Houston, Daisy, and Emmy Marlow, as citizens, by blood, of the Choctaw Nation.

She appeared before the commission at Muscogee on July 26, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission, showed that she had never been recognized as a citizen of the Choctaw Nation and that she had never been admitted to citizenship or enrolled either by the Choctaw authorities, the commission to the Five Civilized Tribes, or the United States courts, and the commission therefore refused to accept her application and enroll her and her children.

The office believes that the action of the commission was correct, and respectfully recommends that it be so advised.

Very respectfully,

Your obedient servant

W. A. Jones,

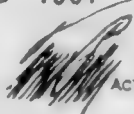
Commissioner.

(W. C. V.) P.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

17044

L. P. S.

J. P.

C.

DEPARTMENT OF THE INTERIOR.

Washington, March 28, 1901.

The Commission to the

Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Ida Marlow for the enrollment of herself and children as citizens by blood of the Choctaw Nation.

The Commissioner states that from the testimony of Marlow under oath and from an examination of the records in the possession of the Commission it was shown that she and her children had never been recognized as citizens of said nation and that they had never been admitted to citizenship or enrolled either by the Choctaw authorities, by your Commission or by the United States court, and that, therefore, your refusal to accept the application and to enroll her and her children was correct.

Your decision was warranted by the provisions of the act of May 31, 1900 (31. Stat., 221,236), and is hereby affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed.

Ind. Ter. Div.
1201-1901.
1 inclosure.

Respectfully,

Thos. Ryan.
Acting Secretary.
Dep.

COPY.

Muskegee, Indian Territory, May 27, 1901.

Ida Marlow,

Elk, Indian Territory.

Dear Madam:

On July 26, 1900, you made application to this Commission for the enrollment of yourself and your four minor children, Rolla B., William Houston, Daisy and Emory Mawler, as citizens by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED) *Jame Dixby.*
Acting Chairman .

7-M-10

BIRTH AFFIDAVIT.

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

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a ^{Citizen} Freedman of the Choctaw Nation, of Annice Marlow, born on the 1st day of July, 1902.
(Here insert name of child.)

Name of Father: Chas. J. Marlow a citizen of the Choctaw Nation

Name of Mother: Ida J. Marlow a Freedman of the Choctaw Nation

Post-office S. H. Ind. T.

Affidavit of Mother.

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

I, Ida J. Marlow, on oath state that I am 33 years of age and a ^{Citizen} Freedman, by Blount, of the Choctaw Nation; that I am the lawful wife of Chas. J. Marlow, who is a ^{not} citizen, by Choctaw, of the Choctaw Nation; that a Male child was (Male or Female.) born to me on 1st day of July, 1902; that said child has been named Annice Marlow, and is now living.

Witness to mark. Ida J. Marlow

(Must be two Witnesses.)

Subscribed and sworn to before me this 2nd day of December, 1902
Robert H. Taylor
Notary Public.

Affidavit of Attending Physician, or Midwife.

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

I, L. J. Chapman M.D., a Physician, on oath state that I attended on Mrs. Ida J. Marlow, wife of Chas. J. Marlow, on the 1st day of July, 1902; there was born to her on said date a male child; that said child is now living and is said to have been named Annice Marlow.

Witness to mark. L. J. Chapman M.D.

(Must be two Witnesses.)

Subscribed and sworn to before me this 2nd day of December, 1902
Robert H. Taylor
Notary Public.

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

--oOo--

In the matter of the application for the enrollment of
Annie Marlow as a citizen by blood of the Choctaw Nation.

--oOo--

Written application for the enrollment of Annie Marlow,
born July 1, 1902, was received at the General Office of the Commis-
sion, at Muskogee, Indian Territory, December 24, 1902.

The applicant is the minor child of Chas. D. Marlow and
Ida I. Marlow. The father of the applicant, Chas. D. Marlow, is
a non-citizen white man, and whatever right the applicant may have
to enrollment as a citizen of the Choctaw Nation is through her
mother, Ida I. Marlow.

Ida I. Marlow (Ida Marlow), the mother of this applicant,
made application to this Commission for enrollment as a citizen
by blood of the Choctaw Nation on July 26, 1900. On September 4,
1900, a decision was rendered therein refusing her application for
enrollment, and declining to entertain the same under the provisions
of the Act of Congress approved May 31, 1900 (31 Stats., 221),
which decision was affirmed by the Secretary of the Interior March
28, 1901.

It is therefore ordered that the application for the en-
rollment of Annie Marlow as a citizen by blood of the Choctaw
Nation be dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.

Muskogee, Indian Territory,

DEC - 8 1904

Muskogee, Indian Territory, June 15, 1901.

Ida Marlew,

Elk, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 9th inst., relative to the action of the Commission to the Five Civilized Tribes in refusing to enroll you as a citizen of the Choctaw Nation and the approval by the Secretary of the Interior of such action of this Commission. As the Commission wrote you on May 27, 1901 the action of this Commission and of the Secretary of the Interior as to your application for enrollment as a citizen of the Choctaw Nation which was refused is final and no further consideration can be paid to such application.

Yours truly,

Acting Chairman.

7-M.10.

7-R-645
7-M- 7
7-M- 10

Muskogee, Indian Territory, December 12, 1908.

Rosie Harris,

Elk, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 2d inst., enclosing applications for enrollment as citizens of the Choctaw Nation of Ruby Harris, infant daughter of Frank and Sylvester Harris, born May 11, 1901; Nettie M. Milburn, infant daughter of Sam J. and Josie Milburn, born September 12, 1901; and Annie Marlow, infant daughter of Charles D. and Ida I. Marlow, born July 1, 1902; and the same are herewith returned to you, for the reason that the notary public before whom the affidavits of the mothers were acknowledged neglected to affix his notarial seal thereto.

You are advised that it appears from the records of this office that on September 4, 1900, the Commission rendered its decisions denying the applications for enrollment as citizens of the Choctaw Nation of Frank Harris, father of Ruby Harris, and Ida Marlow, mother of Annie Marlow; of which action of the Commission they were duly notified on that date; and on March 28, 1901, the

R H R

Secretary of the Interior affirmed the decisions of the Commission in these cases, of which action of the Secretary the applicants were duly notified.

The rights of these children being entirely dependent upon the rights of the parents, the Commission is therefore without authority to enroll them as citizens of the Choctaw Nation.

Respectfully,

Acting Chairman.

Enc B I 106.

7-21-19

Muskogee, Indian Territory, June 27, 1904.

Ida Marlow,

Elks, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 30, 1904, addressed to the Secretary of the Interior and by him referred to this Commission for consideration and appropriate action. Therein you state the names of your parents, and further that your enrollment is not dependent upon a Court judgment but that the same has been pending before the Commission since 1896.

You are informed that the information contained in your letter enables the Commission to identify you as having made application for the enrollment of yourself and your minor children, Hollie R., William Houston, Daisy and Emmy Marlow, July 26, 1900, as citizen by blood of the Choctaw Nation.

You are advised that under date of September 4, 1900, the Commission rendered its decision denying the application for enrollment of yourself and minor children as citizens by blood of the Choctaw Nation, due notice thereof having been mailed to you, September 6, 1900, at Elks, Indian Territory. On March 28, 1901, the Secretary of the Interior affirmed the decision of the Commission and notice thereof was forwarded you at Elks, Indian Territory, May 27, 1901.

I M 2

The action of the Commission and the approval thereof by the Secretary of the Interior as to your application for enrollment, is final.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, March 11, 1907.

Mrs. Ida Marlow,
Duncan, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of February 11, 1907, in which you ask why you cannot file for yourself and your children.

In reply to your letter you are advised that on September 4, 1900, the Commission to the Five Civilized Tribes denied the application for the enrollment of yourself and your children as citizens of the Choctaw Nation.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Respectfully,

Commissioner.

Memo 10

Muskogee, Indian Territory, April 29, 1907.

Mrs. Ida Marlow,

Duncan, Indian Territory.

Dear Madam:

Your letter of February 12, 1907, addressed to the Secretary of the Interior has been by him referred to this office for consideration and appropriate action. Therein you state that you were before the Commission seven years ago but have never received your rights yet; you state that you can prove you are Choctaws by blood and deserve your rights as such and you ask if something cannot be done in your behalf.

In reply to your letter you are advised that on September 4, 1900, the Commission to the Five Civilized Tribes denied the application for the enrollment of yourself and your children as citizens of the Choctaw Nation.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and your children for enrollment as citizens by blood of the Choctaw Nation.

I. M. #2.

The action of the Commission and of the Secretary of the Interior as to such application is final and no further consideration can be given your application.

Respectfully,

Acting Commissioner.

Choc memo 11

Choc memo 11

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. July 26, 1900.

MEMORANDUM.

In the matter of the application of Pearl Thompson for the enrollment of herself and minor child, Rivers Thompson as citizens by blood of the Choctaw Nation, Pearl Thompson being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Pearl Thompson.
Q What is your age? A 21.
Q What is your post-office address? A Hoxbar.
Q Where do you live? A Hoxbar in the Chickasaw Nation.
Q Do you live in town or near there? A In the country near town.
Q You claim to be a Choctaw by blood? A Yes sir.
Q And make application for enrollment as such? A Yes sir.
Q Do you make application for the enrollment of any one besides yourself? A And my baby.
Q What is the child's name? A Rivers Thompson.
Q How old? A One year old the 2nd of this month.
Q Have either you or your minor son, Rivers Thompson, ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Have you or your minor son ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the name of your minor son appear upon any of the tribal rolls of the Choctaw Nation? A I don't know.
Q You never heard of your name having appeared on any of those rolls, did you? A No sir.

Tribal roll of citizens of the Choctaw Nation prepared by the tribal authorities in the year 1896, examined and the name of the applicant is not found thereon.

- Q What is the name of your husband? A Charles C. Thompson.
Q When and where were you married to him? A In the Chickasaw Nation, Hoxbar, Three years ago the 24th of next month.
Q Have you lived out of the Indian Territory in the last three years? A No, I have not been outside of it.
Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, acting under the act of Congress, approved June 10th, 1896? A No sir.
Q You didn't make application four years ago? A No sir.

Record of applications made to the Commission to the Five Civilized Tribes in the year 1896 for citizenship in the Choctaw Nation, is examined and the name of the applicant is not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation by decree of United States Court in the Indian Territory upon an appeal from the decision of the tribal authorities of the Choctaw Nation or from the decision of the Commission to the Five Civilized Tribes acting under the act of June 10th, 1896? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the United States Court for the

Pearl Thompson 2--

Indian Territory on appeal from the decision of the tribal authorities of the Chectaw Nation and the decision of the Commission to the Five Civilized Tribes acting under the act of Congress of June 10th, 1896, and the name of the applicant is not found thereon.

In the event that the Commission denies your application on behalf of yourself and your minor son, Rivers Thompson, for enrollment as citizens by blood of the Chectaw Nation you will be so advised in writing and be furnished with a copy of the decision of the Commission in this case, mailed to you at your present post-office address.

The Commission will transmit such memoranda of your application as has been taken at this time together with its decision with reference to the application of yourself and your minor son for enrollment as citizens by blood of the Chectaw Nation to the Honorable Secretary of the Interior when the final rolls of citizens of that Nation are sent to him for consideration and approval.

Myra Young, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true and complete transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.


Acting Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE GREAT SMOKE TREE TRIBE.

JUL 26 1896

one child
(Kiverno Thompson 1/2)

(Bank Thompson 20)

Memoranda on

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

In the matter of the application of Pearl Thompson for the enrollment of herself and minor child, Rivers Thompson, as citizens by blood of the Choctaw Nation.

.
D E C I S I O N .

It appears from the evidence in this case that on July 26, 1900, the applicant, Pearl Thompson, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her minor child, Rivers Thompson, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of Pearl Thompson for the enrollment of herself and her minor child, Rivers Thompson, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Mrs. Pearl Thompson,
Hoxbar, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and minor child, Rivers Thompson, as citizens by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 26, 1900.

Also the decision of the Commission of September 4th, 1900, refusing the application made by you for the enrollment of yourself and minor child, Rivers Thompson, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamo Dinby.*
Acting Chairman.

Enc. G.
Registered mail.
C. M. 11.

Pearl Thompson et al.
^{vs.}
Choctaw Nation
Memoranda Case No. 71

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Land.
61,035-1901.

(Copy)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington,

March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Pearl Thompson for the enrollment of herself and her minor child, Rivers Thompson, as citizens by blood of the Choctaw Nation.

She appeared before the commission at Muscogee, on July 26, 1900. Her testimony and the examination of the records in the possession of the commission, showed that neither she nor her child had ever been recognized as citizens of the Choctaw Nation and that neither of them had been admitted to citizenship therein or enrolled either by the Choctaw authorities, by the commission, or by the United States courts, and the commission therefore refused to enroll them.

The office believes that the action of the commission was correct, and respectfully recommends that it be so advised.

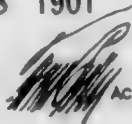
Very respectfully,
Your obedient servant,
W. A. Jones,
Commissioner.

(W. C. V.) P

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

31993

L. R. S.

J. P.
C.

I. T. D.
1208-1901

DEPARTMENT OF THE INTERIOR.

WASHINGTON, June 14, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Pearl Thompson for the enrollment of herself and her minor child as citizens by blood of the Choctaw Nation.

You found that the applicants have never been enrolled by the tribal authorities of said nation, that their names do not appear upon the rolls of the nation now in your possession, and that they were never admitted to citizenship in the nation by your Commission, by the authorities of the nation or by the United States Court. In accordance with the act of May 31, 1900 (31 Stat., 221), you rejected the application.

The Commissioner concurs in your action. No legal or other objection appearing, your decision is affirmed.

A copy of the Commissioner's letter is inclosed.

Respectfully,

1 inclosure.

Thos. Ryan.
Acting Secretary.

COPY,

Muskogee, Indian Territory, August 31, 1901.

Pearl Thompson,

Hoxbar, Indian Territory.

Dear Madam:

With respect to your application for the enrollment of yourself and your minor child, Rivers Thompson, as citizens of the Choctaw Nation, in regard to which you were informed by the Commission's letter of September 6, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1900, stating that he has approved of the refusal by this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, as well as for that of any others concerned, and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not

P T 2

duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

As previously indicated, it was shown that neither you nor your child for whom you applied have ever been recognized as a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through a parent of either of the persons applied for in this case. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

(SIGNED) *C. S. Brockinridge*

Commissioner in Charge.

7-M-11

choc memo 12

choc memo 12

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. July 26, 1900.

M E M O R A N D U M .

In the matter of the application of Mattie Morris for enrollment as a citizen by blood of the Choctaw Nation, represented by her father, H. C. Morris. H. C. Morris being duly sworn and examined by the Commission, testified as follows:

- Q What is your name? A Henry C. Morris.
Q What is your age? A 27.
Q What is your post-office address? A Elk, Chickasaw Nation
Q Where do you live? A I am working in the Creek Nation
I left my home. My post-office address there is Holdenville. I will probably be there for thirty days.
Q How long have you lived in the Creek Nation? A About four or five weeks.
Q You are a white man? A Yes sir.
Q Claim no Indian blood? A No sir.
Q You make application for the enrollment of your infant daughter as a citizen by blood of the Choctaw Nation? A Yes sir.
Q What is the name of your child for whom you make application? A Mattie Morris.
Q How old is this child? A Thirteen months old.
Q This child is living with you is she? A Yes sir.
Q What is the name of the child's mother? A Lizzie Moore.
Q What was her maiden name? A Lizzie Harris.
Q Is she living? A No sir.
Q When did she die? A The 10th day of March, 1900.
Q Was the mother of this child a Choctaw Indian by blood? A Yes sir, she claimed to be.
Q What proportion Choctaw blood did she claim to have? A One sixteenth.
Q Was the mother of this child for whom you now make application, ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A I don't know. I could not tell you.
Q I want to say no evidence is presented to the Commission nor has it in its possession any ~~such~~ evidence that the mother of the child for whom this application was made, was ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation. Was the mother of this child for whom you make application, ever enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A I could not tell you.
Q Does the name of the mother of the child for whom you now make application appear on any of the Choctaw tribal rolls? A I do not know.

Tribal rolls of citizens of the Choctaw Nation prepared by the Choctaw tribal authorities in the year 1896, examined and the name of the mother of the child for whom this application is made is not found thereon.

- Q Was the mother of the child for whom you now make application, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission in the year 1896, acting under the act of Congress approved June 10th, 1896? A I don't know.

Mattie Morris 2-----

Record of applicants admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, acting under the act of Congress approved June 10th, 1896, examined and the name of the mother of the child for whom this application is made, is not found thereon.

Q Was the mother of the child for whom you make application at this time ever admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896? A I do not know.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities and the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896, is examined and the name of the child for whom application is made is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you for the enrollment of your infant child, Mattie Morris, as a citizen by blood of the Choctaw Nation, mailed to you at your present post-office address.

The Commission will transmit such memoranda of the application made by you for this infant child, as has been taken at this time together with its decision with reference to the application made by you for the enrollment of your child as a citizen by blood of the Choctaw Nation, to the Honorable Secretary of the Interior when the final rolls of citizens of the Choctaw Nation are sent to him for consideration and approval.

Myra Young, being duly sworn states, that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.


Notary Public.

DEPT. OF AGRICULTURE
COMMISSION TO THE EXPANDED TRIES.
1 1 1 1 1 1
JUL 26 1900

Phormidium
Great Britain 13ms
L. J. W. Moore
for J. L. W.

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

In the matter of the application for enrollment of Mattie Morris as a citizen by blood of the Choctaw Nation, represented by her father, H. C. Harris.

.
D E C I S I O N .

It appears from the evidence in this case that on July 26, 1900, H. C. Morris, the father of the applicant, Mattie Morris, appeared before the Commission at Muskogee, and made application for the enrollment of Mattie Morris as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of Mattie Morris, represented by her father, H. C. Morris, for enrollment as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Henry C. Morris,
Elk, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of your minor daughter, Mattie Morris, as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory July 26, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of your minor daughter, Mattie Morris, as a citizen ~~of~~ blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamc Dixey.*
Acting Chairman.

Enc. H.
Registered mail.
C. M. 12.

COPY.

Muskogee, Indian Territory, October 9, 1900.

Henry C. Morris,

Elk, Indian Territory.

Dear Sir:

The Commission is in receipt of your request to have the record in the matter of your application for enrollment as a citizen of the Choctaw Nation forwarded to the Secretary of the Interior for his consideration, and the same is returned to you for the reason that you appeared before the Commission on behalf of your child, Mattie Morris, and if you desire to have the record in her case transmitted to the Secretary of the Interior, your request should so signify.

There is no record of your having appeared before the Commission as an applicant for enrollment as a citizen of the Choctaw Nation.

Yours truly,

SIGNED: *Tams Bixby.*

Acting Chairman.

C. M. R-12

Enc 4

Mattie Morris et al

vs.
Choctaw Nation

Memoranda Case No. 12

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1901.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Mattie Morris, for enrollment as a citizen, by blood, of the Choctaw Nation.

Her application was made by her father H. C. Morris, who appeared before the commission at Muscogee on July 26, 1900. His testimony and an examination of the records in the possession of the commission showed, first, that Mattie Morris was 13 months old and that her mother, who was then dead, was a Choctaw Indian of one-sixteenth blood, named Lizzie Harris; that she was never admitted to citizenship in the Choctaw Nation, either by the Choctaw authorities, by the commission, or by the courts in the Indian Territory, and that she was never recognized as a citizen of said nation, and further, that the name of the said child, Mattie Morris had never been placed on the tribal roll of the Choctaw Nation. The commission, acting under authority of the Act of Congress of May 31, 1900, refused to accept the application.

This office believes that its action was correct, and re-

-2-

spectfully recommends that it be so advised.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.)

P.

C O P Y.

J. P.

L. R..S/

DEPARTMENT OF THE INTERIOR,
Washington.

C.

17040

March 28, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of H. C. Morris, a white man, for the enrollment of his minor child, Mattie Morris, as a citizen by blood of the Choctaw Nation.

It is alleged that this child, at the time of the application, was thirteen months old, and that her mother, who was then dead, was a Choctaw Indian of one-sixteenth blood named Lizzie Harris. It appears that Lizzie Harris was never admitted to citizenship in the Choctaw Nation either by the Choctaw authorities, by your Commission or by the United States Court, and that she was never recognized as a citizen of that nation, and that the name of the child has never ^{been} placed on the tribal rolls of said nation.

You decided, in view of the act of May 31, 1900(31 Stat., 221, 236), which provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

17040

not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior;"

that the party was not entitled to enrollment.

The Commissioner states that he considers your action correct, and he recommends that you be so advised.

The Department concurs in this recommendation, and you will so advise the applicant.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.
Dep

Ind. Ter. Div.
1178-1901.
1 inclosure.

COPY.

Muskogee, Indian Territory, June 6, 1901.

H. C. Morris,
Elk, Indian Territory.

Dear Sir:

On July 26, 1900, you made application to this Commission for the enrollment of your minor child, Mattie Morris, as a citizen by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of your minor child as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of your minor child as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamc Bixby.*

Acting Chairman.

EMPTY

EMPTY

Choc memo 15

see choc [#]4962

Choc memo 15

C. E. Goodall et al

CANCELLED

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

JUDGMENT WRITTEN AUG. 28, 1900.

CANCELLED

Order of court in this case is hereby annulled

SEP -1 1900

CANCELLED

7/12

Choc memo 16

see Choc #4961

Choc memo 16

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskeget, I. T. July 30, 1900.

MEMORANDUM

In the matter of the application of James A. Arms for enrollment as a citizen by blood of the Choctaw Nation? James A. Arms being duly sworn and examined by the Commission, testified as follows:

- Q Please state your name? A James A. Arms.
Q How old are you? A 21.
Q What is your post-office address? A Hickory, Chickasaw Nation.
Q You apply for enrollment as a Choctaw Indian by blood do you? A Yes sir.
Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of that Nation? A No sir.
Q Does your name appear upon any of the Choctaw tribal rolls? A No sir.

Tribal rolls of citizens of the Choctaw Nation, prepared by the tribal authorities of the Choctaw Nation in 1896, examined and the name of the applicant not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896?
A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, examined and the name of the applicant is not found thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory?
A Yes sir.
Q What is the style of the case in which you were admitted?
A Charles Goodall case.

Record of applications made to the Commission to the Five Civilized Tribes in the year 1896 for citizenship in the Choctaw Nation, is examined and on page 243 thereof, appears the case of Charles Goodall et al versus the Choctaw Nation, being No. 258. Filed September 7th, 1896, answer filed. Application denied December 2nd 1896. Appealed to the United States Court for the Southern Judicial District of the Indian Territory and on May 10th, 1898, a decree was entered in this case admitting fifty persons to citizenship in the Choctaw Nation, among whom is the applicant, James A. Arms. On March 3rd, 1899, a nunc pro tunc decree was entered in this case by said court striking from the original decree entered May 10, 1898, the name of forty three persons, among whom is the name of the said applicant.

James A. Arns J--

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application made at this time for enrollment as a citizen by blood of the Chestaw Nation, mailed to you at your proper post-office address.

The Commission will transmit such memoranda as has been made at this time of your application, together with a copy of its decision with reference to the same to the Honorable Secretary of the Interior when the final rolls of the citizens of the Chestaw Nation are forwarded to him for consideration and approval.

Myra Young being duly sworn, states as stenographer to the Commission to the Five Civilized Tribes she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Augt 1900.

[Signature]
Sitting Chairman.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. July 30, 1900.

MEMORANDUM.

In the matter of the application of Nancy J. Ozbirn for the enrollment of her seven minor children, Owen, Amos, Charley, Nicholas, Lora, Unus and Laura T. Arms, as citizens by blood of the Choctaw Nation. Nancy J. Ozbirn being duly sworn and examined by the Commission testified as follows:

Q Please state your name? A Nancy J. Ozbirn.

Q Have you been married more than once? A Yes sir.

Q What was your name before you were married the last time?

A Nancy J. Arms.

Q How old are you? A 38.

Q What is your post-office address? A Palmer, Indian Territory.

Q You apply for the enrollment of your seven minor children as citizens by blood of the Choctaw Nation, do you? A Yes sir.

Q Please give their names and ages. A Owen, eighteen. Amos, 16. Charley, 14. Nicholas, 14. Charley and Nicholas are twins. Lora 10. Unus, 8 and Laura T. 6.

Q Is that all? A Yes sir.

Q These children are living with you? A Yes sir.

Q Have any of these minor children for whom you make application at this time ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.

Q Have they ever been enrolled by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.

Q Are the names of any of these minor children for whom you make application at this time to be found on the Choctaw tribal rolls? A No sir.

Tribal rolls of citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, examined and the names of none of the applicants are found thereon.

Q Were any of these minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, acting under the act of Congress approved June 10, 1896? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, is examined and the name of none of the applicants found thereon.

Q Were any of these minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation by a decree of the United States court? A Yes sir, I guess so.

Q What is the style of the case in which they were admitted?

A Charles Goodall.

Q Against the Choctaw Nation? A Yes sir.

Record of applications for citizenship in the Choctaw Nation made to the Commission to the Five Civilized Tribes in the year 1896 under the act of Congress approved June 10th, 1896, is examined and on page 243 thereof appears the case of Charles Goodall et al

Benny J. Osbira 2---

Nicholas Arms,

vs the Choctaw Nation, being No. 258. Filed September 7th, 1896. Answer filed. Application denied, December 2nd, 1896. Case appealed to the United States Court for the Southern Judicial District of the Indian Territory and on May 10th, 1898 by a decree of the said court entered in said case, the judgment of the Commission to the Five Civilized Tribes entered December 2d, 1896, was reversed and fifty persons were admitted to citizenship in the Choctaw Nation, among whom are Owen Arms, Amos Arms, Charles Arms, Lora Arms, Unus Arms and Laura T. Arms. By a ~~new~~ ^{pro tunc} decree entered in said cause on March 3rd, 1899, the names of forty three persons admitted to citizenship by the decree entered in this case on May 10th, 1898, were stricken from the original decree. Among the list of those stricken from the original decree appear the names of Owen Arms, Amos Arms, Charles Arms, Nicholas Arms, Lora Arms, Unus Arms and Laura T. Arms.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of your seven minor children hereinabove named, as citizens by blood of the Choctaw Nation, mailed to you at your proper post-office address.

The Commission will transmit such memorandum of the application made by you at this time as has been taken at this time together with a copy of its decision with reference to the application made by you for the enrollment of your seven minor children hereinabove named as citizens by blood of the Choctaw Nation, to the Honorable Secretary of the Interior when the final rolls of citizens of the Choctaw Nation are forwarded to him for consideration and approval.

Myra Young, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of Aug 1900.

[Signature]
Acting Chairman

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

In the matter of the application of James A. Arms for enrollment as a citizen by blood of the Choctaw Nation.

.
D E C I S I O N .

It appears from the evidence in this case that on July 30, 1900, the applicant, James A. Arms, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by the judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of James A. Arms as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

Acting Chairman.

Dated this _____ day of _____ 1900.

EMPTY

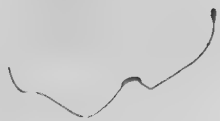


EMPTY

EMPTY

Choc memo 20

Choc memo 20



MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., JULY 30, 1900.

In the matter of the application of Lucinda V. Embree for enrollment as a Choctaw by blood. Lucinda V. Embree, being first duly sworn, testified as follows:

- Q Please state your name. A Lucinda V. Embree.
Q What is your age? A 18.
Q What is your post office address? A Palmer, Indian Territory.
Q You make application for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
Q Do you apply for anyone besides yourself? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear upon any of the Choctaw tribal rolls?
A No sir.

The roll of the citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, is examined and the name of the applicant is not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, known as the Dawes Commission, in the year 1896, acting under the act of Congress, approved June 10, 1896? A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, in the year 1896, acting under the act of Congress, approved June 10, 1896, is examined and the name of the applicant is not found thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes acting under the act of Congress, approved June 10, 1896?
A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities and the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and the name of the applicant is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for enrollment as a citizen by blood of the Choctaw Nation, mailed to you at your present post office address. The Commission will transmit such memorandum of your application for enrollment as a citizen by blood of the Choctaw Nation as has been made at this time, together with a copy of the decision of the Commission with reference to your application, to the Honorable Secretary of the Interior when the final roll of the citizens of the Choctaw Nation are forwarded to him for his consideration and approval.

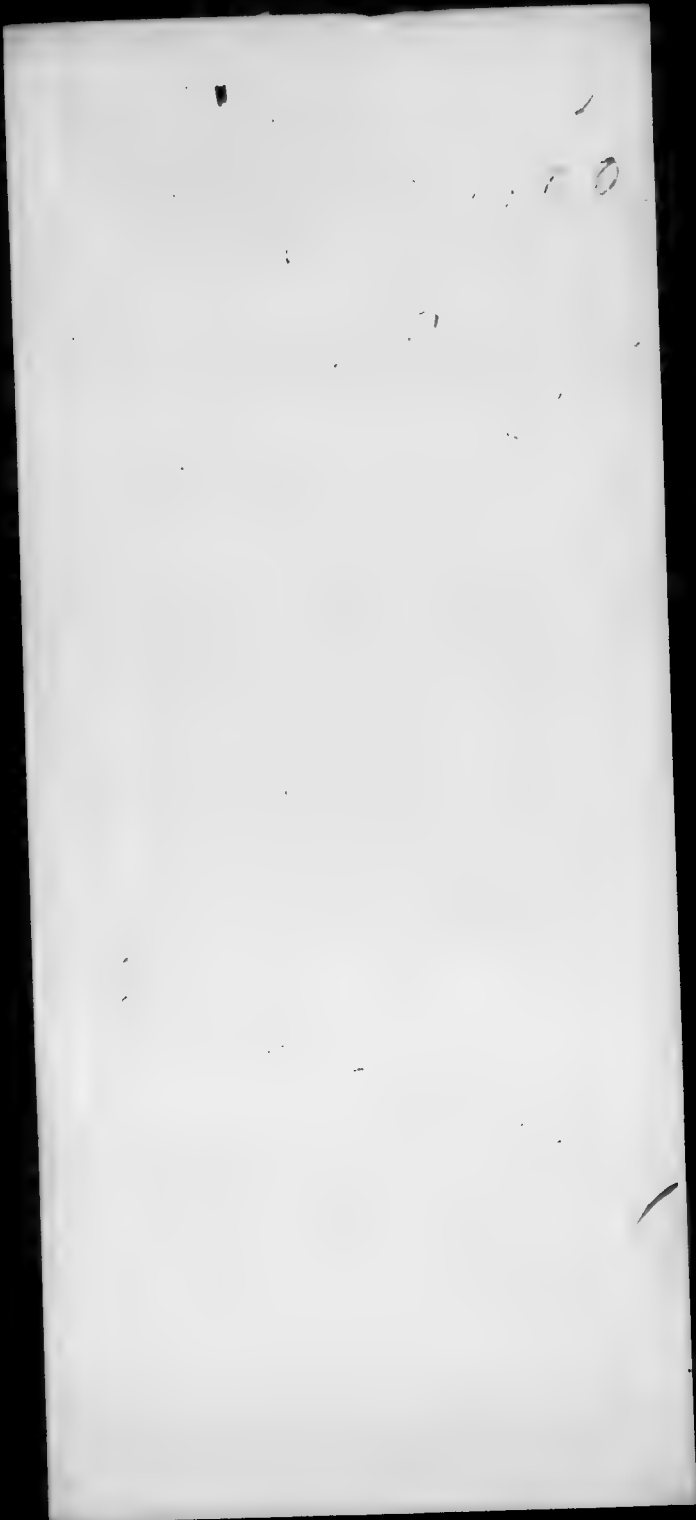
Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a full true and correct transcript of her stenographic notes, taken in said case.

Kate De Bord

Subscribed and affirmed to before me this 14 day of
August 1900.



Acting Chairman.



COMM. ...

...ES.

FILED
JUL 30 1900

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

In the matter of the application of Lucinda V. Embree
for enrollment as a citizen by blood of the Choctaw Nation.

* * * * *

D E C I S I O N .

It appears from the evidence in this case that on July 30, 1900, the applicant, Lucinda V. Embree, appeared before the Commission at Muskogee and made application for enrollment of herself as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of Lucinda V. Embree for the enrollment of herself as a citizen by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Lucinda V. Embree,
Palmer, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for enrollment as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 30, 1900.

Also the decision of the Commission of September 4th, 1900, refusing the application made by you for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamie Dixey.*

Acting Chairman.

Enc. J.
Registered mail.
C. M. 20.

COPY.

Muskogee, Indian Territory, November 26, 1900.

J. W. Cherryhelmes,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th instant, enclosing requests of Lucinda V. Mabree, George W. Tabor, Florence B. Jackson, Mary K. Pace and Jesse Goins, to have the records in their cases as applicants for enrollment as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The requests have been duly filed with the other papers in these respective cases and the records so made will be forwarded to the Secretary of the Interior, when the cases of applicants for enrollment as citizens by blood of the Choctaw Nation refused by this Commission are transmitted to him for consideration.

Yours truly,

(SIGNED) *Tams Dixby.*

Acting Chairman.

7-M-20
7-M-21
7-M-22
7-M-24
7-R-685

Lucinda V Embree

Choctaw Nation^{vs.}

Memoranda Case No. 20

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

1
Land.
61,035-1900

(Copy)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Lucinda V. Embree, for enrollment as a member, by blood, of the Choctaw Nation.

She appeared before the commission on July 30, 1900, at Muscogee. Her testimony given under oath and an examination of the records in the possession of the commission showed that she had never been recognized as a member of the Choctaw tribe or nation; that her name never appeared upon any roll thereof, and that she had never been admitted to citizenship either by the tribal authorities, by the commission or by the United States courts. The commission, acting under authority of the Act of May 31, 1900, refused her application. In the opinion of this office its action is correct, and it is respectfully recommended that it be approved

Very respectfully,

Your obedient servant,

W. A. Jones,
Commissioner.

(V. C. V.)P

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)
31997

L. R. S.
I. T. D.
1212-1901

J. P.
C.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

June 14, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Lucinda V. Embree for enrollment as a citizen by blood of the Choctaw Nation.

You found that said applicant had never been enrolled by the authorities of the nation, that her name does not appear on any of the rolls of the nation now in your possession, and that she was never admitted to citizenship in said nation by your Commission, by the authorities of the nation or by the United States Court. In accordance with the act of May 31, 1900 (31 Stat., 221), you rejected the application.

The Commissioner concurs in your action. No legal or other objection appearing, your decision is affirmed, and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, September 3, 1901.

Lucinda V. Mabree,

Palmer, Indian Territory.

Dear Madam:

With respect to your application for enrollment as a citizen of the Choctaw Nation, in regard to which you were informed by the Commission's letter of September 6, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1901, stating that he has approved of the refusal by this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated for your information and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

SECTION 1. A. 1900

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

L. V. N. S.

As previously indicated, it was shown that you have never been recognized as a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through either of your parents. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed .

Yours truly,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

7-M-80

Choc memo 21

Choc memo 21

7

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., July 30, 1900.

MEMORANDUM.

In the matter of the application of Florence B. Jackson and minor children for enrollment as Choctaws by blood. Florence B. Jackson being duly sworn testifies as follows:

Q Please state your name? A Florence B. Jackson.

Q What is your age? A 20 years old.

Q What is your post office address? A Hart, Chickasaw Nation, Indian Territory.

Q Do you make application for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.

Q Do you apply for anyone besides yourself? A Three children.

Q Please give their names and ages? A Clarence R. Jackson, four years old; Francis C. Jackson, three years old; Homer Bryan Jackson, three months old.

Q Have you, or any of your minor children for whom you make application at this time, ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No, sir.

Q Have you, or any of your minor children for whom you make application at this time, ever been enrolled by the tribal authorities as a citizen of the Choctaw Nation? A No, sir.

Q Are the names of yourself or your children to be found upon the Choctaw tribal rolls? A No, sir.

Tribal roll of the citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, is examined, and neither the name of the applicant, or her minor children, are found thereon.

Q Were you, or any of your minor children, for whom you make application at this time, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, in the year 1896, acting under the act of Congress, approved June 10, 1896? A No, sir.

Record of applicants admitted to citizenship in the Choctaw Nation in the year 1896, by the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined, and the names of none of the applicants are found thereon.

Q Were you, or any of your minor children for whom you make application at this time, ever admitted to citizenship in the Choctaw Nation by decree of the United States Courts in the Indian Territory?

A No, sir.

Q Were you or your minor children for whom you make application at this time, ever admitted to citizenship of the Choctaw Nation by the United States courts in the Indian Territory on appeal from the decision of the tribal authorities, or the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896? A No, sir.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by ~~THIS~~ ~~YOUR~~ you at this time, for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation, mailed to you at your present post office address. The Commission will transmit such memorandum as has been made at this time, of the application made by you for the enrollment of yourself and your minor children, together with a copy of its decision with reference to your application, to the Hon. Secretary of the Interior, when the final roll of the citizens of the Choctaw Nation are forwarded to him for his consideration and approval.

Kate DeBord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and that the foregoing is a full, true and correct transcript of her stenographic notes taken in said case.

Kate DeBord

Subscribed and affirmed to before me this 14 day of
August, 1890.



Acting Chairman.

1000

PAID
JUL 1 1890

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of Florence B. Jackson and her three minor children, Clarence R. Jackson, Francis C. Jackson and Homer Bryan Jackson, as citizens by blood of the Choctaw Nation.

* * * * *

D E C I S I O N .

It appears from the evidence in this case that on July 30, 1900, the applicant, Florence B. Jackson, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her three minor children, Clarence R. Jackson, Francis C. Jackson and Homer Bryan Jackson as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Florence B. Jackson for the enrollment of herself and her three minor children, Clarence R., Francis C. and Homer Bryan Jackson, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskegee, Ind. Ter., Sept. 6, 1900.

Mrs. Florence B. Jackson,

Hart, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and minor children, Clarence R., Francis C., and Homer B. Jackson, as citizens by blood of the Choctaw Nation, before the Commission, at Muskegee, Indian Territory, July 30, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of yourself and minor children, Clarence R., Francis C., and Homer B. Jackson, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

James Dixby

Acting Chairman.

Enc. R.
Registered mail.

Muskegee, Indian Territory, November 26, 1900.

J. W. Cherryholmes,

Attorney at Law,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th instant, enclosing requests of Lucinda V. Rabree, George W. Tabor, Florence H. Jackson, Mary H. Pace and Jesse Goins, to have the records in their cases as applicants for enrollment as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The requests have been duly filed with the other papers in these respective cases and the records so made will be forwarded to the Secretary of the Interior, when the cases of applicants for enrollment as citizens by blood of the Choctaw Nation refused by this Commission are transmitted to him for consideration.

Yours truly,

Acting Chairman.

7-M-20
7-M-21
7-M-22
7-M-24
7-R-488

Florence B. Jackson *et al*

vs.
Choctaw Nation

Memoranda

Case No. 21

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED
ACT OF MAY 31, 1900
MEMORANDUM.

(Copy)

Land.

61,035-190D

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Florence B. Jackson for the enrollment of herself and her children, Clarence R., Francis, C., and Homer Brown Jackson as members, by blood, of the Choctaw Nation.

She appeared before the Commission at Muscogee on July 30, 1900. Her testimony, given under oath, and an examination of the records in the possession of the commission, showed that neither she nor her children had ever been recognized as members of the Choctaw tribe of Indians, and that neither of them had ever been admitted to citizenship in that nation by the authorities thereof, by the commission, or by the courts.

The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application. In the opinion of this office the action of the commission was correct, and it is respectfully recommended that it be approved.

Very respectfully,

Your obedient servant

W. A. Jones,

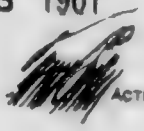
Commissioner.

(W. C. V.) P

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

FILED

OCT 8 1901

A handwritten signature in dark ink, appearing to be 'W. H. ...', written over the typed name.

ACTING CHAIRMAN.

L. R. S.

I. T. D.
1202-1901.J. P.
C.

DEPARTMENT OF THE INTERIOR.

Washington, June 14, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Florence B. Jackson for the enrollment of herself and her three minor children as citizens by blood of the Choctaw Nation.

In this case you found that the applicants have never been enrolled by the tribal authorities of said nation, that their names do not appear upon the rolls of the nation now in your possession, that they were never admitted to citizenship in the nation by your Commission, by the authorities of the nation or by judgment of the United States Court. In accordance with the act of May 31, 1900 (31 Stat., 221), you rejected the application.

The Commissioner concurs in your action. There appearing no legal or other objection, your decision is affirmed.

A copy of the Commissioner's letter is inclosed.

Acting Secretary.

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territor., September 3, 1901.

Florence B. Jackson,
Hart, Indian Territory.

Dear Madam:

With respect to your application for the enrollment of yourself and your three children, Clarence R. Jackson, Francis C. Jackson and Homer Bryan Jackson as citizens of the Choctaw Nation, in regard to which you were informed by the Commission's letter of September 6, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1901, stating that he has approved of the refusal by this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, as well as for that of any others concerned, and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive reconsideration."

F B J 2

and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

As previously indicated, it was shown that neither you nor any of the persons for whom you applied have ever been recognized as a citizen of the Chectaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through a parent of any of the persons applied for in this case. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

~~Respectfully~~ *T. B. Needles.*

Commissioner in Charge.

7-M-21

Choc memo 22

Choc memo 22

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., July 30, 1900.

MEMORANDUM.

In the matter of the application of Mary E. Pace and minor child for enrollment as Choctaws by blood. Mary E. Pace being duly sworn testified as follows:

- Q Please state your name? A Mary E. Pace.
Q What is your age? A 27 years.
Q What is your post office address? A Hart, I. T.
Q You make application for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes, sir.
Q Do you apply for enrollment for anyone besides yourself? A Yes, sir, one child.
Q Please give its name and age. A William F. Pace, 9 years old.
Q Were you or your child for whom you make application, ever enrolled, for enrollment at this time, ever recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No, sir.
Q Were you or your child for whom you make application at this time, ever enrolled by the tribal authorities as a citizen of the Choctaw Nation? A No, sir.
Q Are the names of either yourself or your minor child for whom you make application at this time, to be found upon any of the Choctaw tribal rolls? A I do not know.
Q The tribal roll of citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, is examined, and the names of neither of the applicants are found thereon.
Q Were either you or your minor child for whom you make application at this time, admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, in the year 1896, acting under the act of Congress, approved June 10, 1896? A No, sir.

Record of applicants admitted to citizenship in the Choctaw Nation in the year 1896 by the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and neither the name of the applicant, Mary E. Pace, or her minor child for whom she makes application, is found thereon.

Q Were you or your minor child for whom you make application at this time, ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory, on appeal from a decision rendered by the Choctaw tribal authorities, or by the Commission to the Five Civilized Tribes, in the year 1896, acting under the act of Congress, approved June 10, 1896? A No, sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from a decision of the Choctaw Tribal authorities and the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and the names of the applicants are not found thereon.

Q Q How long have you lived in the Territory? A We came down the first time in 1898, came the first of September, 1898, and went back in May, 1899, and then we came back here about the 6, of July, 1900.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and minor child as citizens by blood of the Choctaw Nation, mailed to you at your proper post office address. The Commission will transmit such memorandum as has been made at this time of your application for the enrollment of yourself and your minor child as citizens by blood of the Choctaw Nation, together with a copy of its decision with reference to your application, to the Hon. Secretary of the Interior, when the final roll of the citizens of the Choctaw Nation are sent to him for his consideration and approval.

Kate De Bord, being first duly affirmed, states, that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and that the foregoing is a full, true and correct transcript of her stenographic notes taken in said case.

Kate De Bord

Subscribed and affirmed to before me this 14th day of August: 1900.

[Signature]
Acting Chairman.

C 25

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1075

June 30, 1900

11. 5 P. 27

21. 5 P. 9

5 P. 1

7

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

In the matter of the application of Mary E. Pace for the enrollment of herself and her minor child, William F. Pace, as citizens by blood of the Choctaw Nation.

* * * * *

DECISION.

It appears from the evidence in this case that on July 30, 1900, the applicant, Mary E. Pace, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her minor child, William F. Pace, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress, approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Mary E. Pace for the enrollment of herself and her minor child, William F. Pace, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Mrs. Mary E. Pace,

Hart, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and minor child, Wm. F. Pace, as citizens by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 30, 1900.

Also the decision of the Commission, of September 4, 1900, refusing the application made by you for the enrollment of yourself and minor child, Wm. F. Pace, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamc Dixoy.*

Acting Chairman.

Enc. 1.
Registered mail.
C. M. 22.

COPY.

Muskogee, Indian Territory, November 26, 1900.

J. W. Cherryholmes,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th instant, enclosing requests of Lucinda V. Embree, George W. Tabor, Florence B. Jackson, Mary E. Page and Jesse Gains, to have the records in their cases as applicants for enrollment as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The requests have been duly filed with the other papers in these respective cases and the records so made will be forwarded to the Secretary of the Interior, when the cases of applicants for enrollment as citizens by blood of the Choctaw Nation refused by this Commission are transmitted to him for consideration.

Yours truly,

(SIGNED) *Tamc Dixby.*
Acting Chairman.

7-M-20
7-M-21
7-M-22
7-M-24
7-R-488

Mary E. Packer et al

vs.
Choctaw Nation

Memoranda

Case No. 22

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1900

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS.

Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Mary E. Pace for the enrollment of herself and her child, William F. Pace, as citizens by blood of the Choctaw Nation.

She appeared before the commission on July 30, 1900, at Muscogee, Indian Territory. Her testimony, given under oath, and an examination of the records in the possession of the commission showed that neither she nor her child had ever been recognized as a member of the Choctaw tribe; that their names had never been placed on any tribal roll of that nation, and that they had not been admitted to citizenship therein, either by the authorities of the nation, by the commission, or by the courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application. In the opinion of this office its action is correct, and it is respectfully recommended that it be approved.

Very respectfully,

Your obedient servant,

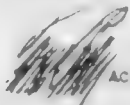
W. A. Jones,
Commissioner.

(W. C. V.) P.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

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IA R. S.

J.P.
C.

DEPARTMENT OF THE INTERIOR.

Washington.

March 23, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Mary F. Pace for the enrollment of herself and her minor child as citizens by blood of the Choctaw Nation.

The Commissioner states that as the testimony of Pace and the records of the Commission showed that neither she nor her child had ever been recognized as a member of said nation, and, as their names had never been placed on any tribal roll of that nation and as they had not been admitted to citizenship in said nation by the authorities of the nation or by the Commission or by the United States court, the Commission, in accordance with the act of May, 31, 1900 (31 Stat., 221,236), refused to accept the application; that this action was correct and he recommends that it be approved.

The Department concurs and your decision is affirmed, and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Ind. Ter. Div.
1204-1901.
1 inclosure.

Respectfully,

Thos. Ryan.
Acting Secretary.

COPY.
Muskogee, Indian Territory, June 6, 1901.

Mary E. Pace,
Hart, Indian Territory,

Dear Madam:

On July 30, 1900, you made application to this Commission for the enrollment of yourself and your minor child, William E. Pace as citizens by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your child as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and child for enrollment as citizens by blood of the Choctaw Nation.

The action of this Commission and of the secretary of the Interior as to this application is final.

Yours truly,

WIGNED: *Tams Birby.*

Acting Chairman.

Choc memo 23

Choc memo 23

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. July 30, 1900.

MEMORANDUM.

In the matter of the application of Georgia Ann Jennings and minor children for enrollment as Choctaws by blood. Georgia Ann Jennings being duly sworn testified as follows:

- Q Please state your name? A Georgia Ann Jennings.
Q What is your age, Mrs. Jennings? A 37.
Q What is your post office address? A Hoxpar.
Q Indian Territory? A Yes sir.
Q What Nation? A Chickasaw Nation.
Q Do you make application for enrollment as a Choctaw by blood?
A Yes, sir.
Q Do you apply for anyone besides yourself? A Four minor children.
Q Please give their names and ages? A The oldest is Myrta Bell, 13 years old; Falon Isom, he is 10 years old; Sarah Ann, she is 7; Thomas Homer, he is 4.
Q Have you or any of your minor children for whom you make application, ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No, sir.
Q Have you or any of your minor children for whom you make this application, ever been enrolled by the tribal authorities as citizens of the Choctaw Nation? A No, sir.
Q Are the names of yourself or any of your minor children for whom you make this application ever been found upon any of the tribal rolls?
A No, sir.

The tribal rolls of the citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, is examined, and the names of none of the applicants are found thereon.

Q Were you or any of your minor children for whom you make this application, admitted to citizenship in the Choctaw Nation, by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, in the year 1896, acting under the act of Congress, approved June 10, 1896? A No, sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, in the year 1896, acting under the act of Congress, approved June 10, 1896, is examined and the names of none of the applicants are found thereon.

Q Were you or any of your minor children for whom you make application at this time, ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court in the Indian Territory, on appeal from the decision of the Choctaw tribal authorities, or a decision of the Commission to the Five Civilized Tribes, rendered in the year 1896, acting under the act of Congress, approved June 10, 1896? A No, sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court in the Indian Territory, on appeal from the decision of the tribal authorities of the Choctaw Nation, and the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and the names of none of the applicants are found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application which you make at this time for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation, mailed to you at your present post office address. The Commission will transmit such memorandum of your application made at this time for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation, together with a copy of the decision with reference to your application, to the Hon. Secretary of the Interior, when the final rolls of the Choctaw Nation are sent to him for approval.

Kate DeBord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and that the foregoing is a full, true and correct transcript of her stenographic notes taken in said case.

Kate DeBord

Subscribed and affirmed to before me this 14 day of August, 1900.



Acting Chairman.

Georgia Ann Jennings et al

vs.
Choctaw Nation

Memoranda Case No. 29

Original testimony and all papers filed in
this case forwarded Secretary of Interior,

DEC 2 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Georgia Ann Jennings for the enrollment of herself and her four minor children, Myrta Bell, Falon Ison, Sarah Ann, and Thomas Homer, as citizens by blood of the Choctaw Nation.

DECISION.

It appears from the evidence in this case that on July 30, 1900, the applicant, Georgia Ann Jennings, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her four minor children, Myrta Bell, Falon Ison, Sarah Ann and Thomas Homer, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory, on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Georgia Ann Jennings for the enrollment of herself and her four minor children, Myrta Bell, Falon Ison, Sarah Ann and Thomas Homer, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 6, 1900.

Mrs. Georgia Ann Jennings,

Hoxbar, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself, and minor children, Myrta B., Falon I., Sarah Ann and Thomas Homer Jennings, as citizens by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 30, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of yourself, and minor children, Myrta B., Falon I., Sarah Ann and Thomas Homer Jennings, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamo Dixby.*

Acting Chairman.

Enc. M.
Registered mail.
C. N. 23.

COPY.

Muskogee, Indian Territory, September 21, 1900.

Georgia Ann Jennings,
Hoxbar, Indian Territory.

Dear Madam:-

The Commission is in receipt of your letter of the 17th inst., in which you request that your application for enrollment as a citizen by blood of the Choctaw Nation be presented to the Secretary of the Interior for his consideration. Your request has been filed with the other papers in this case, and the records so made will be transmitted to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamm Dixby.*
Acting Chairman.

C.M. 23

COMM. FILED
JUL 30 1900

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37

Handwritten text, possibly a date or a short note, located below the number 37.

Wages 10
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Food 7
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(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington,

March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Georgie Ann Jennings for the enrollment of herself and her children, Myrta Bell, Falon Isom, Sarah Ann and Thomas Homer Jennings, as citizens by blood of the Choctaw Nation.

She appeared before the commission at Muscogee, Indian Territory, on July 30, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission showed that neither she nor her children had ever been recognized as citizens of the Choctaw Nation; that their names did not appear on any tribal roll of that nation and that neither of them had ever been admitted to citizenship therein by the Choctaw authorities by the commission, or by the courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application. In the opinion of this office its action was correct, and it is respectfully recommended that it be approved.

Very respectfully,
Your obedient servant

(W. C. V.) P.

W. A. Jones
Commissioner.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

17850

DEPARTMENT OF THE INTERIOR.

J. P.

L. P. S.

WASHINGTON.

C.

April 3, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Georgie Ann Jennings for the enrollment of herself and her four minor children as citizens by blood of the Choctaw Nation. Nothing is shown as to the father of these children. It is shown, as found by you, that the names of the applicants do not appear upon any of the rolls of said nation now in your possession, and that they were never admitted to citizenship in said nation by the Choctaw authorities, by the Commission or by the United States court.

Acting under the provisions of the act of May 31, 1900 (31 Stat., 221,236), you rejected the application.

The Commissioner recommends that your action be approved. With his recommendation the Department concurs, and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed.

Respectfully,

Ind. Ter Div.
1250-1901.
1 inclosure.

Thos. Ryan,
Acting Secretary/
D.

COPY.

Muskegee, Indian Territory, June 8, 1901.

Georgia Ann Jennings,

Hoxbar, Indian Territory.

Dear Madam:

On July 30, 1900, you made application to this Commission for the enrollment of yourself and your minor children, Myrta Bell, Falon Isem, Sarah Ann and Thomas Homer Jennings as citizens by blood of the Cheetaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Cheetaw Nation and a copy of such decision was mailed to you to your post-office address [redacted] 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on April 3, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Cheetaw Nation.

The action of this Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

SIGNED.

James Pinoy.

Acting Chairman.

7-M-23

Choc memo 24

Choc memo 24

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., July 30, 1899.

MEMORANDUM.

In the matter of the application of George W. Tabor and minor children for enrollment as Choctaws by blood. George W. Tabor being duly sworn testified as follows:

- Q What is your name? A George W. Tabor.
Q What is your age? A 50 years old.
Q What is your post office address? A Kart, Indian Territory.
Q What Nation? A Chickasaw Nation.
Q You apply for enrollment as a Choctaw Indian by blood? A Yes, sir.
Q Do you apply for anyone besides yourself? A My children.
Q Give their names and ages? A Herman A. Tabor, born August 14, 1893.
William Alva Tabor, born November 8, 1894.
George Elmer Tabor, born April 8, 1896,
Aaron Curtis Tabor, born May 30, 1897,
Rufus Melford Tabor, born Feb. 30, 1899.

- Q Do you make application for your wife? A No sir.
Q Have you or any of your minor children for whom you now make application, ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q. Have you or any of your minor children for whom you make application at this time ever been enrolled by the Choctaw authorities as citizens of the Choctaw Nation? A No, sir.
Q Are the names of yourself or any of your minor children for whom you make application at this time to be found upon the rolls, any of the tribal rolls? A No, sir.

The Tribal roll of citizens of the Choctaw Nation, prepared by the Choctaw authorities in 1896, is examined and the name of none of the applicants are found thereon.

- Q Were you or any of your minor children for whom you make application at this time admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, acting under the act of Congress, approved June 10, 1896? A No, sir.

Record of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined, and the names of none of the applicants appear thereon.

- Q Were you or any of your minor children for whom you make application at this time, ever admitted to citizenship in the Choctaw Nation by a decree of the United States court of the Indian Territory on an appeal from the decision of the tribal authorities or the Commission to the Five Civilized tribes, rendered in the year 1896, under the act of Congress approved June 10, 1896? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the tribal authorities and the Commission to the Five Civilized Tribes, rendered in the year 1896, acting under the act of Congress, approved June 10, 1896, is examined and the names of none of the applicants are found thereon.

- Q How long have you lived in the Indian Territory? A I moved here last September, 1899.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application which you have made at this time for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation, mailed to you at your proper post office address. The Commission will transmit such memorandum of the application made by you at this time for the enrollment of yourself and your minor children, together with a copy of its decision with reference to such application to the Hon. Secretary of the Interior, when the final roll of the citizens of the Choctaw Nation are forwarded to him for his consideration and approval.

Kate De Bord, being first duly affirmed, states: that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and that the foregoing is a full true and correct transcript of her stenographic notes taken in said case.

Kate D. Bord

Subscribed and affirmed to before me this 14 day of August 1900.



Acting Chairman.

M. ... and ...

Gen A Tolson 30
July 25
...

Herman G. Tolson
1914-1893

W. ... - 1894
... 1894
... 1894
... 1894
... 1894

...

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George W. Tabor for the enrollment of himself and his five minor children, Herman A. Tabor, William Alva Tabor, George Elmer Tabor, Aaron Curtis Tabor and Rufus Melford Tabor, as citizens by blood of the Choctaw Nation.

* * * * *

D E C I S I O N .

It appears from the evidence in this case that on July 30, 1900, the applicant, George W. Tabor, appeared before the Commission at Muskogee, and made application for the enrollment of himself and his five minor children, Herman A., William Alva, George Elmer, Aaron Curtis and Rufus Melford Tabor, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1898, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application for enrollment of George W. Tabor on his own behalf and on behalf of his five minor children, Herman A. William Alva, George Elmer, Aaron Curtis and Rufus Melford Tabor, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., sept. 6, 1900.

George W. Tabor,
Hart, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and minor children, Herman A., Wm. A., George E., Aaron C., and Rufus M. Tabor, as citizens by blood of the Choctaw Nation, before the Commission at Muskogee, Indian Territory, July 30, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of yourself and minor children, Harman A., Wm. A., George E., Aaron C., and Rufus M. Tabor as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamo Dixey.*
Acting Chairman.

Enc. N.
Registered mail.
C. M. 24.

COPY.

Muskogee, Indian Territory, November 26, 1900.

J. W. Cherryholmes,
Attorney at Law,
Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 24th instant, enclosing requests of Lucinda V. Mahree, George W. Tabor, Florence B. Jackson, Mary E. Pace and Jesse Goins, to have the records in their cases as applicants for enrollment as citizens by blood of the Choctaw Nation, forwarded to the Secretary of the Interior for his consideration.

The requests have been duly filed with the other papers in these respective cases and the records so made will be forwarded to the Secretary of the Interior, when the cases of applicants for enrollment as citizens by blood of the Choctaw Nation refused by this Commission are transmitted to him for consideration.

Yours truly,

(SIGNED) *Tams Dixie*
Acting Chairman.

7-M-20
7-M-21
7-M-22
7-M-24
7-R-688

George W. Labor et al
Choctaw ^{vs.} Nation

Memoranda Case No. 24

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.

WASHINGTON, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of George W. Tabor for the enrollment of himself and his children, Herman A., William Alva, George Elmer, Aaron Curtis and Rufus Melford Tabor, as citizens, by blood, of the Choctaw Nation.

He appeared before the commission on July 30, 1900, at Muscogee, Indian Territory. His testimony, given under oath, and an examination of the records in the possession of the Commission showed that neither he nor his children had ever been recognized as citizens of the Choctaw Nation; that their names did not appear on any roll of that nation, and that neither of them had been admitted to citizenship therein by the authorities thereof, by the commission or by the courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application. In the opinion of this office its action was correct, and it is respectfully recommended that it be approved.

Very respectfully,

Your obedient servant,

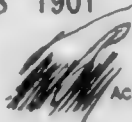
W. A. Jones,
Commissioner.

(W. C. V.)P.

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

FILED

OCT 8 1901

A handwritten signature in dark ink, appearing to be 'S. P. H.', written over a horizontal line.

ACTING CHAIRMAN.

17039

L. P. S.

J.P.
C

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

March 28, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of George W. Tabor for the enrollment of himself and his children as citizens by blood of the Choctaw Nation.

Tabor says that he removed to the Indian Territory in September, 1899. The Commissioner states that from the testimony of Tabor under oath and from an examination of the records in the possession of the Commission it is shown that neither Tabor nor his children have ever been recognized upon any roll of the nation; and that none of them have been admitted to citizenship either by the authorities of the nation or by the Commission or by the United States court.

The Commissioner, therefore concludes that you acted in accordance with the act of May 31, 1900 (31 Stat., 221, 236) in refusing to accept the application.

With this the Department concurs, and your decision is hereby affirmed. You will do advise the party.

A copy of the Commissioner's letter is inclosed.

Ind. Ter. Div.
1203-1901.
1 inclosure.

Respectfully,

Thos Ryan. Dep
Acting Secretary.

COPY.

Muskegee, Indian Territory, May 28, 1901.

George W. Tabor,
Hart, Indian Territory.

Dear Sir:

On July 30, 1900, you made application to this Commission for the enrollment of yourself and your minor children, Herman A., William Alva, George Elmer, Aaron Curtie, Rufus Melford Tabor as citizens by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

James Dixey

Acting Chairman.

Choc memo 25

Choc memo 25

MEMORANDUM.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, I. T. August 13, 1900.

In the latter of the Application of :
Annie Fitzpatrick for Enrollment as :
a Citizen of the Choctaw Nation. :
:-----+
:-----+

Annie Fitzpatrick, being first duly sworn, testified as follows:

By the Commission:

Q State your name? A Annie Fitzpatrick.

Q What is your age? A 24 years.

Q What is your postoffice address? A Bradley, I. T.

Q You make application for enrollment as a citizen of the Choctaw Nation? A Yes sir.

Q Have you any Indian blood in your veins? A No sir.

Q Upon what, then, do you base your claim to enrollment? A Through my mother.

Q She has no Indian blood? A No sir.

Q The how do you make your claim through her? Upon what theory?

A Through her I have always been recognized--or my mother has.

Q When you say you have always been recognized as a Choctaw, do you mean you have been recognized by your neighbors and friends as Choctaws, living in the vicinity of where you live, or by the Choctaw authorities--officials of the Choctaw Nation, whose duty it was to admit persons to citizenship in that nation? A I was recognized by my neighbors and friends.

Q You don't mean that the tribal authorities have ever recognized you

A No sir.

Q Then you have never been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation, have you? A No, I have not, but my mother has.

Q When was your mother so recognized by the Choctaw tribal authorities?

A I can't tell you.

Q You don't know? A No sir.

Q Does your name appear upon any of the tribal rolls? A No sir.

Roll of the Choctaw Nation prepared by the Choctaw tribal authorities in the year 1896 is examined, and the name of the applicant is not found thereon.

Q Were you admitted to citizenship in the Choctaw Nation in the year 1896, by this Commission? A I don't know.

Q You know whether you made application or not? A I never did.

Record of applications made to the ~~Native~~ Commission to the Five Civilized Tribes in the year 1896 for citizenship in the Choctaw Nation examined, and the name of the applicant is not found thereon.

Q Were you ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court on appeal from the decision of the Commission to the Five Civilized Tribes, acting under the Act of Congress, approved June 10, 1896? A I never was.

Record of applicants admitted to citizenship in the Choctaw Nation by decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, or Commission to the Five Civilized Tribes, is examined and the name of the applicant is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time, for enrollment as a citizen of the Choctaw Nation, mailed to you at your present postoffice address.

The Commission will transmit such memorandum of this application as has been made at this time, together with a copy of its decision with reference to your application for enrollment as a citizen of the Choctaw Nation, to the Honorable Secretary of the Interior, for his consideration, when the final rolls of the Choctaw Nation are sent to him for his approval.

Frances R. Brown, being first duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, she reported the testimony of the above named witness, and that the foregoing is a true and correct translation of her shorthand notes taken on behalf of said witness.

Frances R. Brown

Subscribed in my presence and sworn to before me this 12th day of August, A. D., 1900.


Acting Chairman.

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

In the matter of the application for enrollment of Annie Fitzpatrick as a citizen by blood of the Choctaw Nation.

• • • • •

D E C I S I O N .

It appears from the evidence in this case that on August 15th, 1900, the applicant, Annie Fitzpatrick, appeared before the Commission at Muskogee, and made application for the enrollment of herself as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress of June 10, 1896, or by judgment of the United States Court on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Annie Fitzpatrick for enrollment as a citizen by blood of the Choctaw Nation be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

~~_____~~
Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., sept. 6, 1900.

Annie Fitzpatrick,
Bradley, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for enrollment as a citizen of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, August 13, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for enrollment as a citizen of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *James Dixey.*

Acting Chairman.

Enc. O.
Registered mail.
C. N. 25.

Annie Fitzpatrick
vs.
Choctaw Nation

Memoranda. Case No. 25-

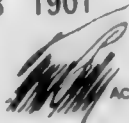
*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
DEC 3 1900*

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land.
61,035-1900.

J.P.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Annie Fitzpatrick for the enrollment of herself, as a citizen, by blood, of the Choctaw Nation.

She appeared before the commission at Muscogee, on August 13, 1900. Her testimony given under oath and an examination of the records in the possession of the commission showed that she had never been recognized as a citizen of the Choctaw nation; that her name never appeared on any of the tribal rolls of that nation, and that she had never been admitted to citizenship therein by the Choctaw authorities, by the commission or by the courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application. In the opinion of this office its action was correct, and its approval is respectfully recommended.

Very respectfully,

Your obedient servant,

W. A. Jones,
Commissioner.

(W. C. V.) P.

18248

2

advise the party. A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan.

Acting Secretary.

Ind. Ter. Div.
1205-1901.
1 inclosure.

D.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, April 5, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Annie Fitzpatrick for the enrollment of herself as a citizen by blood of the Choctaw Nation.

It appears from the testimony that the applicant is twenty-four years of age, and from such testimony and the records in your possession that she has never been recognized as a citizen of said nation, that her name does not appear upon any tribal roll thereof, and that she has never been admitted to citizenship by the Choctaw authorities, by your Commission, or by the United States court. You therefore rejected her application, under the provisions of the act of May 31, 1900 (31 Stat., 221,236).

The applicant states that she has no Indian blood in her veins and that her mother was not of Indian blood, yet she claims that through her mother she has "always been recognized, or my mother has". There is nothing to show in what manner the mother claimed recognition, and the applicant, when asked as to this recognition could give no information.

The Commissioner recommends that your action be approved. Under the circumstances your decision is affirmed, and you will so

COPY.

Muskogee, Indian Territory, June 6, 1901.

Annie Fitzpatrick,

Bradley, Indian Territory.

Dear Madam:

On August 13, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on April 51, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED) *Tams Bixby.*

Acting Chairman.

Choc memo 26

Choc memo 26

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. July 31, 1900.

M E M O R A N D U M .

It the matter of the application of Susan Battiest for enrollment as a citizen by blood of the Choctaw Nation, Susan Battiest being duly sworn, and examined by the Commission, testified as follows:

Q What is your name? A Susan Battiest.

Q How old are you? A Forty.

Q What is your postoffice address? A Grant, Choctaw Nation, Indian Territory.

Q You apply for enrollment as a Choctaw by blood do you?

A Yes sir.

Q Have you ever been recognized by the Choctaw Indian authorities or officials as a citizen of the Choctaw Nation? A No sir.

Q Have you ever been enrolled by the Choctaw Indian officials or authorities as a citizen by blood of the Choctaw Nation? A No sir.

Q Does your name appear upon any of the Choctaw tribal rolls of citizens of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation prepared by the tribal authorities in the year 1896, examined and the name of the applicant is not found thereon.

Q Were you admitted to citizenship in the Choctaw Nation in the year 1896 by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission? A I don't know.

Record of persons admitted to citizenship in the Choctaw Nation in the year 1896 by the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896, is examined and the name of the applicant is not found thereon.

Q Were you admitted to citizenship in the Choctaw Nation by a decree of the United States Court in the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the Commission to the Five Civilized Tribes acting under the act of Congress of June 10th, 1896? A No sir.

Record of applicants admitted to citizenship by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the Commission to the Five Civilized Tribes, acting under the act of Congress of June 10th, 1896, is examined and the name of the applicant is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application for enrollment as a citizen by blood of the Choctaw Nation, mailed to you at your proper post-office address.

The Commission will transmit such memorandum as has been made at this time, together with its decision with reference to such application, to the Honorable secretary of the Interior for his

Eugen Battiest 2 -----

consideration when the final rolls of citizens of the Cheyenne Nation are forwarded to him for approval.

Myra Young, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case and that the foregoing is a true, full and correct transcript of her stenographic notes taken in said case.

Myra Young

Sworn to and subscribed in my presence this 14 day of August 1900.

[Signature]
Acting Chairman

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Susan Battiest.

* * * * *

DECISION.

It appears from the evidence in this case that on July 31, 1900, the applicant, Susan Battiest, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore the judgment of the Commission that the application for enrollment of Susan Battiest as a citizen by blood, of the Choctaw Nation, be, ~~and~~ the same is hereby refused.

THE DEPARTMENT OF THE INTERIOR


ing Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter. Sept. 6, 1900.

Susan Battiest,

Grant, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for enrollment as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, July 31, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamc Dixey.*

Acting Chairman.

Enc. P.
Registered mail.
C. M. 26.

Susan Battiest

^{vs.}
Choctaw Nation

Memoranda Case No. 26

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

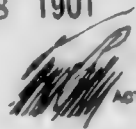
DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR.

OFFICE OF INDIAN AFFAIRS,

Washington,

March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Susan Battiest, for the enrollment of herself as a citizen, by blood, of the Choctaw Nation.

She appeared before the commission on July 31, 1900, at Muscogee, Indian Territory. Her testimony, given under oath, and an examination of the records in the possession of the commission showed that she had never been recognized as a citizen of the Choctaw Nation; that she had never been enrolled as such, and that she had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application. In the opinion of this office its action was correct, and its approval is respectfully recommended.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(W. C. V.)P

18700

L. F. S.

J. P.
C.

DEPARTMENT OF THE INTERIOR.

Washington. April 6, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Susan Battiest for enrollment as a citizen by blood of the Choctaw Nation.

You state, in your decision rejecting the application, under the provisions of the act of May 31, 1900 (31 Stat., 221,236) that it is shown that the applicant has never been enrolled by the tribal authorities of said nation, that her name does not appear upon the rolls of the nation in your possession, and that she has never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States court.

The Commissioner recommends that your action be approved. In this the Department concurs, and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed.

Respectfully,

Ind. Ter. Div.
1207-1901.
1 inclosure.

Thos. Ryan.
Acting Secretary.
D.

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

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, June 7, 1901.

Susan Battiest,
Grant, Indian Territory.

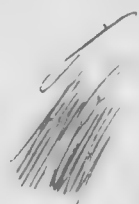
Dear Madam:

On July 31, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 6, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on April 6, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,



Acting Chairman.

7-M-36

Muskogee, Indian Territory, September 17, 1900

Charles A. Denison,
Shawneetown, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 10th instant in which you desire the Commission to inform Susan Battiest of Shawneetown if affidavits have been received and filed by the Commission in support of her application.

You are informed that the records of this Commission show that Susan Battiest, 40 years of age, of Grant, Indian Territory, appeared before this Commission at Muskogee, July 31st, 1900, and made application for enrollment as a citizen by blood of the Choctaw Nation and the Commission on the 4th day of September, 1900, rendered a judgment refusing her enrollment, a copy of which was mailed to her on September 6th to Grant, Indian Territory, and informing her that if she desired to have her case presented to the Secretary of the Interior, if she would so notify the Commission in writing, such request would be made a matter of record and transmitted to the Department with the other records in her case.

This closes this case as far as the Commission is concerned, the Commission, after hearing her oral testimony, having determined that it had no jurisdiction of the application, and cannot now receive or consider any papers that may be submitted in support of her application. The action of the Commission in thus refusing her application for want of jurisdiction will become final when approved by the Secretary of the Indian Territory.

G. H. No. 26

Yours truly,

Acting Chairman.

Muskogee, Indian Territory, November 29, 1901.

Henry Hyington,

Cadde, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 26th instant, in which you desire to be informed what action has been taken in the matter of the application for identification as a Mississippi Choctaw of Susan Battiese .

You are informed that it does not appear from our records that any person by the name of Susan Battiese has ever made application for identification as a Mississippi Choctaw.

The records do show, however, that at Muskogee, Indian Territory, on July 31, 1900, Susan Battiest, 40 years of age, of Grant, Indian Territory, made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. At that time it did not appear that she had ever been enrolled by the tribal authorities of the Choctaw Nation or admitted to citizenship in that nation by the tribal authorities thereof, the Commission to the Five Civilized Tribes or the United States Court in Indian Territory on appeal as provided in the Act of Congress of June 10, 1896.

A September 4, 1900, a decision was rendered refusing her application for enrollment as a citizen by blood of the Choctaw Nation and a copy of such decision mailed to her at Grant, Indian

H B 2

Territory. On December 3, 1900, the record so made in this case was forwarded to the Secretary of the Interior for his approval of the Commission's action and on April 6, 1901, the Secretary of the Interior approved the action of the Commission in refusing the application of Susan Battiest for enrollment as a citizen by blood of the Choctaw Nation.

The Act of Congress approved May 31, 1900, provides as follows:

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

Yours truly,

Commissioner in Charge.

7-M 26

Choc memo 27

Choc memo 27

M E M O R A N D U M .

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., AUGUST 2, 1900.

In the matter of the application of Hugh Weeden for enrollment as a citizen by blood of the Choctaw Nation. Hugh Weeden, being first duly sworn, testified as follows:

- Q Please state your name. A Hugh Weeden.
Q How old are you, Mr. Weeden? A 23.
Q You apply for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
Q Do you apply for any one besides yourself? A No sir.
Q What is your post office address? A Purcell, Indian Territory.
Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of the Nation? A No sir. I have never been.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear upon any of the rolls of the Choctaw tribal authorities? A I do not know whether it does or not.

- Q The tribal rolls of the citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, is examined, and the name of the applicant is not found thereon.
Q Were you admitted to citizenship in the Choctaw Nation in the year 1896, by the Commission to the Five Civilized Tribes, commonly known as the Daves Commission, acting under the act of Congress, approved June 10, 1896? A No, I guess not.

- Record of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and the name of the applicant is not found thereon.
Q Were you ever admitted to citizenship by a decree of the United States Court for the Indian Territory, on appeal from the decision of the Choctaw tribal authorities, or the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896? A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, and the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and the name of the applicant is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application for enrollment as a citizen by blood of the Choctaw Nation, mailed to you at your present post office address, Purcell, Indian Territory.

The Commission will transmit such memorandum as has been made at this time of your application, together with a copy of its decision with reference to your application for enrollment as a citizen by blood of the Choctaw Nation, to the Honorable Secretary of the Interior, when the final rolls of the citizens of the Choctaw Nation are sent to him for consideration and approval.

High Justice _____

Kate De Bard, being first duly affirmed states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and the foregoing is a full, true and correct transcript of her stenographic notes taken in said case.

Kate De Bard

Subscribed and affirmed to before me this 14 day of Aug. 1899.



Acting Chairman.

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

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Hugh Weeden.

D E C I S I O N .

It appears from the evidence in this case that on August 2, 1900, the applicant, Hugh Weeden, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of this Commission; that he was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application for enrollment of Hugh Weeden as a citizen by blood of the Choctaw Nation be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 7, 1900.

Hugh Weeden,

Furcell, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for enrollment as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, August 2, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will inform the Commission in writing, and the record in the case will be forwarded to the Honorable secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tams Dixey,*
Acting Chairman.

Enc. Q.
Registered mail.
C. M. 27.

Parcell, Ia. T., September 21st.

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

Gentlemen

Replying to yours of the 7th inst. Will say that I de-
sire that my case go before the Secretary of the Interior.

Yours Respectfully,

Hugh M. Jones

224 S. 11th
F. A. A. A. A.
COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

Printed Order

COPY.

Muskogee, Indian Territory, September 26th, 1900

Hugh Weeden,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your request of the 21st instant, to have your case as an applicant for enrollment as a citizen by blood of the Choctaw Nation presented to the Secretary of the Interior.

The same has been filed with the other papers in this case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamo Dinby.*

Acting Chairman.

7-X-27

Hugh W. ...
vs.
Choctaw Nation

Memoranda Case No. 27

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

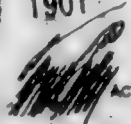
DEC 3 1900

REFUSED.
ACT OF MAY 21, 1900.
MEMORANDUM

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, March 23, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Hugh Weeden, for enrollment as a citizen of the Choctaw Nation, by blood.

He appeared before the commission at Muscogee, Indian Territory, on August 2, 1900. His testimony, given under oath, and an examination of the records in the possession of the commission, showed that he had never been recognized as a citizen of the Choctaw Nation; that he had never been enrolled as such, and that he had never been admitted to citizenship by the Choctaw authorities, by the commission, or by the United States courts. The commission, therefore, acting under authority of the act of May 31, 1900, refused his application. In the opinion of this office its action was correct, and its approval is respectfully recommended.

Very respectfully,
Your obedient servant,
W. A. Jones,

(W.C.V.) P.

Commissioner.

31998

J.P.

L.R.S.

DEPARTMENT OF THE INTERIOR.
Washington.

C.

I. T. D.
1206-1901.

June 14, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Hugh Weeden for enrollment as a citizen by blood of the Choctaw Nation.

You found that the applicant has never been enrolled by the tribal authorities of said nation, that his name does not appear upon the rolls of the nation now in your possession, that he was never admitted to citizenship in the nation by your Commission, by the authorities of the nation or by the United States Court. In accordance with the act of May 31, 1900(31 Stat., 221), you rejected the application.

The Commissioner concurs in your action. No legal or other objection appearing, your decision is affirmed.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos . Ryan,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, September 3, 1901.

Hugh Weeden,

Purcell, Indian Territory.

Dear Sir:

With respect to your application for enrollment as a citizen of the Chectaw Nation, in regard to which you were informed by the Commission's letter of September 7, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of June 14, 1901, stating that he has approved of the refusal by the Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this case, a copy of which was sent you with Commission letter above referred to, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

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

H W 2.

As previously indicated, it was shown that you had never been recognized as a citizen of the Chectaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through either of your parents. Therefore, in accordance with the evidence, a copy of which was already sent you, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

yours truly,

SIGNED: *T. B. Needles.*

Commissioner in Charge.

7-M-27

Muskogee, Indian Territory, March 11, 1903.

Hugh H. Weeden,

Dibble, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of March 3, asking relative to your citizenship, and in reply you are advised that it appears from our records that Hugh Weeden, twenty two years of age, of Purcell, Indian Territory, was, on August 2, 1900, an applicant to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On September 4, 1900, the Commission rendered its decision refusing this application and on December 3, 1900, the record therein was forwarded to the Secretary of the Interior. On June 14, 1901, the Secretary of the interior affirmed the decision refusing this application. The Commission therefore considers this case closed.

Respectfully,

Chairman.

Choc memo 28

Choc memo 28

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., AUGUST 2, 1900.

In the matter of the application of Melissa Lochridge for enrollment as a citizen by blood of the Choctaw Nation. Melissa Lochridge, being first duly sworn, testified as follows:

- Q Please state your name? A Melissa Lochridge.
Q What is your age? A 23 the 18th of next October.
Q What is your post office address? A Purcell, Indian Territory.
Q Do you make application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Do you apply for anyone besides yourself? A Myself and children.
Q Please give the names and ages of your minor children for whom you make application at this time. A My oldest child is Carl Lochridge, he will be 8 years old the 23 of this month. Willis Lochridge, he was 6 years old the 28 of June. Gora Lochridge will be two years old the 20th of this month. Clyde is four months old the 5th of this month.
Q The basis of the claim for your children is the same as yours is it not? A Yes sir.
Q Have you, or any of your minor children for whom you make application at this time, ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Have you, or any of your minor children for whom you make application at this time, ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Are the names of yourself or any of your minor children, for whom you make application at this time, ever been upon any of the Choctaw tribal rolls? A No sir.

Roll of the citizens of the Choctaw Nation, prepared by the tribal authorities of the Choctaw Nation in the year 1896, is examined, and the names of none of the applicants appear thereon.

- Q Were you, or any of your minor children for whom you make application at this time admitted to citizenship in the Choctaw Nation in the year 1896 by the Dawes Commission? A No sir.

Record of applicants admitted to citizenship of the Choctaw Nation in the year 1896 by the Commission to the Five Civilized Tribes, is examined, and the name of none of the applicants appear thereon.

- Q Have you, or any of your minor children, for whom you make application at this time, ever been admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory? A No sir, I do not suppose they have, My father has been at work at this matter.
Q Were you, or any of your minor children for whom you make application at this time ever been admitted to citizenship by a decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, and the Commission to the Five Civilized Tribes? A No Sir.

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities, and the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined, and the names of none of the applicants are found thereon.

Melissa Lechridge _____

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and your four minor children as citizens by blood of the Choctaw Nation, mailed to you at your proper post office address, Purcell, Indian Territory.

The Commission will transmit such memoranda as has been made of your application at this time, together with its decision with reference to your application made by you at this time for the enrollment of yourself and your four minor children for identification as Choctaw Indians by blood, when the final rolls of the citizens of the Choctaw Nation are forwarded to him for his consideration and approval.

Kate De Bord, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and the foregoing is a full, true and correct transcript of her stenographic notes taken in said case.

Kate De Bord

Subscribed and sworn to before me this 14 day of August, 1900.



Acting Chairman.

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

In the matter of the application of Melissa Lochridge for enrollment of herself and her four minor children, Carl, Willie, Cora, and Clyde Lochridge, as citizens by blood of the Choctaw Nation.

• • • • •

D E C I S I O N .


It appears from the evidence in this case that on August 2, 1900, the applicant, Melissa Lochridge, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her four minor children, Carl, Willie, Cora and Clyde Lochridge, as citizens by blood of the Choctaw Nation; it further appears that none of the applicants named herein have ever been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of this Commission; that they never were admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Courts in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application for enrollment of Melissa Lochridge and her four minor children, Carl, Willie, Cora and Clyde Lochridge as citizens by blood of the Choctaw Nation be, and the same is hereby refused,

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 4th day of Sept. 1900.

COPY.

Muskogee, Ind. Ter., Sept. 7, 1900.

Melissa Lochridge,

Puroell, Ind. Ter.,

Dear Madam:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself, and children, Carl, Willie, Cora and Clyde, Lochridge, as citizens by blood of the Choctaw Nation, before the Commission at Muskogee, Indian Territory, August 2, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of yourself, and four children, Carl, Willie, Cora and Clyde Lochridge, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamc Dindoy.*

Acting Chairman.

Enc. R.
Registered mail.
C. M. 22.

7
COPY,

Muskegee, Indian Territory, September 26, 1900.

Melissa Lechridge,

Purecell, Indian Territory.

Dear Madam:

The Commission is in receipt of your request of the 21st instant to have your case as an applicant for enrollment as a citizen by blood of the Choctaw Nation presented to the Secretary of the Interior.

The same has been filed with the other papers in this case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED)

Tama Kirby

Acting Chairman.

Melissa Hochridge et al
vs.
Choctaw Nation

Memoranda Case No. 28

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

RECEIVED
ACT OF MAY 31,
MEMORANDUM.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes in the matter of the application of Mellissa Lochridge, for the enrollment of herself and her children, Carl, Willie, Cora and Clyde Lochridge.

She appeared before the commission at Muscogee, on August 2, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission showed that neither she nor her children had ever been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the Commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes the action of the commission was correct, and it respectfully recommends that it be approved.

Very respectfully,

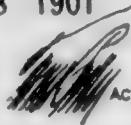
Your obedient servant,
W. A. Jones,
Commissioner.

(V. C. V.) P.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

17616
L. R. S.

J. P.
C.

The Commission to the DEPARTMENT OF THE INTERIOR,
Five Civilized Tribes, Washington, April 2, 1901
Muskogee, Indian Territory.

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Melissa Lochridge for the enrollment of herself and her four minor children as citizens by blood of the Choctaw Nation. Nothing is shown as to the father of these children.

The Commissioner states that Lochridge's testimony under oath and an examination of the records in your possession showed that neither Lochridge nor her children had ever been recognized as citizens of the Choctaw Nation, that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States court; that, therefore, acting under authority of the act of May 31, 1900 (31 Stat., 221,236), you were warranted in rejecting the application.

With this the Department concurs, and your decision is hereby affirmed. You will advise the party. A copy of the Commissioner's letter is inclosed.

Ind. Ter. Div.
1242-1901.

Respectfully,

1 inclosure.

Thos. Ryan.

Acting Secretary.

COPY.

Muskogee, Indian Territory, June 6, 1901.

Malissa Leehridge,
Purcell, Indian Territory.

Dear madam:

On August 2, 1900, you made application to this Commission for the enrollment of yourself and your four minor children, Carl, Willie, Cora and Clyde Leehridge as citizens by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 7, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on April 2, 1901, the secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED)

James Dixby

Acting Chairman

Doc memo 29

Doc memo 29

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., AUGUST 8, 1900.

In the matter of the application of Lewis Weeden for enrollment as a citizen by blood of the Choctaw Nation. Lewis Weeden, being first duly sworn, testified as follows:

- Q Please state your name? A Lewis Weeden.
Q How old are you? A 26, the 8th day of last March.
Q You make application for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
Q Do you apply for anyone besides yourself? A No sir.
Q What is your post office address? A Purcell, Indian Territory.
Q Have you ever been recognized by the Choctaw tribal authorities as a citizen by blood of the Choctaw Nation? A I have never been recognized by the court. I have been recognized in the country where I live.
A You mean the people in the community where you live recognize you as a Choctaw by blood, that is what you mean? A Yes sir.
Q You have never been on the rolls? A No sir.
Q You have never been enrolled then by the Choctaw tribal authorities? A No sir.
Q Does your name appear upon the Choctaw tribal rolls? A No sir, if it does I do not know anything about it.

Tribal rolls of the citizens of the Choctaw Nation, prepared by the Choctaw tribal authorities in the year 1896, is examined, and the name of the applicant is not found thereon.

- Q Were you admitted to citizenship of the Choctaw Nation in the year 1896 by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, acting under the act of Congress, approved June 10, 1896? A No sir, I was not.

Record of persons admitted to citizenship in the Choctaw Nation in the year 1896, by the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined, and the name of the applicant is not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory, on appeal from the decision of the tribal authorities of the Choctaw Nation, or the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896? A I cannot tell whether I was or not. I have had nothing to do with the case, father was working at it.
Q If you were you do not know it? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation, or the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, examined, and the name of the applicant is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application for enrollment as a citizen by blood of the Choctaw Nation, mailed to you at your proper post office address, Purcell, Indian Territory.

The Commission will transmit such memoranda as has been made at this time of your application, together with a copy of its decision with reference to your application for enrollment as a citizen by blood of the Chectaw Nation, to the Honorable Secretary of the Interior, when the final rolls of the citizens of the Chectaw Nation are sent to him for consideration and approval.

Kate De Bord, being first duly affirmed, states: that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and the foregoing is a full, true and correct transcript of her stenographic notes taken in said case.

Kate De Bord

Subscribed and affirmed to before me this 14 day of August, 1900.



Acting Chairman.

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

In the Matter of the application of Lewis Weeden for enrollment of himself as a citizen by blood of the Choctaw Nation.

* * * * *

D E C I S I O N .

It appears from the evidence in this case that on August 2, 1900, the applicant, Lewis Weeden, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that he has never been admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application for enrollment of Lewis Weeden, as a citizen by blood of the Choctaw Nation be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 4th day of Sept 1900.

COPY.

Muskogee, Ind. Ter., Sept. 7, 1900.

Lewis Weeden,

Purcell, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, August 2, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Fame Dinby.*

Acting Chairman.

Enc. 3.
Registered mail.
C. M. 29.

Handwritten signature

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

FILED

SEP 24 1890

Handwritten signature
ACTING

7886

COPI.

Purcell, I. T. , September 21st.

The Com. of the Five Civilized Tribes,
Muscogee Indian Territory.

Gentlemen:

Replying

to yours of the 7th inst. Will say that I do
not care to appear before the Secretary of the Interior.

Yours Respectfully,

Lewis Warden

RECEIVED
COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR
SEP 27 1880

1088

COPY.

Mankegee, Indian Territory, September 26, 1900

Lewis Wooden,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your request of the 21st instant, to have your case as an applicant for enrollment as a citizen by blood of the Choctaw Nation presented to the Secretary of the Interior.

The same has been filed with the other papers in this case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tama Dixby.*

Acting Chairman.

Lewis Reed,

vs.

Choctaw Nation

Memoranda

Case No. 29

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

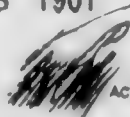
DEC 3 1900

REFUSED
ACT OF MAY 31, 1900.
MEMORANDUM.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land.
61,035-1900

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to submit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Lewis Weeden, for enrollment as a citizen, by blood, of the Choctaw Nation.

He appeared before the commission at Muscogee on August 2, 1900. His testimony, under oath, and an examination of the records in the possession of the commission, showed that he had never been recognized as a citizen of the Choctaw Nation; that he had never been enrolled as such, and that he had never been admitted to citizenship by the Choctaw authorities, by the Commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes the action of the Commission was correct and it respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W. C. V.) P.

DEPARTMENT OF THE INTERIOR,
Washington.

April 1, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Lewis Weeden for enrollment as a citizen by blood of the Choctaw Nation.

The Commissioner states that from Weeden's testimony under oath and an examination of the records in the possession of the Commission it was shown that Weeden had never been recognized by as a citizen of the Choctaw Nation, that he had never been enrolled as such, and that he had never been admitted to citizenship by the Choctaw authorities, by the Commission, or by the United States court; that, therefore you were warranted, under the provisions of the act of May 31, 1900 (31 Stat., 221, 236), in refusing to accept the application.

With this the Department concurs, and your decision is hereby affirmed. You will so advise the party.

A copy of the Commissioner's letter is ~~inclosed~~.

Respectfully,

Ind. Ter. Div.
1243-1901
1 inclosure.

Thos. Ryan.
Acting Secretary

D.

COPY.

Muskegee, Indian Territory, June 6, 1901.

Lewis Weedon,

Purcell, Indian Territory.

Dear Sir:

On August 2, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post office address September 7, 1900.

On December 2, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on April 1, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED)

Tams Dixie

Acting Chairman.

7-X-89

Choc memo 30

Choc memo 30

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, T. T., AUGUST 8, 1900.

In the matter of the application of John Weeden for enrollment as a citizen by blood of the Choctaw Nation. John Weeden, being first duly sworn, testified as follows:

- Q What is your name? A John Weeden.
Q You make application for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
Q Do you apply for anyone besides yourself? A No sir.
Q What is your age? A 24 years old.
Q What is your post office address? A Purcell, Indian Territory.
Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A I never have owned any land.
Q Then you have never been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear upon any of the Choctaw tribal rolls?
A I do not know whether it does or not.
Q Did you ever hear that it did? A No sir.

Choctaw tribal rolls, prepared by the Choctaw tribal authorities in the year 1896, is examined, and the name of the applicant is not found thereon.

- Q Were you admitted to citizenship in the Choctaw Nation in the year 1896, by the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, acting under the act of Congress, approved June 10, 1896? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation in the year 1896 by the Commission to the Five Civilized Tribes, acting under the act of Congress, approved June 10, 1896, is examined and the names of none of the applicants is found thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the Commission to the Five Civilized Tribes? A No sir.

Record of applicants admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory, on appeal from the decision of the tribal authorities of the Choctaw Nation and the Commission to the Five Civilized Tribes in the year 1896, is examined, and the name of the applicant is not found thereon.

You will be furnished at a later date with a copy of the decision of the Commission with reference to your application for enrollment as a citizen by blood of the Choctaw Nation, mailed to you at your present post office address, Purcell, Indian Territory.

The Commission will transmit such memorandum of your application as has been taken at this time, together with a copy of its decision with reference to your said application, to the Honorable Secretary of the Interior, when the final rolls of the citizens of the Choctaw Nation are forwarded to him for consideration and approval.

Kate De Bord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above case, and that the foregoing is a full true and correct transcript of her stenographic notes, taken in said case.

Kate De Bord

Subscribed and affirmed to before me this 24 day of August 1900.



Acting Chairman.

COPY.

Muskogee, Ind. Ter., Sept. 7, 1900.

John Weeden,
Purcell, Ind. Ter.,

Dear Sir:

There is enclosed you herewith a copy of the testimony given by you at the time you made application for enrollment as a citizen by blood of the Choctaw Nation, before the Commission, at Muskogee, Indian Territory, August 2, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

(SIGNED) *Tamm Dinby.*

Acting Chairman.

Enc. T.
Registered mail.
C. N. 30.

COPY.

Muskogee, Indian Territory, September 26, 1900.

John Weeden,

Purcell, Indian Territory.

Dear Sir:

The Commission is in receipt of your request of the 21st instant to have your case as an applicant for enrollment as a citizen by blood of the Choctaw Nation presented to the Secretary of the Interior.

The same has been filed with the other papers in this case and the record so made will be forwarded to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tama Dinsby*
Acting Chairman.

John Weeden
vs.
Choctaw Nation

Memoranda

Case No. 30

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 21, 1890.
MEMORANDUM

(COPY)

Refer in reply to the following:

Land
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of John Weeden, for enrollment as a citizen, by blood, of the Choctaw Nation.

He appeared before the commission at Muscogee on August 2, 1900. His testimony, under oath, and an examination of the records in the possession of the commission, showed that he had never been recognized as a citizen of the Choctaw Nation; that he had never been enrolled as such, and that he had never been admitted to citizenship by the Choctaw authorities, by the commission, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes the action of the commission was correct, and it respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,

Commissioner.

(W.C.V.) P.

(COPY)

D. C. No. 14104-1901.

51553.

L. R. S.

F.

Department of the Interior,

Washington,

September 16, 1901.

I.T.D. 1262-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of John Weeden for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused this application under the act of May 31, 1900, because the applicant was never enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M D.

1 inclosure.

COPY.

Wahdokee, Indian Territory, October 3, 1901.

Mr. John Weeden,
Pursell, Indian Territory.

Dear Sir:

On August 2, 1900 you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On September 4, 1900 after a consideration of said application, the Commission refused you enrollment as a citizen by blood of the Choctaw Nation and a copy of such decision was mailed to you to your post office address, September 7, 1900.

On December 3, 1900 there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on March 23, 1901 the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED: *J. W. Dixey*

Choc memo 31

Choc memo 31

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., AUGUST 13, 1900.

In the matter of the application of John F. Bowles, et al, for enrollment as citizens by blood of the Choctaw Nation. John F. Bowles, being first duly sworn, testified as follows:

- Q Please state your name? A John F. Bowles.
- Q What is your age? A 50.
- Q What is your post office address? A Marietta, I.T.
- Q What Nation? A Chickasaw.
- Q How long have you lived in the Choctaw Nation? A I reckon it is 12 years.
- Q You apply for enrollment as a citizen by blood of the Choctaw Nation, do you? A Yes sir.
- Q Do you apply for anyone besides yourself? A My family.
- Q Give their names and ages? A James F. Bowles, age 19; Mary E. 18;; Gaines B. age 15; William S., age 12; Pearle B., age 5, my children, and my wife, Margie C. Bowles.
- Q You apply for your wife as an intermarried citizen do you?
A I suppose.
- Q Have you, your wife, or any of your minor children for whom you make application at this time ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
- Q Are the names of yourself, your wife, or any of your minor children for whom you make application at this time to be found upon the Choctaw tribal rolls. A No sir.
Tribal rolls of the citizens of the Choctaw Nation, prepared in they year 1896, by the Choctaw tribal authorities, is examined, and the names of none of the applicants are found thereon.
- Q Were you, your wife, or any of your minor children for whom you make application at this time, admitted to citizenship in the Choctaw Nation in the year 1896 by this Commission?
A No sir.
Record of persons admitted to citizenship in the Choctaw Nation in 1896 by the Commission to the Five Civilized Tribes, is examined and the names of none of the applicants are found thereon.
- Q Have you, your wife, or any of your minor children for whom you make application at this time ever been admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory? A No sir.
Record of persons admitted to citizenship in the Choctaw Nation by the United States courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the Commission to the Five Civilized Tribes acting under act of Congress, approved June 10, 1896, is examined, and the names of none of the applicants are found thereon.
- You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and children as citizens by blood of the Choctaw Nation, and of your wife as an intermarried citizen, mailed to you at your present post office address, Marietta, Indian Territory. The record made by the Commission at this time together with a copy of the decision of the

John F. Bowles—2—

Commission with reference to the application made by you at this time, will be forwarded to the Honorable Secretary of the Interior, when the final rolls of the Citizens of the Choctaw Nation are sent to him for approval.

Kate De Borg, being first duly affirmed, states: that as stenographer to the Commission to the Five Civilized tribes, she reported the above case, and that the foregoing is a full, true and correct transcript of her stenographic notes, taken in said case.

Kate De Borg

Subscribed and affirmed to before me this *14th* day of *Aug.* 1900.


Acting Chairman.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of John F. Bowles and his five minor children, James F., Mary E., Gaines B., William S., and Pearle B. Bowles, as citizens by blood of the Choctaw Nation; and his wife, Margie C. Bowles, as an intermarried citizen of the Choctaw Nation.

* * * * *

D E C I S I O N .

It appears from the evidence in this case that on August 13, 1900, the applicant, John F. Bowles, appeared before the Commission at Muskogee, and made application for the enrollment of himself and five minor children, James F., Mary S., Gaines R., William S. and Pearle B. Bowles, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Margie C. Bowles, as an intermarried citizen of the Choctaw Nation; it further appears that none of the applicants named herein have ever been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they have never been admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application for enrollment of John F. Bowles on his own behalf and on behalf of his ~~five~~ minor children, James F., Mary E., Gaines B., William S. and Pearle B. Bowles, as citizens by blood of the Choctaw Nation, and on behalf of his wife, Margie C. Bowles, as an inter-

COPY.

Muskogee, Ind. Ter., Sept. 7, 1900.

John F. Bowles,
Marietta, Ind. Ter.,

Dear Sir:-

There is enclosed you herewith a copy of the testimony given by you at the time you made application for the enrollment of yourself and children, James F., Mary E., Gaines B., Wm. S., and Pearle B. Bowles, as citizens by blood of the Choctaw Nation, and the enrollment of your wife, Margie C. Bowles, as an intermarried citizen of the Choctaw Nation, before the Commission at Muskogee, Indian Territory, August 13, 1900.

Also the decision of the Commission of September 4, 1900, refusing the application made by you for the enrollment of yourself and children, James F., Mary E., Gaines B., Wm. S. and Pearle B. Bowles, as citizens by blood of the Choctaw Nation, and the enrollment of your wife, Margie C. Bowles, as an intermarried citizen of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior for his consideration, you will so inform the Commission in writing, and the record in the case will be forwarded to the Honorable Secretary of the Interior when the rolls of the citizens of the Choctaw Nation are sent to him for final approval.

Yours truly,

SIGNED: *James Bixby*
Acting Chairman.

Enc. U.
Registered mail.
C. M. 31.

1
John F. Bowles
vs.
Choctaw Nation

Memoranda Case No. 31

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of John F. Bowles, for the enrollment of himself and his children, James F., Mary E., Gaines B., William S., and Pearle Bowles, as citizens, by blood, and his wife Margie C. Bowles, as an intermarried citizen, of the Choctaw Nation.

He appeared before the commission at Muscogee on August 13, 1900. His testimony, under oath, and an examination of the records of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office, believing that the action of the commission was correct, respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,

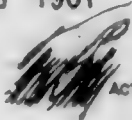
Commissioner.

(W.C.V.) P.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

L.R.S. DEPARTMENT OF THE INTERIOR.
Washington.

C.

April 4, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of John F. Bowles for the enrollment of himself and his five minor children as citizens by blood of the Choctaw Nation, and of his wife as an intermarried citizen thereof.

In rendering your decision you found that none of the applicants named have ever been enrolled by the tribal authorities of the nation, that their names do not appear upon any of the rolls thereof, and that they have never been admitted to citizenship by the Choctaw authorities, by your Commission or by the United States Court.

Therefore, acting under the provisions of the act of May 31, 1900(31 Stat., 221, 236), you rejected the application.

The Commissioner recommends that your action be approved. With this the Department concurs, and your decision is affirmed. You will so advise the party. There is inclosed herewith a copy of the Commissioner's letter.

Respectfully,

Thos. Ryan,

Acting Secretary.
D

Ind. Ter. Div.
1251-1901.
1 inclosure.

COPY.

Muskogee, Indian Territory, June 6, 1901.

John F. Bowles,

Marietta, Indian Territory.

Dear Sir:

On August 13, 1900, you made application to this Commission for the enrollment of yourself and your five minor children, James F., Mary E., Gaines B., William S. and Pearle B. Bowles as citizens by blood of the Choctaw Nation and of your wife, Margie G. Bowles, as a citizen by intermarriage of the Choctaw Nation. On September 4, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your family as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address September 7, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on April 4, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation and of your wife as an intermarried citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

SIGNED: *Tamc Dixby.*

Acting Chairman.

EMPTY

Choc memo 33

Dismissed in CCC case #111

Choc memo 33

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. August 27, 1900.

M E M O R A N D U M .

In the matter of the application for enrollment as citizens by blood of George E. Woolridge and on behalf of his three minor children, Virgil J., Oscar P. and Mary Ann Woolridge. George E. Woolridge being duly affirmed by the Commission testified as follows

Examination by the Commission.

- Q What is your name? A George E. Woolridge.
- Q What is your age? A 34.
- Q What is your post-office address? A Hartshorne, Indian Territory.
- Q You are making application for yourself and your three minor children, Virgil J., Oscar P. and Mary Ann Woolridge as citizens by blood of the Choctaw Nation? A Yes sir.
- Q What are the ages of these three children? A Virgil is twelve. Oscar is ten and Mary seven.
- Q These are all the parties for whom you are making application? A Yes sir.
- Q The names of any of these parties on any of the tribal rolls of the Choctaw Nation? A No sir.
- Q Has application ever been made to the Choctaw tribal authorities on behalf of any of these parties for citizenship in the Choctaw Nation? A No sir.
- Q Was application made to this Commission in 1896 for citizenship in the Choctaw nation for any of these parties under the act of Congress of June 10th, 1896? A Yes sir I made application.
- Q What was the title of the case in which you made application? A Ann Thompson.
- Q What action did this Commission take? A They rejected me on account of not being a citizen of the Choctaw Nation that is a bona fide citizen at the time.

The records of the Commission examined, 1896 Citizenship Docket C, page 430, Choctaw case 1379, Ann Thompson versus the Choctaw Nation. Original application filed September 9th, 1896. Answer filed and the Commission on December 8th, 1896, rendered a decision denying the application of Ann Thompson and the rest of the parties interested in this case. On appeal to the United States Court for the Central District of the Indian Territory, the decision of the Commission was reversed as to Ann Thompson, Kli Woolridge, Fannie Woolridge, Hattie Woolridge, Rosetta White, Susan Crowson and Ivy Thompson and these parties were admitted to citizenship in the Choctaw Nation.

- Q Were your name and the names of your children in the original application made to the Commission in 1896? A Yes sir.
- Q The Commission denied the rights of all the parties to that case? A Yes sir.
- Q And on appeal to the United States Court they sustained the decision of this Commission as to you and your children? A Yes sir.
- Q Is this the only right to citizenship you have in the Choctaw Nation? A Yes sir, all I have is through blood.
- Q Through your claim through Ann Thompson? A Yes sir.

George E. Jewellridge 2--

The decision of the Commission as to your application and the application you make on behalf of your three minor children for enrollment as citizens by blood of the Choctaw Nation, will be mailed to you in the near future at your present post-office address.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 27th day of August, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before us this 4 day of Sept 1900.

[Signature]
Acting Chairman.

George C. Woolridge 34.
Hartshorne, I. D.

WIFE: dead.

Children.

Virgil J. Woolridge.	12
Oscar P. " "	10
Mary Ann " "	7

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of George E. Woolridge for the enrollment of himself and his three minor children, Virgil J., Oscar P. and Mary Ann Woolridge, as citizens by blood of the Choctaw Nation.

D E C I S I O N.

It appears from the evidence in this case that on August 27, 1900, the applicant, George E. Woolridge, appeared before the Commission at Muskogee, and made application for the enrollment of himself and his three minor children, Virgil J., Oscar P. and Mary Ann Woolridge, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of George E. Woolridge for the enrollment of himself and his three minor children, Virgil J., Oscar P. and Mary Ann Woolridge as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Dated this 20 day of Nov 1900.


Acting Chairman.

COPY.

Muskogee, Indian Territory, November 20, 1900.

George R. Woolridge,
Hartshorne, Indian Territory;

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your three minor children, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tames Dixby.*

Acting Chairman.

George E. Woolridge et al
Choctaw ^{vs.} Nation

Memoranda Case No. 33

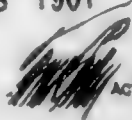
*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR.

Office of Indian Affairs,

Washington,

March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum of the Commission to the Five Civilized Tribes, in the matter of the application of George E. Woolridge for enrollment of himself and his children Virgil J., Oscar P., and Mary Ann Woolridge, as citizens, by blood, of the Choctaw Nation.

He appeared before the commission at Muscogee, Indian Territory, on August 27, 1900. His testimony, under oath, and an examination of the records of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct, and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,
W. A. Jones,

(W. C. V.) P.

Commissioner.

17674
L. R. S.

(Copy)

J. P.
C.

DEPARTMENT OF THE INTERIOR,

Washington, April 2, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of George E Woolridge for the enrollment of himself and his three minor children as citizens by blood of the Choctaw Nation.

The Commissioner states that from the testimony of Woolridge under oath and from an examination of the records now in your possession it was found that neither the applicant nor his children had ever been recognized as citizens of the Choctaw Nation, that they had never been enrolled as such, and that they have never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States court; that, therefore, in accordance with the provisions of the act of May 31, 1900 (31 Stat., 221,236), you were warranted in rejecting the application.

With this the Department concurs, and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed.

Ind. Ter. Div. Respectfully,
1241-1901
1 inclosure.

Thos. Ryan

Acting Secretary.

COPY.

Muskogee, Indian Territory, May 28, 1901.

George E. Woolridge,
Hartshorne, Indian Territory.

Dear Sir:

On August 27, 1900, you made application to this Commission for the enrollment of yourself and your three minor children, Virgil J., Oscar P., Mary Ann Woolridge as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on April 2, 1901, the secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED) *Tams Dixby*

Acting Chairman.

Muskogee, Indian Territory, March 20, 1901.

George E. Weeldridge,

Dew, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 15th instant in which you request that the record in the matter of your application for the enrollment of yourself and family as citizens by blood of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration.

Replying to your letter, you are informed that on December 3rd, 1900, the original testimony and all papers filed in the matter of your application were forwarded to the Secretary of the Interior.

Yours truly,

7-M-33

Acting Chairman.

Choc memo 34

dismissed in cccc case #111

Choc memo 34

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. August 27, 1900.

M E M O R A N D U M .

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Frank Thompson and of his two minor children, Eva Viola Thompson and Ruby G. Thompson, and for the enrollment of his wife, Milly Thompson as an intermarried citizen of the Choctaw Nation. Frank Thompson being duly sworn by the Commission testified as follows:

Examination by the Commission.

- Q What is your name? A Frank Clayton Thompson.
Q What is your age? A 24.
Q What is your postoffice address? A Alderson.
Q You are making application for yourself and two minor children as citizens by blood of the Choctaw Nation and your wife, Milly Thompson as an intermarried citizen of the Choctaw Nation?
A Yes sir.
Q What are the names and ages of your children? A Eva Viola born June 9th, 1895. Ruby G. Born in 1898, March 15th.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A I don't suppose they are.

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of Frank Thompson is not found thereon.

- Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A I made application when mother first made application.
Q To the Choctaw tribal authorities for citizenship? A She made it through the court.
Q We are talking about the Choctaw tribal authorities. We are not talking about any court or commission. The tribal authorities of the Choctaw Nation. A She just made application.
Q We don't want to know about your mother. We want to know about you. I I never had. I just sent in my name with hers and took an appeal.
Q I am talking about the tribal authorities of the Choctaw Nation, the Council of the Choctaw Nation at Tuskehomma. Did you ever make application to them? A No sir.
Q Who did you make this application to? A We made it to the Dawes Commission.
Q That is not the Choctaw authorities. Did you ever make application to the Choctaw tribal authorities? We are the United States authorities? A No I never made no application to them. This is the first time I was ever before the Commission.
Q Did you ever make application to this Commission in 1896 for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A I don't remember what year but we made application.
Q You did make application? A Yes sir.
Q What was the title of the case? Who made it? A My mother made it. Ann Thompson sent it in for all her children.
Q You claim then that your name was in the application made by Ann Thompson? A At first it was.

Records of the Commission examined. 1896 Citizenship Docket C, page 430 case 1379, Ann Thompson vs the Choctaw Nation. The original application filed Sept. 9th, 1896. Answer of the Choctaw Nation filed thereto and on December 8th, 1896 the Commission denied the

Frank Thompson 2--

the application and on appeal to the United States Court for the Central District of the Indian Territory, the decision of this Commission was reversed and Ann Thompson, Eli Woolridge, Fannie Woolridge, Hattie Woolridge, Rosetta White, Susan Crowson and Ivy Thompson were admitted to citizenship by the court in this case on appeal.

Q Was your name in the original application made in this case by Ann Thompson filed September 9th, 1896? Was your name in it?

A I don't know whether it was or not.

Q You are making this application. You ought to know if your name was in it. Did you make application? A Myself and family did.

Q Did you? A I made the application but was rejected.

Q By whom? A By the Dawes Commission.

Q Was your name in the judgment rendered by the United States Court for the Central District of the Indian Territory in the case of Ann Thompson versus the Choctaw Nation? A I don't think it was.

Q You have heard the record read just now? A Yes sir.

Q Your name was not in there? A No sir.

Q That is the only case that you claim any rights to citizenship under, isn't it? A Yes sir.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for enrollment as citizens by blood of the Choctaw Nation and of your wife as an intermarried citizen of the Choctaw Nation, will be mailed to you in the near future to your present post-office address.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 27th day of August, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 4 day of Sept 1900.


Acting Chairman.

Frank Thompson, 24
Alderson, I. O.

WIFE.

Millie Thompson.

Children.

Eva Vera Thompson 5
Ruby G. " " 2.

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

In the matter of the application for enrollment of Frank Clayton Thompson and his two minor children, Eva Viola and Ruby G. Thompson, as citizens by blood, and his wife, Milly Thompson, as an intermarried citizen of the Choctaw Nation.

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

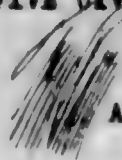
It appears from the evidence in this case that on August 27th, 1900, the applicant, Frank Clayton Thompson, appeared before the Commission at Muskogee, and made application for the enrollment of himself and his two minor children, Eva Viola and Ruby G. Thompson, as citizens by blood, and his wife, Milly Thompson, as an intermarried citizen of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Frank Clayton Thompson for the enrollment of himself and his two minor children, Eva Viola and Ruby G. Thompson, and his wife, Milly Thompson, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Dated this 20 day of Dec. 1900.

COPY.

Maskogee, Indian Territory, November 20, 1900.

Frank Clayton Thompson,
Alderson, Indian Territory,

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your two minor children, as citizens by blood of the Chectaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants refused enrollment as citizens of the Chectaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

SIGNED: *James Dinsby*
Acting Chairman.

5
Frank Thompson et al.

vs.
Choctaw Nation

Memorandum Case No. 1114

*Original testimony and all papers filed in
this case forwarded Secretary of Interior.*

DEC 3 1900

REFUSED

ACT OF MAY 1900

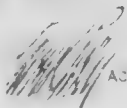
MEMORANDUM

CHOCTAW. 711 # 12

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

FILED

OCT 25 1901



ACTING CHAIRMAN.

*Original letter in
the file*

(COPY)

Refer in reply to the following:

Land
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington.
March 25, 1901.

The Honorable,

The Secretary of the Interior.

Sir:-

I have the honor to transmit, herewith, the memorandum made by the Commission to the Five Civilized Tribes in the matter of the application of Frank Thompson for the enrollment of himself and his minor children, Eva, Viola and Ruby G. Thompson, as citizens by blood of the Choctaw Nation, and his wife, Milly Thompson, as an intermarried citizen thereof.

He appeared before the commission at Muscogee, on August 27, 1900. His testimony, under oath, and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office, believing that the action of the commission was correct, respectfully recommends that it be approved.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(W.C.V.) P.

(COPY)

D. C. No. 14091-1901.

51554.

L. R. S.

F.

Department of the Interior.

Washington.

September 16, 1901.

I.T.D. 1250-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for the enrollment of Frank Thompson, his wife Milly Thompson, and children Eva Viola and Ruby G. Thompson, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because none of said parties has ever been enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan

Acting Secretary.

E. MGD.

1 inclosure.

*Returned to writer
not here*

Department of the Interior,

Commission to the Five Civilized Tribes.

Muskogee, Ind. Ter.



OFFICIAL BUSINESS.

for private use, \$300.

*Mr. Frank (Capt. Thompson),
Winterton,*

- J. J.

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, October 3, 1901.

Mr. Frank Clayton Thompson,
Alderson, Indian Territory.

Dear Sir:

On August 27, 1900, you made application to this Commission for the enrollment of yourself and your two minor children, Eva Viola and Ruby G. Thompson, as citizens by blood, and of your wife Milly Thompson as a citizen by intermarriage of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your family as citizens of the Choctaw Nation, and a copy of such decision was mailed to you to your post office address, November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 28, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation, and of your wife as an intermarried citizen of the

F. C. T.--#2.

Choctaw Nation.

The action of the Commission and of the Secretary
of the Interior as to such application is final.

Yours truly,



Acting Chairman.

7- M. 34.

Muskogee, Indian Territory, January 4, 1901.

Frank Claton Thompson,

Dow, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of December 30, 1900, in which you request that the record in the matter of your application for the enrollment of yourself, your wife and two minor children for enrollment as citizens of the Choctaw Nation, be referred to the Secretary of the Interior.

You are informed that on December 3rd, 1900, the record in your case was forwarded to the Secretary of the Interior for his consideration.

Yours truly,

Acting Chairman.

Choc memo 35

L

23-889

Choc memo 35

M E M O R A N D U M .

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I. T., Sept. 21, 1900.

In the Matter of the Application for enrollment as a Citizen by blood of the Choctaw Nation, of Nannie Owens on her own behalf and on behalf of her eight minor children.

Nannie Owen being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A Nannie Owens.
- Q What is your age? A 36 years.
- Q What is your postoffice address? A Young, Texas.
- Q You are making application for enrollment as a citizen by blood? of the Choctaw Nation? A Yes sir.
- Q Are you applying for anyone besides yourself? A Myself and children.
- Q What are the names and ages of your children under 21 years of age and unmarried? A Luila 16, Anne 14, Tommy 12, Alice 10, Tolbert 8, Willie and Leonard (Twins) 5 and Charley 18 months.
- Q What is the basis of your claim and the claim of your children by blood as citizens of the Choctaw Nation? A My father.
- Q Is your name, or the names of any of your children on any of the tribal rolls of the Choctaw Nation? A My name is.
Tribal rolls of the Choctaw Nation in the possession of this Commission examined, and the name of Nannie Owen or any of her children, do not appear thereon.
- Q Were you or your children ever admitted to citizenship in the Choctaw Nation by the tribal authorities of that nation? A No sir.
- Q Were you or your children ever admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896? A Yes sir.
- Q You were? You were admitted to citizenship? A I never did put in no application until twelve months ago.
Records of the Commission to the Five Civilized Tribes examined as to the names of parties admitted to citizenship under the act of Congress of June 10, 1896, and the names of Nannie Owen and her children do not appear thereon.
- Q Were you ever admitted to citizenship in the Choctaw Nation by a judgment of the United States Court on appeal from the decision of either the tribal authorities or the authorities of the United States? A No, not that I know of.
- Q Have you ever, prior to this time, appeared before this Commission and made application on your own behalf and on behalf of these children for enrollment as citizens by blood of the Choctaw Nation? A No sir.

This Commission is without authority to further hear, consider or act upon the application made by you for either yourself or your children for enrollment as citizens by blood of the Choctaw Nation. The Act of Congress of May 31, 1900 provides that said Commission shall continue to exercise the authority heretofore conferred upon it by law, but it shall not receive, consider nor make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory, who has not been a recognized citizen thereof and duly and lawfully enrolled or admitted as such; and its refusal

2-Nannie Owens.

of such application shall be final when approved by the Secretary of the Interior.

It appears from the testimony you have just given, that neither your name nor the names of any of your children appear on any of the tribal rolls of the Choctaw Nation, nor have you ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, acting under the Act of Congress of June 10, 1896, or by a judgment of the United States Court in the Indian Territory, on appeal from the decision of the tribal authorities or the decision of this Commission.

You will therefore understand that this Commission is without authority to further receive, consider or make any further record of your application.

The judgment of the Commission, stating in writing, at length, its refusal to hear or consider your case, will be mailed to you in the near future to your present postoffice address.

-----o-----

Frances R. Brown, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 21st day of September, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 26
day of September, 1900.

Guy L. Emerson
Notary Public.

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

SEP 21 1900

Nannie Owens. 36.
Young, Texas.

CHILDREN:

Lula Owens	16.
Anna " "	14.
Dommie " "	12.
Alice " "	10.
Volbert " "	8.
Willie " "	} 5 MINORS
Leonard " "	
Charley " "	10 years.

COMMISSIONER OF THE GENERAL LAND OFFICE.

FILED

SEP 21 1900

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Nannie Owens for the enrollment of herself and her eight minor children, Luila, Anne, Tommy, Alice, Tolbert, Willie, Leonard and Charley Owens, as citizens by blood of the Choctaw Nation.

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

It appears from the evidence in this case that on September 21, 1900, the applicant, Nannie Owens, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her eight minor children, Luila, Anne, Tommy, Alice, Tolbert, Willie, Leonard and Charley Owens as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of Nannie Owens for the enrollment of herself and her eight minor children, Luila, Anne, Tommy, Alice, Tolbert, Willie, Leonard and Charley Owens, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 20 day of Nov 1900.

COPY.

Muskegee, Indian Territory, November 20, 1900.

Mrs. Nannie Owens,
Young, Texas,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your eight minor children as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tams Dixby.*
Acting Chairman.

1
Nannie Owens et al.

vs.
Choctaw Nation

Memoranda Case No. * 35

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

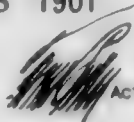
DEC 3 1900

REFUSED.
ACT OF MAY 21, 1900.
MEMORANDUM.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

(Copy)

Land. 4
61,035-1900/

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington,

March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Nannie Owens for the enrollment of herself and her children Lula, Anne, Tommy, Alice, Tolbert, Willie Leonard and Charley Owens, as members, by blood, of the Choctaw Nation.

She appeared before the commission at Muscogee, on September 21, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office, believing that the action of the commission was correct, respectfully recommends that it be approved.

Very respectfully,

Your obedient servant;

W. A. Jones,
Commissioner.

(W. C. V.)P.

17853
L. R. S.

J. P.
C.

DEPARTMENT OF THE INTERIOR,
Washington, April 3, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of **Nannie Owens** for the enrollment of herself and her eight minor children as citizens by blood of the Choctaw Nation. Nothing is shown as to the father of these children.

The Commissioner states that from the testimony of Owens and an examination of the records in your possession it was shown that the applicants have never been recognized as citizens of the Choctaw Nation, that they have never been enrolled as such, and that they have never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States court; that, therefore, acting under the provisions of the act of May 31, 1900 (31 Stat., 221,236) you were warranted in rejecting the application.

With this the department concurs, and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos. Ryan.
Acting Secretary.

Ind. Ter. Div.
1239-1901.
1 inclosure.

COPY.

Muskogee, Indian Territory, June 8, 1901.

Nannie Owens,

Young, Texas.

Dear Madam:

On September 21, 1900, you made application to this Commission for the enrollment of yourself and your eight minor children Imila, Anne, Tommy, Alice, Tolbert, Willie, Leonard and Charley Owens as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon and on April 3, 1901, the secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application, is final.

Yours truly,

(SIGNED) *Tams Dixey.*

Acting Chairman.

Choc memo 37

Choc memo 37

M E M O R A N D U M .

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, I. T., Sept. 25, 1900.

In the Matter of the Application for Enrollment as a Citizen
by blood of the Choctaw Nation of James G. Gatewood and his six minor
children.

James G. Gatewood, being first duly sworn, testified as follows:

Examination by the Commission:

- Q What is your name? A James G. Gatewood.
Q What is your age? A 45 years.
Q What is your postoffice address? A Guentie, I. T.
Q Are you making application for enrollment as a citizen by blood of
the Choctaw Nation? A Yes sir.
Q Are you applying for anyone besides yourself? A For my family.
Q What do you mean by your family? A Just for myself--I don't know
how to answer it. I have got a family--supposed to be my family.
Q Have you any children under 21 years of age and unmarried? A Yes.
Q Do you want to make application for them? A Yes sir.
Q What are their names and ages? A I can't tell you. This boy Bud
is about 16 years old I believe.
Q Give the names of your children?
A Ida.
Q How old is Ida? A She is 18 I suppose. Bell
Q How old is she? A Six years. Clara G., 14, Berry 11, Lida 4 and
Bud 16.
Q Is your name, or the names of your children for whom you now make
application, on any of the tribal rolls of the Choctaw Nation?
A No sir.

Tribal rolls of the Choctaw Nation in possession of
the Commission examined, and neither the names of
James G. Gatewood nor any of his children are found
thereon.

- Q Have you or any of your children for whom you now make application,
ever been admitted to citizenship in the Choctaw Nation by the tri-
bal authorities thereof? A No, never made no application to them.
Q Were you or your children ever admitted to citizenship in the
Choctaw Nation by the Commission to the Five Civilized Tribes act-
ing under the Act of Congress of June 10, 1896? A No sir.
Q Were you or your children ever admitted to citizenship in the
Choctaw Nation by a judgment of the United States Court in the
Indian Territory on appeal from the decision of the tribal author-
ities of the Choctaw nation, or the decision of this Commission?
A No sir.

Records of the Commission of parties admitted to cit-
izenship in the Choctaw Nation, examined and the
names of James G. Gatewood or his children do not ap-
pear as having been so admitted by either the tribal
authorities, the Commission to the Five Civilized
Tribes, or the United States court on appeal from
the decision of the tribal authorities or the deci-
sion of this Commission.

The Act of Congress of May 31, 1900 provides that this Com-
mission shall continue to exercise all authority heretofore conferred
on it by law, but it shall not receive, consider, or make any record
of any application of any person for enrollment as a member of any
tribe in the Indian Territory, who has not been a recognized citizen

2- James G. Gatewood.

thereof, and duly and lawfully enrolled or admitted as such; and its refusal of such application shall be final when approved by the Secretary of the Interior.

It appears from the testimony you have just given that neither your name nor the names of any of your children appear upon any of the tribal rolls of the Choctaw Nation; neither have you or your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities or by the Commission to the Five Civilized Tribes acting under the Act of Congress of June 10, 1896, or by the United States Court in the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation, or the decision of this Commission. You will therefore understand that this Commission is without authority to receive, consider or make any further record of your case.

The memoranda that has been taken will be preserved, and if you desire to have the record so made presented to the Secretary of the Interior, you will so inform the Commission in writing, and the record of this case will be transmitted to the Secretary of the Interior for his consideration when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

You will be furnished in the near future, in writing mailed to your present postoffice address, with the action of the Commission in this case.

-----o-----

Frances R. Brown, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 25th day of September, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 26th day of September, 1900.

Guy L. Emerson
Notary Public.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

SEP 25 1900

James G. Gatewood. 45.
Quertie, Ind. Per.

Ida Gatewood	20.
Bud " "	16
Clara " "	14
Berry " "	10
Belk. " "	6
Lida " "	4

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of James G. Gatewood and his six minor children, Bud, Ida, Bell, Clara G., Berry and Lida Gatewood, as citizens by blood of the Choctaw Nation.

DECISION.

It appears from the evidence in this case that on September 25, 1900, the applicant, James G. Gatewood, appeared before the Commission at Muskogee, and made application for the enrollment of himself and his six minor children, Bud, Ida, Bell, Clara G., Berry and Lida Gatewood, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of James G. Gatewood on his own behalf and on behalf of his six minor children, Bud, Ida, Bell, Clara G., Berry, and Lida Gatewood, as citizens by blood of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory, *November 26* 1900.

COPY.

Muskegee, Indian Territory, November 20, 1900.

James G. Gatewood,
Guertie, Indian Territory,

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your six minor children, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tama Dixby.*
Acting Chairman.

James G. Galewood et al
vs.
Choctaw Nation

Memorandum Case No. 37

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, the memorandum made by the Commission to the Five Civilized Tribes in the matter of the application of James C. Gatewood for the enrollment of himself and his children, Ida, Belle, Clara, Berry, Lida and Bud, as citizens, by blood of the Choctaw Nation.

He appeared before the commission at Muscogee, on September 25, 1900. His testimony given under oath and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the courts. The commission therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,

Your obedient servant,

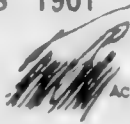
W. A. Jones
Commissioner.

(W. C. V.) P

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,

Washington, April 3, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum prepared by the Commission in the matter of the application of James G. Gatewood for the enrollment of himself and his six minor children as citizens by blood of the Choctaw Nation. Nothing is said as to the mother of these children.

The Commissioner states that from the testimony of Gatewood and the examination of the records in your possession it was shown that the applicants had never been recognized as citizens of the Choctaw Nation, that they have never been enrolled as such, and that they have never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States Court; that, therefore, acting under the provisions of the act of May 31, 1900 (31 Stat., 221, 236), you were warranted in rejecting the application.

With this the Department concurs and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed.

Respectfully,

Ind. Ter. Div.
1237-1901.
1 inclosure.

Thos. Ryan.
Acting Secretary.

COPY.

Muskogee, Indian Territory, June 5, 1901.

James G. Gatewood,

Guertie, Indian Territory.

Dear Sir:

On September 25, 1900, you made application to this Commission for the enrollment of yourself and your six minor children, Ida, Ball, Clara G., Berry, Lida and Bud Gatewood as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address November 20, 1900.

On December 2, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on April 3, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

WALTER TAMS DIXON
Acting Chairman.

Choc memo 38

see MCR 6790

MCR 7246

MCR 7318

Choc memo 38

CHOCOTAW MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., SEPTEMBER 28, 1900.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Joe Willie Clover, Ernest Clover, Thomas Lucious Clover and Lucia Bell Clover. Robert L. Clover, the father of the children, being first duly sworn, testified as follows:

Robert L. Clover first presents to the Commission a written application and petition for the enrollment of these applicants, also affidavits of the mother as to the birth of said applicants, which is accepted, marked Exhibit A, and made a part of the record in this case.

(Examination by the Commission)

- Q What is your name? A My name? Clover.
Q Your full given name? A My full name?
Q Your full given name? A Robert Lucious.
Q What is your post office address? A Goodwater, Indian Territory.
Q How old are you? A I am about 49 years old.
Q Your purpose in now appearing before this Commission is to make application for the enrollment of your minor children, Joe Willie, Ernest, Thomas Lucious and Lucia Bell Clover? A Yes sir.
Q Are you a citizen of the Choctaw Nation? A Yes sir.
Q Have you been enrolled as such by this Commission? A Yes sir.
Q How did you become a citizen of the Choctaw Nation?
A By application to the Dawes Commission.
Q Were you ever recognized as a citizen of the Choctaw Nation prior to the time that you made application to the Dawes Commission under the Act of Congress of June 10, 1896? A No sir, I had been recognized but not enrolled.
Q Did they ever recognize you as a citizen and pay you money when they paid money to the other members of the Choctaw tribe?
A No sir.

The records of the Commission examined, and it appears that Robert L. Clover in 1896, under the Act of Congress of June 10, 1896, made application to this Commission for citizenship in the Choctaw Nation, his original application being filed September 5th, 1896, and the answer of the Choctaw Nation was filed thereto; that on December 3rd, 1896, the Commission admitted the applicant to citizenship in the Choctaw Nation. There is no record of any appeal having been taken by the Choctaw Nation in this case, and the judgment of the Commission, therefore, became final. (See 1896 Citizenship Docket C, page 321, Choctaw Case No. 725).

- Q Were the names of the children for whom you now make this application in the original application made by you to this Commission in 1896? A No sir.

Records of the Commission examined of parties admitted to citizenship by the Commission under the Act of Congress of June 10th, 1896, and the names of these applicants do not appear thereon.

- Q Are the names of your four children for whom you now make application on any of the tribal rolls of the Choctaw Nation?

Robert L. Glover

A No sir.

Tribal rolls of the Choctaw Nation in possession of the Commission examined, and the names of none of the applicants are found thereon.

Q Were the names of these children, for whom you now make application, ever included in a judgment of the United States Courts for the Indian Territory, admitting parties to citizenship in the Choctaw Nation? A No sir.

Records of parties admitted to citizenship by judgment of the United States Court in the Indian Territory, examined, and the names of the applicants do not appear thereon.

You will be furnished in the near future with a copy of the decision of the Commission as to the application you make on behalf of your four minor children for enrollment as citizens by blood of the Choctaw Nation, stating fully therein the reasons for any action that the Commission may take in the matter of the application.

Kate De Bord, having been first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 28th day of September, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Kate D. Bord

Subscribed and affirmed to before me this 3 day of October 1900.

Guy L. V. Emerson

Notary Public.

Sept. 28th, 1900.

for Willie, Ernest, Thomas
L., Eugie Bell Clover.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 28 1900


ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for enrollment of Joe Willie Clover, Ernest Clover, Thomas Lucious Clover and Lugia Bell Clover.

* * * * *

D E C I S I O N .

It appears from the evidence in this case that on September 28th, 1900, Robert L. Clover, father of the applicants, appeared before the Commission at Muskogee, and made application for the enrollment of his four minor children, Joe Willie, Ernest, Thomas Lucious and Lugia Bell Clover, as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10th, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Robert L. Clover for the enrollment of his four minor children, Joe Willie Clover, Ernest Clover, Thomas Lucious Clover and Lugia Bell Clover, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 20 day of Nov 1900.

COPY.

Muskogee, Indian Territory, November 20, 1900.

Robert Lucious Clover,
Goodwater, Indian Territory,

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of your four minor children as citizens by blood of the Choctaw Nation.

In the event that you desire to have this case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *James D. Doby.*
Acting Chairman.

Joe Willie Clover et al

^{vs.}
Choctaw Nation

Memoranda Case No. 38

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Refer in reply to the following:

-- Copy--

Land
61035-1900

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 6, 1901.

The Honorable,
The Secretary of the Interior.

Sir:-

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Robert L. Clover for the enrollment of his minor children, Joe Willie, Earnest, Thomas Lucius and Engia Bell Clover, as citizens by blood, of the Choctaw Nation, together with other papers filed in the same case.

It appears from the statements made by Robert L. Clover in his testimony before the Commission, September 28, 1900, and in the findings of the Commission that the names of said children do not appear upon any roll of the Choctaw Nation; and that none of them have ever been recognized as citizens of the Nation, nor admitted to citizenship by the authorities, by the Commission or by the Courts.

It further appears that Robert L. Clover filed his application for citizenship with the Commission on September 5, 1896; that the answer of the Choctaw Nation was filed December 3, 1896; that the Commission admitted the applicant to citizenship in the Choctaw Nation; that there is no record of any appeal having been taken by the Choctaw Nation, and that the judgment of the Commission therefore became final, subject to the supervisory action of the

Secretary of the Interior.

Robert L. Clover made affidavit before a Notary Public on September 28, 1900, that he is a Choctaw Indian by blood, and was duly admitted to citizenship by the Commission to the Five Civilized Tribes on December 2, 1896; that he is the father of the children above named, and that his attorney stated to him at the time he made application for citizenship that it was not necessary to include the names of his children in his application for citizenship.

Mary L. Clover made affidavit on September 24, 1900, that she was an intermarried citizen of the Choctaw nation, the lawful wife of R. L. Clover and the mother of the children above mentioned.

The Commission having all of the above stated facts and testimony before it rendered judgment that insomuch as the facts did not appear from the testimony that the names of the children were on any roll, therefore they could not admit them. They cited by way of justification the Act of Congress of May 31, 1900:

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

Granting, for the present, the strict and literal construction of the above quoted provision of the law which the Com-

mission thought it was bound to place upon it - though the office thinks not a justifiable one - yet the office does not believe this particular case hinges on that provision of the law; but that these minor children were entitled to enrollment from the fact that the parent had been previously enrolled by the Commission and therefore the inherited rights of these minors could not be alienated by the failure of the parent to include their names in his former application - neither will the neglect of the Commission, the agents of the Government, to inquire of the parent or to make it known to him at that time that such was necessary, jeopardize their rights.

The Statutes of Limitations make exceptions of persons under disabilities - and this office finds no provision of the Choctaw laws that would in any way conflict with the general statutes on the subject. It is not the policy of the law to withhold its benefits from those who from years of minority or other infirmities can not avail themselves of its provisions; nor would they be bound by the action of any one, either parents, guardian, commission or courts, who attempts to deny them their just and legal rights.

Further this application for the enrollment of these minors should be regarded as an effort to complete the enrollment of the family, which on account of some error was not done in 1896 when the father was enrolled. And this view of the matter seems an easy way by which justice may be done to the innocent

who will suffer if the Secretary of the Interior approves the finding of the Commission.

For the reasons above set forth, it is therefore respectfully recommended that the Commission to the Five Civilized Tribes be advised that if Robert L. Clover was entitled to enrollment, his minor children - Joe Willie, Earnest, Thomas Lucius and Engia Bell Clover are also entitled to be enrolled, and it be directed to place their names on the rolls of the Choctaw Nation, subject of course, to the final decision of the Secretary on the claim of their said father to enrollment; and in order that the matter may not be overlooked when the rolls are transmitted for final action, it might be well for the Commission to make such cross references as may be necessary to call attention to the previous correspondence on the subject, and to the relationship existing between the parties.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

A.B.

C

I. T. D.
1803-1901.

DEPARTMENT OF THE INTERIOR,
Washington.

June 18, 1901.

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

Gentlemen:

With his letter of May 6, 1901, the Acting Commissioner of Indian Affairs transmitted your memorandum and other papers in the matter of the application of Robert L. Clover for the enrollment of his four minor children as citizens by blood of the Choctaw Nation.

You found that the names of these children do not appear upon the rolls of the Choctaw Nation, and that none of them have ever been admitted or recognized as citizens by the nation, or admitted to citizenship by your Commission or by the United States Court, and you rejected the application under the provisions of the act of May 31, 1900 (31 Stat., 221).

The Acting Commissioner states that Robert L. Clover filed an application for citizenship with your Commission on September 5, 1896; that you found that the applicant was entitled to citizenship in said nation; that there is no record of any appeal having been taken by the nation; and that your decision, therefore, becomes final, "subject to the supervisory action of the Secretary of the Interior."

Clover made affidavit, in 1900, that he is the father of the children for whom he now makes application, and that his attorney stated to him, at the time he made the application, for citizenship in 1896, that it was not necessary to include the names of his children in his application.

Mary L. Clover made affidavit about the same time that she is the lawful wife of Robert L. Clover and the mother of these children.

The act of May 31, 1900, supra, provides:

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

The Acting Commissioner states that these minor children were entitled to enrollment from the fact that the parent had been previously enrolled by the Commission, and therefore the inherited rights of these minors could not be alienated by the failure of the parent to include their names in his former application; that the Statutes of Limitation make exceptions of persons under disabilities; that it is not the policy of the law to withhold its benefits from those who from years of minority or other infirmities, cannot avail themselves of its

provisions; nor would they be bound by the action of any one, either parents, guardian, commission or courts, who attempts to deny them their just and legal rights. He goes further and holds that the present application for the enrollment of these minors should be regarded as an effort to complete the enrollment of the family, which, on account of some error, was not done in 1896 when the father was enrolled.

The conclusion of the Acting Commissioner is disposed of in the opinion of the Assistant Attorney-general of June 8, 1901, in the cases of Nancy Smith and Lottie B. Adams, a copy of which opinion was sent to you on June 12, 1901.

Our decision, being in accordance with the law and the fact, is hereby affirmed, and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

(COPY).

DEPARTMENT OF THE INTERIOR,
Office of the Assistant Attorney-General.

WASHINGTON.

June 8, 1901.

The Secretary of the Interior,

Sir:

By letter of April 2, 1901, you make inquiry respecting the effect and meaning of that provision in the act of May 31, 1900 (51 Stat., 221, 236) which, referring to the Commission to the Five Civilized Tribes, reads:

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

This request seems to be made with especial reference to the application of Nancy Smith, made to said commission July 20, 1900, for enrollment as a member of the Choctaw Nation, and to the application of Lottie B. Adams, made to said commission August 15, 1900, for enrollment as a member of the Chickasaw Nation. These applications were not presented within the time limited by the act of June 10, 1896 (29 Stat., 321, 339).

The papers submitted tend to show that Nancy Smith is by descent, a Choctaw Indian; that at the time of her said application she was forty eight years old, and had been of unsound mind for thirty-one years; that her name is not borne upon any roll of the citizens or members of the nation; that she has not

been admitted to enrollment or citizenship in the nation by the tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court for Indian Territory; and that she was born before and not since the last authenticated tribal roll was made.

The papers submitted tend to show that Lettie F. Adams is, by descent, a Chickasaw Indian; that at the time of her said application she was sixteen years old; that her name is not borne upon any roll of the citizens or members of that nation; that she has not been admitted to enrollment or citizenship in the nation by the tribal authorities, the Commission to the Five Civilized Tribes, or the United States court for Indian Territory; and that she was born before and not since the last authenticated tribal roll was made.

Presumably the questions intended to be submitted are whether the state of unsound mind in the one case and of infancy in the other exempt^{ed} these applicants from the limitations upon the time within which applications for citizenship by persons not on the tribal rolls were required to be made by the act of June 10, 1896. If so, my answer is in the negative. There is nothing in the legislation of Congress upon which such an exemption can be predicated, and the acts of June 10, 1896, June 19, 1897 (30 Stat., 62, 64), June 28, 1898 (30 Stat., 495, 502), and May 31, 1900, clearly indicate that no such exemption was intended. In this connection I refer to the opinions rendered by me September 28, 1898, and March 17, 1899, respecting the work of

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

FILED
OCT 18 1901



ACTING CHAIRMAN

Faint, mostly illegible text, possibly a letter or report, covering the left and center portions of the page.

COPY.

Muskogee, Indian Territory, October 18, 1901.

Mr. Robert I. Clover,
Goodwater, Indian Territory.

{ Choptaw Memorandum
{ No. 38.

Dear Sir:

On September 28, 1900, you made application to this Commission for the enrollment of your four minor children, Joe Willie, Ernest, Thomas Lucious and Lugia Bell Clover, as citizens by blood of the Choptaw Nation. The testimony taken in support of said application showed conclusively that none of the parties for whom the application was made had ever been recognized citizens of the Choptaw Nation and duly and lawfully enrolled or admitted as such, and by letter, dated November 20, 1900, enclosing a copy of the decision of the Commission, you were notified that the application, as aforesaid, had been refused in accordance with the provisions of the Act of Congress of May 31, 1900, which are as follows:

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

On December 3, 1900, the memorandum of your application was reported to the Secretary of the Interior for his consideration.

R. L. C.--R.

The Commission is now in receipt of a letter from the Secretary of the Interior, dated August 30, 1901, in which he states that he has approved the decision of the Commission in this case and refused the application for the enrollment of your minor children, Joe Willie, Ernest, Thomas Lucious and Lucia Bell Glover, as citizens of the Choctaw Nation.

Yours truly,

(SIGNED) *Tams Dixby*

Acting Chairman.

7-M #38

Muskogee, Indian Territory, October 19, 1901.

Mr. J. H. Hunter,
Goodwater, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of August 23, 1901, in which you enclose a letter of the Commission of August 15, 1900, addressed to you at Goodwater, Indian Territory; also a copy of a letter of August 3, 1901, to the Secretary of the Interior, Washington, D. C., and a Choctaw license issued by Sidney J. Herndon, county clerk of Red river county, Choctaw Nation, to J. H. Hunter to marry Miss Jo Willie Clover, the same being dated July 12, 1900; also the certificate of M. J. Brown, county and probate judge of Red river county, Choctaw Nation, as to the marriage on July 15, 1900, of J. H. Hunter to Miss Jo Willie Clover.

The enclosures contained in your letter of August 23, 1901, are returned you herewith, with the following information:

It does not appear from our records that you have in person ever made application to this Commission for enrollment as a citizen by intermarriage of the Choctaw Nation; nor does it appear that Jo Willie Clover has ever been listed for enrollment by this Commission as a citizen of the Choctaw Nation.

On September 28, 1900, at Muskogee, Indian Territory, Robert

L. Clover, of Goodwater, Indian Territory, made application to this Commission for the enrollment of his four minor children, Joe Willie, Ernest, Thomas Lucious and Lugia Bell Clover, as citizens by blood of the Choctaw nation.

On November 20, 1900, the Commission refused the application for the enrollment of these children as citizens by blood of the Choctaw Nation in accordance with the provision of the Act of Congress of May 31, 1900:

"But it (the Commission) shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

On December 3, 1900, the memorandum of such applications was reported to the Secretary of the Interior for his consideration, and on August 30, 1901, the Secretary of the Interior affirmed the decision of the Commission in this case and refused the application for the enrollment of Joe Willie, Ernest, Thomas Lucious and Lugia Bell Clover as citizens by blood of the Choctaw Nation.

The action of the Secretary of the Interior relative to the rights to citizenship in the Choctaw Nation of these persons is final, and your wife has no rights as a citizen by blood of the Choctaw Nation.

If, in view of the above statement, you are still desirous

J. H. R.--S.

of making application for enrollment as a citizen by intermarriage
of the Cherokee Nation, you will be heard upon your personal appear-
ance at the office of the Commission at Muskogee, Indian Territory.

Yours truly,

Acting Chairman.

7-2 38

Nov
46

Garvin, I. T. Dec. 22, 1902

Laws Commission,

Muskegee, I. T.

Gents:--

In the case herewith submitted, if it is beyond your authority to consider the same on its merits, I will ask you to advise me, giving me the reasons so that I may submit the same to the Hon. Secretary of the Interior, for review.

I also ask that the affidavits in this case be considered in the application of Mrs. Mary F. Clever which was made here in last month. Also in the application of J. M. Hunter who married one of these minors and who made his application to you some time ago.

Awaiting your reply I am.

Very Resp. Yours.

M. C. Spaulding

Garvin, Ind. Ter. Dec. 22 - 1902

Commission to the Five Civilized Tribes,

Muscogee, Ind. Ter.

Gentlemen:—

At this very late date I submit herewith applications for the enrollment of four minor children as citizens of the Choctaw Nation, by blood viz.

Joe Willie Hunter (nee Clever)	Born March 15th.	1880
Earnest Quenten Clever	Born Aug. 3,	1884
Charles L. Clever	Born Mar. 31,	1889
Eugie Nell Clever	Born May 15,	1890

And in submitting such applications I beg leave to call your attention to the following matters of record in your office,

First, That R.L. Clever the Father of these Children is a duly enrolled citizen, by blood, of the Choctaw Nation, See Choctaw Ap. 725.

Second, That Mary F. Clever, the Mother of these Children was lawfully married to R.L. Clever on the fourth day of October A.D. 1878. See proof of such marriage in the application of said Mary F. Clever for enrollment taken at Garvin, I.T. by your representatives on the 26th. or 27th. of November A.D. 1902.

Third, Other applications and proofs have, as I am informed been made and filed before you for the enrollment of these children since 1896, just what proofs has been so filed & I am not advised, but respectfully ask that the same be considered herewith.

I also respectfully call your attention to the affidavit of the father R.L. Clever hereto attached, giving his reasons why he did not mention his wife and his Children when he made application for enrollment in 1896, and the affidavit of R.L. G. Mattiest in corroboration thereof, as well as the affidavit of the mother of these children as to their birth, and that they are still living.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation,
 of Joe Willie Hunter, born on the 15 day of March, 1880
(Here insert name of child.)
 Name of Father: R. L. Cloer, a citizen of the Choctaw Nation.
 Name of Mother: Mary F. Cloer, a citizen of the Choctaw Nation.
 Post-Office: Goodwater, Et.

AFFIDAVIT OF MOTHER.

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

I, Mary F. Cloer, on oath state that I am 44
 years of age and a citizen, by Marriage, of the Choctaw Nation;
 that I am the lawful wife of R. L. Cloer, who is a citizen, by
Blood, of the Choctaw Nation, that a female child was
(Male or female.)
 born to me on the 15 day of March 1880; that said child has been
 named Joe Willie Cloer, and is now living, and married
his name now being Joe Willie Hunter. his husbands
name is J. H. Hunter
 WITNESSES TO MARK: Mary F. Cloer

(Must be Two Witnesses.)
 W.S.

Subscribed and sworn to before me this 22 day of December 1902

[Signature]
 Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

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

I, _____, a _____, on oath state that I
 attended on Mrs. Mary F. Cloer, wife of R. L. Cloer,
 on the 15 day of March 1880; 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 Joe Willie Cloer.

(Must be Two Witnesses.)

Subscribed and sworn to before me this _____ day of December 1902

Notary Public.

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

-----oOo-----

In re application for Enrollment as a citizen of the Choctaw Nation,
of Earnest Quentin Glover, born on the 3 day of August 1884
Name of Father: R.L. Glover, a citizen of the Choctaw
Nation. Name of Mother: Mary F. Glover, a citizen of the
Choctaw Nation. Post Office Goodwater, I.T.

AFFIDAVIT OF MOTHER.

United States of America.
Indian Territory.
Central District.

I, Mary F. Glover, on oath state that I am 44 years of
age and a citizen by marriage of the Choctaw Nation; That I am the
lawful wife of R.L. Glover, who is a citizen by blood
of the Choctaw Nation, that a male child was born to me on the 3
day of August 1884, 1884; that said child has been named Earnest
Quenton Glover, and is now living.

Witness to Mark:

Mary F. Glover

Subscribed and sworn to before me this 22 day of November, 1902.

[Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

United States of America.
Indian Territory.
Central District.

I, _____, at _____, on oath state
that I attended on Mrs. Mary F. Glover, wife of R.L. Glover
on the 3 day of August 1884, 1884, that there was born to her on
said date a male child; that said child is now living and is said to
have been named Earnest Quentin Glover.

Witness to Mark:

Subscribed and sworn to before me this _____ day of November, 1902.

Notary Public.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Choctaw Nation, of Thomas L. Clover, born on the 31 day of March 1889,

(Here insert name of child.)

Name of Father: R.L. Clover, a citizen of the Choctaw Nation.

Name of Mother: Mary F. Clover, a citizen of the Choctaw Nation.

Post-Office: Goodwater, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Mary F. Clover, on oath state that I am 44 years of age and a citizen, by marriage, of the Choctaw Nation; that I am the lawful wife of R.L. Clover, who is a citizen, by blood, of the Choctaw Nation, that a male child was born to me on the 31 day of March 1889, 190; that said child has been named Thomas L. Clover, and is now living.

WITNESSES TO MARK:

Mary F. Clover

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 day of December 1902

[Signature] Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Central District.

I, Mary F. Clover, a wife of R.L. Clover, on the 31 day of March 1889, 190; that there was born to her on said date a male child; that said child is now living and is said to have been named Thomas L. Clover.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this day of 190

Notary Public.

DEPARTMENT OF THE INTERIOR

Commission to the Five Civilized Tribes

In an application for Enrollment as a citizen of the Choctaw Nation,
of Regie Bell Glover to wit 1897 born on the 15th day of May 1897
Name of Father: R. L. Glover the child of a citizen of the Choctaw
Nation. Name of Mother: Mary P. Glover, a citizen of the
Choctaw Nation.

Post Office Goodwater, I.T.

AFFIDAVIT OF MOTHER.

United States of America.
Indian Territory, Central District.

I, Mary P. Glover, on oath state that I am 44 years of
age and a citizen by marriage of the Choctaw Nation; That I am the
lawful wife of R. L. Glover, who is a citizen by blood
of the Choctaw Nation, that female child was born to me on the 15
day of May 1897, 1907; that said child has been named Regie
Bell Glover, and is now living.

Witness to Mark:

Mary P. Glover

W.S.

Subscribed and sworn to before me this 22nd day of November, 1902.

W. H. White
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

United States of America.
Indian Territory, Central District.

I, _____, on oath state
that I attended on Mrs. Mary P. Glover, wife of R. L. Glover
on the 15 day of May 1897, 1907, 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 Regie Bell Glover.

Witness to Mark:

Subscribed and sworn to before me this 22nd day of November, 1902.

Notary Public.

Argument.

In this case I respectfully call your Honors attention to the fact that these four Children are the Children of a Chectaw man legally married to a white woman, and residing in the Chectaw Nation continuously since long pryer to the year 1896. which fact fixes the right of these children to enrollment in ~~1896~~ 1896 beyond a question. They under the proof must be admitted to be the children of a Chectaw man and his lawful issue, therefore Chectaws themselves, and while it is true application for their enrollment should have been made by their father in 1896, yet the right to citizenship, being admitted, can the applicants who were at that time respectively only, 16 - 12-7 - 6 years of age be said to have lost, or be barred of their right to participate in the Tribal property because of the lachies of their ignorant father?

Certainly it is a principal of law to well seteled to admit of argument, that a minor cannot waive, or be barred of a right, during its Minerity. Taking that for granted then certainly the right of these Children exists, and we are next to look for the remedy.

In the act of Congress, June 7th. 1897 the words, "Rolls of Citizens" is defined to mean, "and such additional names and their decendants as have been subsequently added by ~~the~~ the Commission under the act of June 10th. 1896. The name of R. L. Clever was so added to the rolls under the act of Congress last referred to, and these children are his lawful decendants, are they not to be enrolled? we certainly think they should be, even if their application is somewhat late. and we urge that it is incumbrent on the autheraties having in hand the making of the Rolls on which Millions of dollars worth of property is to be divided to so construe the laws as to secure to every one his or her bleed given right.

These children are Chectaws by bleed, they are off the rolls because of the ignorance of their Chectaw father only, and we certainly ask, and believe we have a right to expect that your Honorable Commission will, if in your power so to do protect them, and this we ask, assuring you that should further proof of any fact necessary to their enrollment be desired we stand ready to furnish the same.

Very Resptfullr submitted.

L. L. Spaulding
Atty. for Claimants.

DEPARTMENT OF THE INTERIOR.

Commission to the Five Civilized Tribes.

In re application for Enrollment as citizens of the Choctaw Nation, of Earnest Quenton -Thomas L - Eugia Bell Clover and Joewillie Hunter nee Clover, Minor children of R.L.Clover a Citizen by blood and Mary F.Clover a citizen by marriage of the Choctaw Nation.

Post Office Goodwater, I.T.

Indian Territory.

SS .

Central District.

I R.L.Clover on my oath state that I am a duly Enrolled citizen by blood of the Choctaw Nation, That I first made application for Enrollment in the year 1896 and was duly admitted, see Choctaw 7-725, That in the year 1878 I was lawfully married to Mary F Ricket and have lived with her continuously to the present time, that we have so lived together in the Choctaw Nation continuously for more than twelve years last past, and are now benefited residents of Red-River County Choctaw Nation. That as the fruits of such marriage there was born to us four children viz, Earnest Quenton Born August 3, 1884 Thomas L. Born March 31, 1889 Eugia Bell Born May 13, 1890 and Joewillie Born March 15, 1880. That the three first named Children are now and at all times have been living with me, That the last named child is now married to J.H. Hunter and is now and at all times since her Marriage has lived in Red-River County Choctaw Nation.

That in the year 1896 when I made application for Enrollment I was advised that it was not necessary for me to make mention of my Wife or my Children, but was advised that when I was Enrolled as a Citizen by blood I could then Enroll my family. That acting upon that advice I only made application for myself and did not make any mention of my Wife or my Children. That I am uneducated and have but limited knowledge of business affairs, That I have at all times rested confident on the belief that the authorities charged with the work of making the rolls of Citizens of the Choctaw Nation, would not allow Minor Children to loose what justly belongs to them.

Subscribed and sworn to before me this 17 day of December 1902

M. J. White
Notary Public

Choc. Mem. 38
Choctaw 705

Muskogee, Indian Territory, October 23, 1903.

R. L. Clover,

Cerro Gordo, Arkansas,

Dear Sir:

Your letter of September 28, 1903, to the Secretary of the Interior, has been by him referred to this Commission for appropriate action. Therein you state that you are a citizen by blood of the Choctaw Nation and have for several years past been a resident thereof; that you were duly enrolled by this Commission but failed to include the names of your wife and children in your petition; that you have expended considerable money in attempts to have them enrolled.

In conclusion you advise the Department that if desired you can furnish a full statement of the facts in regard to their right to enrollment.

In reply to your letter you are advised that it appears from our records that under the provisions of the act of Congress approved June 10, 1896, Robert L. Clover submitted his application to this Commission for admission as a citizen by blood of the Choctaw Nation. Such petition did not, however, include the names of his wife and children. On December 3, 1896, the Commission admitted Robert L.

Clover as a citizen by blood of the Choctaw Nation, from which decision no appeal was taken to the United States Court in Indian Territory within the time prescribed by the provisions of the act of Congress of June 10, 1896. Subsequently and on April 2, 1899, Robert L. Clover personally appeared before this Commission as an applicant for enrollment as a citizen by blood of the Choctaw Nation, in pursuance of his said admission by the Commission under the act of Congress of June 10, 1896, and was at that time listed for enrollment.

Upon the ratification of the act of Congress of July 1, 1902 by the citizens of the Choctaw and Chickasaw nations the Commission began the preparation of the final rolls of the citizens of the Choctaw and Chickasaw tribes and on March 20, 1903, Robert L. Clover was duly enrolled as a citizen by blood of the Choctaw Nation in pursuance of the decision of the Commission admitting him to citizenship in said Nation under the act of Congress approved June 10, 1896, and his name appears upon the final rolls of the citizens of the Choctaw Nation as Number 14,302 and his enrollment as such citizen was approved by the Secretary of the Interior April 11, 1903.

At the office of the Commission at Muskogee, Indian Territory, on September 28, 1900, Robert L. Clover made personal application for the enrollment of his four minor children, Joe Willie, Ernest, Thomas Lucious and Lugia Belle Clover as citizens by blood of the Choctaw Nation. At the time of this application Clover also presented a written application and petition for the enrollment of these applicants and also the affidavits of the mother as to their birth

which were filed with and made a part of such application. His testimony in full was taken on that date and on November 20, 1900, the Commission rendered a decision refusing the application for the enrollment of said children for the reason that their names did not appear upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission, nor did it appear that they had ever been admitted to citizenship in the Choctaw Nation by the tribal authorities thereof, by the Commission to the Five Civilized Tribes or by a decree of the United States Court in Indian Territory under the provisions of the act of Congress of June 10, 1896, nor were their names included in the original petition made by R. L. Clover for admission as a citizen by blood of the Choctaw Nation filed with the Commission under the provisions of the act of Congress of June 10, 1896.

On December 3, 1900, the entire record in the matter of the application for the enrollment of these children, with the decision of the Commission of November 20, 1900, was forwarded to the Secretary of the Interior and on May 6, 1901 the Acting Commissioner of Indian Affairs reported at length to the Secretary of the Interior in regard to the rights to enrollment of these children as citizens of the Choctaw Nation. On June 18, 1901, the Secretary of the Interior, after a full review of the law and evidence in the matter of the enrollment of the above named children, affirmed the decision of the Commission holding that the same was in accordance with the law and the facts, basing such decision upon the opinion of the

Assistant Attorney General for the Department of the Interior of June 8, 1901 relative to the question as to whether the state of infancy excepted applicants from the limitations upon the time within which applications for citizenship by persons not on the tribal rolls were required to be made by the act of June 10, 1896.

The Commission has made this full statement in regard to the right to enrollment of these children for your information but considers that the matter is now entirely beyond its jurisdiction, inasmuch as its decision of November 20, 1900, has heretofore been affirmed by the Secretary of the Interior, and the relief sought, if any there be in this case, must be through the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Choc memo 39

Choc memo 39

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Oct. 2, 1900.

MEMORANDUM.

In the matter of the application for enrollment as citizens of the Choctaw Nation of Minerva A. Battershell and her three minor children. Minerva A. Battershell being duly sworn by the Commission, testified as follows.

Examination by the Commission.

- Q What is your name? A Minerva Alice Battershell.
Q What is your age? A I am about 37.
Q What is your post-office address? A Pocoli, I. T.
Q You are making application for enrollment to be admitted by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one besides yourself? A Me and my three children.
Q What are the names and ages of your three children? A Binney D. Smith. He will be twenty the 7th of October.
Q The next one? A He is eleven years old.
Q What is his name? A Toby Y. Smith.
Q What is the name of the next one? A Lucy I. Battershell.
Q How old is she? A She will be two years old in November.
Q Are you the mother of these three children? A Yes sir, I am the mother of them.
Q Who was the father of the two Smith children? A Bill Smith.
Q Is he dead? A Yes sir.
Q Who is the father of the Battershell child? A Frank D. Battershell.
Q Is your name or are the names of any of these children for whom you make this application, on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of citizens of the Choctaw Nation in the possession of this Commission, examined and the names of none of the applicants found thereon.

- Q Have you or any of your children ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities?
A No sir.
Q Were you or these children ever admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10th, 1896? A No sir, we wasn't here. Yes we was here in '96.
Q Well, were you admitted to citizenship in the Choctaw Nation by this Commission under the act of Congress of June 10th, 1896?
A No sir.

Record of parties admitted to citizenship by the Commission to the Five Civilized Tribes under the act of Congress of June 10th, 1896, examined and the names of none of the applicants found thereon.

- Q Were you or any of your children for whom you now make this application ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on

Minerva A. Battershell B--

appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

List of parties admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory, annexed and the names of none of the applicants found therein.

The decision of the Commission as to your application and the application you make on behalf of your three minor children for enrollment as citizens by blood of the Choctaw Nation, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 2nd day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 2nd day of October, 1900.

Guy L. Emerson
Secretary Public.

INDEXED
ACT OF
MEMORIAL

Chotaw.

950

Menerico A. Battershell. 37.
Pocahontas, Ind. Ter.

CHILDREN:

Birney R. Smith.	20.
Woby Y. " "	11.
Lucy G. Battershell.	9.

COPY.

Muskogee, Indian Territory, November 20, 1900.

Mrs. Minerva Alice Battershell,
Pecoli, Indian Territory.

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your three minor children, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tams Dixby,*
Acting Chairman.

Minerva A. Battershell et al

^{vs.}
Choctaw Nation

Memoranda Case No. 39

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 1903

REFUSED.
ACT OF MAY 20, 1900.
MEMORANDUM.

(Copy)

Land.
61,035-190B.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Minerva A. Battershell for the enrollment of herself and her minor children Binney D., Toby Y., and Lucy I. Battershell, as members, by blood of the Choctaw Nation.

She appeared before the commission at Muscogee, October 2, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

This office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,

(W.C.V.) P.

Commissioner.

17851

C O P Y.

J. P.

I.R.S.

DEPARTMENT OF THE INTERIOR.
Washington.

C.
April 3, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Minerva Battershell for the enrollment of herself and her minor children, Binney D. Smith, Toby Y. Smith, and Lucy I. Battershell, as citizens by blood of the Choctaw Nation. Nothing is said as to the citizenship of the fathers of these children.

The Commissioner states that from an examination of Battershell under oath and an examination of the records in the possession of the Commission it was shown that the applicants have never been recognized as citizens of the Choctaw Nation, that their names do not appear upon any of the rolls of the nation, and that they have never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States Court; that, therefore, acting under the provisions of the act of May 31, 1900 (31 Stat., 221, 236), you were warranted in rejecting the application.

With this the Department concurs, and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed.

Respectfully,
Thos. Ryan,
Acting Secretary.

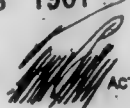
Ind. Ter. Div.
1235-1901.
1 inclosure.

D

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

COPY

Muskogee, Indian Territory, June 2, 1902.

Minerva Alice Battershell,
Pocahontas, Indian Territory.

Dear madam:

On October 2, 1900, you made application to this Commission for the enrollment of yourself and your minor children Binney D. Smith, Toby Y. Smith and Lucy I. Battershell as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address November 20, 1900.

On December 5, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on April 3, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tams Dixby*

Acting Chairman.

Exchange, Indian Territory, July 8, 1901.

Mrs. Marvra Miss Battershell,
Russellville, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the
16th ult., relative to the rights to enrollment of yourself
and children as citizens by blood of the Cherokee Nation.

Replying to your inquiry you are informed that the
Commission can render you no further information than that con-
tained in our letter of June 5th, 1901.

Yours truly,

Commissioner in Charge.

7-12-01.

Choc memo 40

Choc memo 40

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskeges, I. T. Oct. 2, 1900.

M E M O R A N D U M .

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Altie Dennell and her two minor children. Altie Dennell being first duly sworn by the Commission, testified as follows:

Examination by the Commission:

- Q What is your name? A Altie Dennell.
Q What is your age? A Forty four.
Q What is your post-office address? A Duncan.
Q Are you making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Do you apply for any one besides yourself? A My two children.
Q What are the names and ages of your children for whom you make application? A Lonnie Dennell.
Q How old is Lonnie? A Eighteen.
Q The next one? A Minnie Dennell.
Q How old is Minnie? A Thirteen.
Q You are the mother of both of these children? A Yes sir.
Q Is your name or are the names of either of your two children for whom you make application on any of the tribal rolls of the Choctaw Nation? A I don't know.

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the names of none of the applicants appear thereon.

- Q Were you or either of your children ever admitted to citizenship in the Choctaw Nation by the tribal authorities of that Nation? A No sir.
Q Were you or either of your children ever admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the act of Congress of June 10th, 1898? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10th, 1896, examined and the names of none of the applicants found thereon.

- Q Were you or your children ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes? A No sir.

The record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory, examined and the names of none of the ~~parties~~ applicants found thereon.

Altie Dennyell 20--

The decision of the Commission as to your application and the application you make on behalf of your two minor children for enrollment as citizens by blood of the Cherokee Nation will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 2nd of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 2nd day of October, 1900.

Guy S. Emerson
Notary Public.

ChocTaw.

Altie ⁴⁴Donnell.
Duncan, J. D.

CHILDREN:

Louie Donnell 18.
Minnie " 13.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----0-----

In the matter of the application of Altie Dennell for the enrollment of herself and her two minor children, Lonnie and Minnie Dennell, as citizens by blood of the Choctaw Nation.

.
D E C I S I O N .

It appears from the evidence in this case that on October 2, 1900, the applicant, Altie Dennell, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her two minor children, Lonnie and Minnie Dennell as citizens by blood of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation acting under the act of Congress approved June 10th, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore the judgment of the Commission that the application of Altie Dennell for the enrollment of herself and her two minor children, Lonnie and Minnie Dennell, as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



Acting Chairman.

Dated this 20 day of Nov 1900.

COPY.

Muskegee, Indian Territory, November 20, 1900.

Mrs. Altie Demell,
Duncan, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your two minor children, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tamm Dwyer*
Acting Chairman.

10--20

Altie Dornell et al
vs.
Choctaw Nation
Memoranda Case No. 40

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

REFUSED.
ACT OF MAY 20, 1800.
MEMORANDUM.

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Altie Donnell for the enrollment of herself and her minor children, Lonnie and Minnie Donnell, as citizens by blood of the Choctaw Nation.

She appeared before the commission at Muscogee, on October 2, 1900. Her testimony, given under oath, and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,
W. A. Jones,

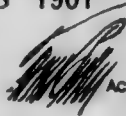
(W. C. V.)P

Commissioner.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
Washington,

C

April 1, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the application made by the Commission in the matter of the application of Altie Donnell for the enrollment of herself and her two minor children as citizens by blood of the Choctaw Nation. Nothing is shown as to the father of these children.

The Commissioner states that Donnell's testimony given under oath and an examination of the records in your possession showed that none of the applicants had ever been recognized as citizens of said nation; that they had never been enrolled as such; and that they had never been admitted to citizenship by the Choctaw authorities, by your Commission or by the United States Court; that, therefore, you were warranted, in view of the provisions of the act of May 31, 1900 (31 Stat., 221, 236), in refusing to accept the application.

With this the Department concurs, and your decision is hereby affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed herewith.

Ind. Ter. Div.
1238-1901.
1 inclosure.

Respectfully,

Thos. Ryan,

Acting Secretary.

D

COPY.

Muskegee, Indian Territory, May 27, 1901.

Altie Donnell,

Duncan, Indian Territory.

Dear Madam:

On October 2, 1900, you made application to this Commission for the enrollment of yourself and your two minor children, Lennie and Minnie Donnell as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on April 1, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED *Tams Dixby.*

Acting Chairman.

Waskagee, Indian Territory, January 7, 1901.

Gilbert & Gilbert,

Attorneys at Law,

Demoss, Indian Territory.

Gentlemen:

The Commission is in receipt of a letter of the 4th instant signed by Alta, Lonnie and Minnie Donnell and Jessie Ferguson, requesting that the papers in their applications for enrollment as citizens of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration of the same such rejected applications are sent up to the Department.

You are informed that on December 3rd, 1900, the Commission forwarded to the Secretary of the Interior, the papers in the applications of Alta Donnell and Jessie Ferguson for enrollment as citizens of the Choctaw Nation. The applications for enrollment as citizens of the Choctaw Nation of Lonnie and Minnie Donnell, the children of Alta Donnell and included in the application made by her, were forwarded by the Commission at the same time her case was submitted to the secretary of the Interior.

Yours truly,

Acting Chairman.

Chectaw N 49

Muskogee, Indian Territory, June 3, 1902,

Mrs. Alta Bessell,

Velma, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of May 29, 1902, that you applied at Muskogee, in October, 1900, for the enrollment of yourself and children as citizens of the Chectaw Nation, and desire to be advised if anything has been done in your case.

You are advised that on November 20, 1900, the Commission refused your application for the enrollment of yourself and your two minor children as citizens by blood of the Chectaw Nation of which decision you were duly notified and on April 1, 1901, the Secretary of the Interior approved the decision of the Commission in the matter of such application. You were duly advised of this fact on May 27, 1901, in a letter addressed to you at Duncan, Indian Territory, which was returned to this office unclaimed and which is herewith enclosed you.

Yours truly,

Acting Chairman.

Enc Y-11

Choc memo 4/

Choc memo 4/

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T., Oct. 2, 1900.

MEMORANDUM.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Georgia Frensley, Georgia Frensley being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Georgia Frensley.
Q What is your age? A Twenty three.
Q What is your post-office address? A Velma.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you making application for any one besides yourself? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of the Choctaw Nation in the possession of the Commission, examined and the name of the applicant does not appear thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities? A No sir.

- Q Were you ever admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10th, 1896? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896 examined and the name of the applicant does not appear thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory, examined and the name of the applicant does not appear thereon.

The decision of the Commission as to your application for enrollment as a citizen by blood of the Choctaw Nation will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized

Georgia Preasley 2--

Tribes, who reported in full all proceedings had in the above
entitled cause on the 2nd day of October, 1900, and that the above
and foregoing is a full, true and correct transcript of her
stenographic notes of said proceedings on said date.

Mina Young

Subscribed and sworn to before me this 2nd day of October, 1900.

Guy L. Emerson
Notary Public.

REFUSED
ACT OF MARCH 1900
MEMORANDUM

Chortaw.

900 1900

Georgie Brewsley
Velma, J. T.

23

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

In the matter of the application of Georgia Frensley for enrollment as a citizen by blood of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on October 2, 1900, the applicant, Georgia Frensley, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant is not now and never has been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the commission that the application for enrollment of Georgia Frensley as a citizen by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory, *November 20* 1900.

COPY.

Muskogee, Indian Territory, November 20, 1900.

Georgia Frenslay,

Velma, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will be advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tamo Dixby.*
Acting Chairman.

14-20

7
George Frensley

vs.
Choctaw Nation

Memoranda Case No. 41

Original testimony and ~~was~~ filed in
this case forwarded Secretary of Interior,

DEC 1900

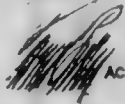
REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

CHOCTAW. *m 41*

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original letter in
Gen Off files*

(COPY)

Refer in reply to the following:

Land
61,035-1900

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:-

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Georgie Frensley, for the enrollment of herself as a citizen, by blood, of the Choctaw Nation.

She appeared before the commission at Muscogee, on October 2, 1900. Her testimony, given under oath, and an examination of the records in the possession of the commission, showed that she had never been recognized as a citizen of the Choctaw Nation; that she had never been enrolled as such, and that she had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,
W. A. Jones,

Commissioner.

(W.O.V.) P.

(COPY)

D. C. No. 14112-1901.

L.R.S.

50934.

F.

Department of the Interior,
Washington.

September 13, 1901.

I.T.D. 1244-1901.

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

Gentlemen:

March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Georgia Frensic for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because the applicant has never been enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

COPY.

Muskogee, Indian Territory, October 3, 1901.

Georgia Fronsley,

Velma, Indian Territory.

Dear Madam:

On October 2, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On November 20, 1900 after a consideration of said application, the Commission refused you enrollment as a citizen of the Choctaw Nation and a copy of said decision was mailed to you to your post office address November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on March 25, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The Action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tams Dixby.*

Acting Chairman.

7- N. 41.

Muskogee, Indian Territory, December 3, 1904.

E. A. Newman,

Atoka, Indian Territory.

Dear Sir:

Referring to the application alleged to have been made for the enrollment of Mary Ann Carns, child of Jackson and Levi Carns born January 23, 1902, you are advised that if it is desired to take further action in the matter of introducing testimony relative to the application said to have been made prior to December 2, 1902, the matter should receive immediate attention in accordance with our letter to you of November 2, 1904.

Respectfully,

Chairman.

Doc memo 42

Doc memo 42

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 2, 1900.

M E M O R A N D U M .

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Jessie Ferguson. Jessie Ferguson being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Jessie Ferguson.
Q What is your age? A Twenty one.
Q What is your post-office address? A Velma.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one besides yourself? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of the applicant is not found thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the act of Congress of June 10th, 1896? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896, examined and the name of the applicant does not appear thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the tribal authorities of the Choctaw Nation or the decision of the Commission to the Five Civilized Tribes? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory, examined and the name of the applicant does not appear thereon.

The decision of the Commission as to your application for enrollment as a citizen by blood of the Choctaw Nation, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above

Jessie Ferguson

entitled cause on the 2nd of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Margaret Young

Subscribed and sworn to before me this 2nd day of October, 1900.

Guy S. Emerson
Notary Public.

Jessie Ferguson
vs.
Choctaw Nation

Memoranda Case No. 42

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 1 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

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

In the matter of the application of Jessie Ferguson for enrollment as a citizen by blood of the Choctaw Nation.

DECISION.

It appears from the evidence in this case that on October 2, 1900, the applicant, Jessie Ferguson, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that the applicant is not now and never has been enrolled by the tribal authorities of the Choctaw Nation; that she was not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Jessie Ferguson as a citizen by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



Acting Chairman.

Muskogee, Indian Territory, *November 20*, 1900.

COPY.

Muskogee, Indian Territory, November 20, 1900.

Jessie Ferguson,

Valma, Indian Territory.

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tamo Dixby.*

Acting Chairman.

15-20

REFUSED.
ACT OF MAY 21 1900.
MEMORANDUM.

Choctaw

1900

Jessie Ferguson.
Velma, J. D. 21.

July 20, 1900

...
written in this letter
on 5 27 17 ...
written ...
... 13.

CHOCTAW. m 42

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

FILED

OCT 4 1901.



ACTING CHAIRMAN.

*Original letter in Sec
Off files.*

(COPY)

Refer in reply to the following:

Land
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington,
March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:-

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Jessie Ferguson for enrollment as a citizen, by blood, of the Choctaw Nation.

She appeared before the commission at Muscogee on October 2, 1900. Her testimony, under oath, and an examination of the records in the possession of the commission, showed that she had never been recognized as a citizen of the Choctaw Nation; that she had never been enrolled as such, and that she had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.) P.

(COPY)

D. C. No. 14110-1901.

L. R. S.

50931.

F.

Department of the Interior.

Washington.

September 13, 1901.

I.T.D. 1243-1901.

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

Gentlemen:

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Jessie Ferguson for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application, under the act of May 31, 1900, because the applicant has never been duly enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

COPY.

Muskogee, Indian Territory, October 3, 1901.

Jessie Bergeson,

Velma, Indian Territory.

Dear Madam:

On October 2, 1900 you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application the Commission refused you enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post office address of November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 25, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tams Dixby.*

Acting Chairman.

7- M. 42.

Mustagee, Indian Territory, January 7, 1901.

Gilbert & Gilbert,

Attorneys at Law,

Duncan, Indian Territory.

Gentlemen:

The Commission is in receipt of a letter of the 4th instant signed by Alta, Lonnie and Minnie Donnell and Jessie Ferguson, requesting that the papers in their applications for enrollment as citizens of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration at the time such rejected applications are sent up to the Department.

You are informed that on December 3rd, 1900, the Commission forwarded to the Secretary of the Interior, the papers in the applications of Altie Donnell and Jessie Ferguson for enrollment as citizens of the Choctaw Nation. The applications for enrollment as citizens of the Choctaw Nation of Lonnie and Minnie Donnell, the children of Altie Donnell and included in the application made by her, were forwarded by the Commission at the same time her case was submitted to the secretary of the Interior.

Yours truly,

Acting Chairman.

7-M-40

7-M-42

Choc memo 43

Choc memo 43

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Oct. 4, 1900.

MEMORANDUM.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Hattie Nelson. Hattie Nelson being duly sworn by the Commission testified as follows:

Examination by the Commission.

- Q Please state your name? A Hattie Nelson.
Q What is your age? A Twenty three.
Q What is your post-office address? A Muskegee.
Q For what purpose do you appear before the Commission at this time? A I appear to prove I am a Choctaw by blood.
Q You desire then to make application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Upon what do you base your claim to enrollment as a citizen by blood of the Choctaw Nation? A I claim that I am a Choctaw by blood.
Q Do you make application for any one besides yourself? A No sir.
Q Are you single or married? A Married.
Q Have you ever appeared before this Commission before as an applicant for enrollment? A No sir.
Q Is your name to be found on any of the Choctaw tribal rolls? A I can't say.

Tribal rolls of citizens of the Choctaw Nation in the possession of the Commission are examined and the name of the applicant not found thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by the tribal authorities of that Nation? A No sir.
Q Were you admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes commonly known as the Dawes Commission, this Commission, acting under the act of Congress approved June 10th, 1896? A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896, is examined and the name of the applicant is not found thereon.

- Q Were you ever admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of the Commission to the Five Civilized Tribes? A No sir

Record of persons admitted to citizenship in the Choctaw Nation by the United States Court for the Indian Territory, is examined and the name of the applicant is not found thereon.

The decision of the Commission with reference to the application made by you at this time for enrollment as a citizen by blood of the Choctaw Nation will be furnished you at a later date,

Mattie Nelson 2--

mailed to you at your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 4th of October, 1900, and that the above and foregoing is a full, true and correct transcript, of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 5th day of October, 1900.

Guy L. Emerson
Notary Public.

Memorandum

Oct. 4th 1900.

Fattie Nelson 23
Muskogee Co. Ga.

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

In the matter of the application for enrollment of
Hattie Nelson as a citizen by blood of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on October 4th, 1900, the applicant, Hattie Nelson, appeared before the Commission at Muskogee, and made application for the enrollment of herself as a citizen by blood of the Choctaw Nation; it further appears that the applicant has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation, now in possession of the Commission; that she was never admitted to citizenship in the Choctaw Nation by this Commission, or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory, on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of Hattie Nelson for the enrollment of herself as a citizen by blood of the Choctaw Nation be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Dated this 20 day of Oct 1900.

COPY.

Muskegee, Indian Territory, October 26, 1900.

Mattie Nelson,

Muskegee, Indian Territory.

Dear Madam:

There is enclosed you herewith a copy of the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior and you will so notify the Commission in writing, the memorandum made in this case will be transmitted to the Secretary of the Interior for his consideration when the record of applications refused by the Commission is forwarded to the secretary of the Interior for his approval.

There is also enclosed you herewith deposition of Mattie Heeper, offered by you for filing in support of your application.

The commission has determined that it was without jurisdiction to consider your application for enrollment as a citizen by blood of the Choctaw nation and cannot accept for filing or consideration, any written evidence submitted in support of such application.

Yours truly,

SIGNED

Tamno Dixby.

Acting Chairman.

7-M-43

Enc a

Registered mail.

Hattie Nelson
vs.
Choctaw Nation

Memoranda Case No. 43

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 2 1909

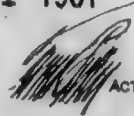
REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

CHOCTAW. M 4 B

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original letter in
Gen Off. files*

(COPY)

Refer in reply to the following:

Land
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Hattie Nelson for enrollment as a citizen, by blood, of the Choctaw Nation.

She appeared before the commission at Muscogee, on October 4, 1900. Her testimony, given under oath, and an examination of the records in the possession of the commission, showed that she had never been recognized as a citizen of the Choctaw Nation; that she had never been enrolled as such, and that she had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application.

The office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.) P.

(COPY)

D. C. No. 14107-1901.

50933.

L. R. S.

F.

Department of the Interior,

Washington,

September 13, 1901.

I.T.D. 1246-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Hattie Nelson (Neilson) as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because the applicant has never been enrolled or recognized as a citizen of said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary
E. M. D.

1 inclosure.

COPY.

Muskogee, Indian Territory, October 5, 1901.

Mattie Nelson,

Muskogee, Indian Territory.

Dear Madam:

On October 4, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On October 20, 1900, after a consideration of said application the Commission refused you enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your present office address, October 26, 1900.

On December 3, 1900 there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on March 25, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamie L. Luby.*
Acting Chairman.

7- M. 43.

Choc memo 44

Choc memo 44

5

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T. Oct. 4, 1900.

M E M O R A N D U M .

In the matter of the application of John Hooper for enrollment as a citizen by blood of the Choctaw Nation and of his wife, Lula Hooper, for enrollment as an intermarried citizen of the Choctaw Nation. John Hooper being duly sworn by the Commission testified as follows:

Examination by the Commission.

- Q What is your name? A John Hooper.
Q Where do you live? A About twelve miles from Muskogee.
Q What is your age Mr. Hooper? A 28 years old.
Q You are making application now for enrollment as what?
A A Choctaw.
Q A Choctaw by blood? A Yes sir.
Q You don't apply then as a Mississippi Choctaw? A No sir.
Q What is your post-office address? A Muskogee.
Q Do you apply for any one besides yourself? A My wife.
Q What is her name? A Lula Hooper.
Q When and where were you married to her? A Four years
this summer.
Q Where? A Out here at Brushy Mountain, Muskogee.
Q Is she a white woman? A Yes sir.
Q You claim for her as an intermarried Choctaw? A Yes sir.
Q Have you any evidence of that marriage you wish to pro-
duce? A No sir, not here with me.
Q Do you wish to file it? A Yes sir.
Q When can you get it here? A I can have it here tomorrow.
Q An opportunity will be given you to file this tomorrow. Is
your name on any of the tribal rolls of the Choctaw Nation, A No
sir.

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of the applicant is not found thereon.

- Q Your wife's name is not on any of the Choctaw tribal rolls?
A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes acting under the act of Congress approved June 10th, 1896? A No sir.

The record of parties admitted to citizenship in the Choctaw Nation under the act of Congress of June 10th 1896, is examined and the name of this applicant is not found thereon.

- Q Were you ever recognized by the authorities of the Choctaw Nation as a citizen of that Nation? A I never was only by the Indians that was in there.
Q Not by the authorities? A No sir.
Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the

John Keeper 2--

decision of the Commission to the Five Civilized Tribes? A No sir

Record of parties admitted to citizenship in the
Choctaw Nation by judgment of the United States
Court for the Indian Territory, is examined and the
name of the applicant is not found thereon.

The decision of the Commission as to your application for
enrollment as a citizen by blood of the Choctaw Nation and the
application made by you on behalf of your wife as an intermarried
Choctaw by blood, will be mailed to you in writing in the near
future to your present post-office address.

Myra Young having been first duly sworn, upon her oath
states that as stenographer to the Commission to the Five Civilized
Tribes she reported in full all proceedings had in the above entitled
Cause on the 4th day of October, 1900, and that the above and forego-
ing is a full, true and correct transcript, of her stenographic
notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 6th day of October, 1900.

Guy L. V. Emerson
Notary Public.

Memorandum

Oct 4, 1900

John Hooper	28
Lula "	23

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

In the matter of the application for enrollment of John Hooper as a citizen by blood of the Choctaw Nation, and the enrollment of his wife, Lula Hooper, as an intermarried citizen of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on October 4th, 1900, the applicant, John Hooper, appeared before the Commission at Muskogee and made application for the enrollment of himself as a citizen by blood, and his wife as a citizen by intermarriage of the Choctaw Nation; it further appears that the applicants have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission, or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is, therefore, the judgment of the Commission that the application of John Hooper for the enrollment of himself as a citizen by blood of the Choctaw Nation, and his wife Lula Hooper, as an intermarried citizen of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.

Dated this 20 day of Oct 1900.

COPY

Muskogee, Indian Territory, October 26, 1900.

John Hooper,

Muskogee, Indian Territory.

Dear Sir:

There is enclosed you herewith the decision of the Commission in the matter of the application made by you for the enrollment of yourself as a citizen by blood, and the enrollment of your wife, Lula Hooper, as an intermarried citizen of the Choctaw Nation, before this Commission at Muskogee, Indian Territory, October 4th, 1900.

If it is your desire to have the record in this case presented to the Secretary of the Interior for his consideration, if you will so notify the Commission in writing, the record as made will be transmitted for his consideration when the records of applications refused by the Commission are forwarded to the Secretary for his approval.

The Commission is recently in receipt of the marriage license and certificate between John Hooper and Ellen Miller, and as permission was granted you to file such marriage license and certificate in this application, the same will be accepted by the Commission. The other papers offered by you for filing are returned to you herewith for the reason that the act of Congress of May 31st, 1900, provides that the Commission shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof and duly and lawfully enrolled or

J. H. S.

advised as such.

The Commission in your case has determined that it was without jurisdiction to further consider or make any record in your case and cannot accept for consideration any papers submitted in support of such application.

Yours truly,

SIGNED: *James Birney*

Acting Chairman.

7-11-44

Enc b

Registered mail.

1
John Hooper,
^{vs.}
Choctaw Natives

Memorandum Case No. 1-1

Original testimony and all papers filed in
this case forwarded Secretary of Interior,

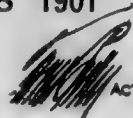
DEC 3 1900

REFUSED.
ACT OF MAY 31ST 1890.
MEMORANDUM

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

17517

C O P Y.

J.P.

L.R.S.

DEPARTMENT OF THE INTERIOR.
Washington.

C.

April 1, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of John Hooper for enrollment as a citizen by blood of the Choctaw Nation, and of his wife as an intermarried citizen thereof.

The Commissioner states that Hooper's testimony and an examination of the records in your possession showed that he and his wife had never been recognized as citizens of said nation, that they had never been enrolled as such, and that they have never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States Court; that therefore, acting under the authority of the act of May 31, 1900 (31 Stat., 221, 236), you were warranted in not accepting the application.

The Department concurs in the recommendation of the Commission that your action be approved, and your decision is hereby affirmed. You will so advise the party. A copy of the Commissioner's letter is inclosed herewith. Applicant's marriage certificate is returned.

Respectfully,

Thos. Ryan,

Acting Secretary.

D.

Ind. Ter. Div.
1232-1901.
2 inclosures.

(Copy)

Land.
61,035-1900

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington,

March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of John Hooper, for enrollment of himself as a citizen, by blood, of the Choctaw Nation, and of his wife as an intermarried citizen thereof.

He appeared before the commission at Muscogee, on October 4, 1900. His testimony, given under oath, and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

(W.C.V.) P.

COPY,

Muskogee, Indian Territory, May 29, 1901.

John Hooper,

Muskogee, Indian Territory.

Dear Sir:

On October 4, 1900, you made application to this Commission for the enrollment of yourself as a citizen by blood of the Choctaw Nation and your wife, Lula Hooper as an intermarried citizen of the Choctaw Nation. On October 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself as a citizen by blood of the Choctaw Nation and the enrollment of your wife as an intermarried citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address October 26, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on April 1, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and wife for enrollment as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamc Dixby.*

Acting Chairman.

Muskogee, Indian Territory, January 24, 1902.

John Hooper,

Muskogee, Indian Territory.

Dear Sir:

There is returned you herewith your marriage license and certificate to Ellen Miller under date of September 20, 1896, offered by you and filed with the records of the Commission October 26, 1900, in the matter of the application for the enrollment of yourself and wife as citizens of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-X 44

McM
66

Choc memo 45

Choc memo 45

MEMORANDUM.

In the matter of the application of Sam Snider for the enrollment of himself and his infant son, Arthur William Snider, as citizens by blood of the Choctaw Nation, said Sam Snider being first duly sworn, testified as follows:

Examination by the Commission:

Q Please state your name? A Sam Snider.

Q What is your age? A I was born on the 25th day of February after the Centennial.

Q That was 1877? A Yes.

Q What is your postoffice address? A My postoffice address now is Red Rock, Ark. I am living in Arkansas now. Moved in Arkansas last February.

Q How long had you lived in the Indian Territory continuously prior to moving to Arkansas? A I have been living in the ~~Indian~~ Territory ever since I can recollect.

Q Continuously? A Yes sir.

Q For what purpose do you appear before the Commission at this time?

A I appear to make application for the enrollment of myself and child as Choctaws by blood.

Q What is the name of the child for whom you make application?

A Arthur William Snider.

Q Then you apply for the enrollment of yourself and your minor child, Arthur William Snider as citizens by blood of the Choctaw Nation, do you? A Yes.

Q Is that all you apply for? A That's all.

Q What is the age of Arthur William Snider? A He will be 4 years old on the 25th of April-- this coming April.

Q Have you or your minor child ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation? A No sir.

Q Is your name or the name of Arthur William Snider found on any of

the Choctaw tribal rolls-- that is, Indian rolls, you understand?

A Well, I don't guess his name is; I don't know whether my uncle or my aunts gave the names in with the family record or not, but my name is given in on the family record.

Q Given in to whom? A To the Dawes Commission. My aunts and uncle gave that in when they made out application to file before the Dawes Commission in '96.

Tribal rolls of citizens of the Choctaw Nation prepared by the tribal authorities in the year '96 is examined and the names of neither of the applicants found thereon.

Q Were you admitted to citizenship in the Choctaw Nation by this Commission in the year '96 acting under Act of Congress approved June 10, 1896? A I was not.

The record of applicant's admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes in the year 1896, acting under Act of Congress approved June 10, 1896, is examined, and the name of the applicant is not found thereon.

Q Then neither you nor your minor child for whom you make application at this time, have ever been admitted to citizenship in the Choctaw Nation by a decree of the United States Court for the Indian Territory? A No sir.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and your minor child, Arthur William Snider, as citizens by blood of the Choctaw Nation, mailed to you at your present postoffice address, Red Rock, Ark.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 10th day of October, 1900.

Wm. J. Emery
Wm. J. Emery
Notary Public.

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

In the matter of the application for enrollment of Sam Snider and his minor child, Arthur William Snider, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on October 10, 1900, the applicant, Sam Snider, appeared before the Commission at Muskogee, and made application for the enrollment of himself and his minor child, Arthur William Snider, as citizens by blood of the Choctaw Nation; it further appears that applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Sam Snider on his own behalf and on behalf of his minor child, Arthur William Snider as citizens by blood of the Choctaw Nation, be, and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, *W. H. ...* Acting Chairman.
Dec 20 1900.

COPY.

Muskogee, Indian Territory, November 20, 1900.

Mr. Sam Snider,

Red Rock, Arkansas,

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your minor child as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamo Dixon,*
Acting Chairman.

16-20

Sam Snider,
^{vs.}
Choctaw Nation

Memoranda Case No. 45.

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31 1900.
MEMORANDUM

CHOCTAW. m45

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original written in
Gen Off file.*

(COPY)

Refer in reply to the following:

Land.
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Sam Snider, for the enrollment of himself and his minor child, Arthur William Snider, as citizens, by blood, of the Choctaw Nation.

He appeared before the commission at Muscogee, on October 10, 1900. His testimony, given under oath, and an examination of the records in the possession of the commission, showed that they had never been recognized as citizens of the Choctaw Nation; that they had never been enrolled as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept the application.

The office believes that the action of the commission was correct, and respectfully recommends that it be approved.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

(W.C.V.) P.

(COPY)

D. C. No. 14109-1901.

50930.

L. R. S.

F.

Department of the Interior,

Washington,

September 13, 1901.

I.T.D.1241-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for the enrollment of Sam Snider and his minor child Arthur William Snider as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

The Commission is advised that the Department affirms your action in refusing this application under the act of May 31, 1900, for the reason that neither of said parties has ever been enrolled or admitted to citizenship in said nation. You will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan.
Acting Secretary.
E. M. D.

1 inclosure.

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.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 3, 1901.

Mr. Sam Snider,
Red Rock, Arkansas.

Dear Sir:

On October 10, 1900, you made application to this Commission for the enrollment of yourself and your minor child Arthur William Snider, as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application the Commission refused the enrollment of yourself and child as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post office address, November 20, 1900.

On December 3, 1900 there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 25, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and your child for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,


Acting Chairman.

7- M. 45.

W. H. ...

*87
479*

Dec 70 1/2

REGISTERED
Muskogee, Ind. Ter.

REGISTERED
NOV 2
Muskogee



Sam Snider, Esq.,

~~Red Rock, Arkansas.~~

Department of the Interior.

Commission to the Five Civilized Tribes.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, \$300.

REGISTERED
DEC 3 1890
Muskogee, Ind Ter

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

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 20, 1900.

Mr. Sam Snider,
Red Rock, Arkansas,

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your minor child as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,


Acting Chairman.

16-20

16-20

Choc memo 46

Choc memo 46

MEMORANDUM.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Oct. 18, 1900.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Mary Thompson and her minor child. Mary Thompson being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Mary Thompson.
Q What is your age? A Twenty one.
Q What is your post-office address? A Muskogee. But I am going off on a visit and it will be Ledbetter, Missouri, where I am going to. I am going to spend the Holidays.
Q Are you making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one besides yourself? A My child
Q What is your child's name? A Edna Thompson.
Q How old, is Edna Thompson? A She is eight months old.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw nation prepared by the authorities of the Choctaw nation in 1896, examined and the name of the applicant is not found thereon.

Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir, never did.

Q Did you make application in 1896 to this Commission for citizenship in the Choctaw Nation under the act of June 10th, 1896?
A I never did.

Record of applications made to the Commission in 1896 for citizenship in the Choctaw nation, is examined and the name of the applicant is not found thereon.

Q Have you ever prior to this time made any application to either the tribal authorities of the Choctaw nation or to the authorities of the United States for citizenship in the Choctaw Nation? A I never did before.

Q Did any one ever make any application in your behalf? A Never did.

Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A I never did.

Record of parties admitted to citizenship in the Choctaw nation by judgment of the United States Court for the Indian Territory, examined and the name of the applicant is not found thereon.

The decision of the Commission as to your application

Mary Thompson R.

and the application you make on behalf of your minor child for enrollment as citizens by blood of the Choctaw nation, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 18th day of October, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 19th day of October, 1900.

Guy L. Emerson
Notary Public.

OCT 18 1900

Mary Thompson. 21.
Mustogee, I. T.

Educa Thompson 8 mo.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

DEPARTMENT OF THE INTERIOR,
BUREAU OF THE FIVE CIVILIZED TRIBES
FILED
OCT 18 1900

[Signature]
ACTING CHIEF

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mary Thompson for the enrollment of herself and her minor child, Edna Thompson, as citizens by blood of the Choctaw Nation.

DECISION.

It appears from the evidence in this case that on October 16, 1900, the applicant, Mary Thompson, appeared before the Commission at Muskegee, and made application for the enrollment of herself and her minor child, Edna Thompson, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Mary Thompson on her own behalf, and on behalf of her minor child, Edna Thompson, as citizens by blood of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskegee, Indian Territory Nov 21 1900

COPY.

Muskogee, Indian Territory, November 20, 1900.

Mrs. Mary Thompson,
Muskogee, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your minor child as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

SIGNED *James Dixby.*

Acting Chairman.

7--20

Mary Thompson et al
vs.
Choctaw Nation

Memoranda

Case No. of 6

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

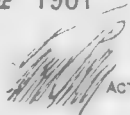
REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

CHOCTAW. M 46

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original filed in
Office files.*

(COPY)

Refer in reply to the following:

Land
61,035-1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Mary Thompson for the enrollment of herself and minor child, Edna Thompson, as members, by blood, of the Choctaw Nation.

She appeared before the commission at Muskogee, on October 18, 1900. Her testimony, given under oath, and an examination of the records in the possession of the commission, showed that they had never been enrolled as citizens of the Choctaw Nation; that they had never been recognized as such, and that they had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of Congress of May 31, 1900, refused to accept the application.

The office, believing that the action of the commission was correct, respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,
W. A. Jones,
Commissioner.

(W.C.V.) P.

(COPY)

D. C. No. 14115-1901.

50929.

F.

Department of the Interior,
Washington.

September 13, 1901.

I.T.D. 1239-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:-

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for the enrollment of Mary Thompson and her minor child Edna Thompson, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, for the reason that neither of said persons is enrolled as a citizen of the Choctaw Nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

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

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

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 3, 1901.

Mrs. Mary Thompson,
Muskogee, Indian Territory.

Dear Madam:

On October 18, 1900, you made application to this Commission for the enrollment of yourself and your minor child, Edna Thompson, as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application the Commission refused the enrollment of yourself and your child as citizens of the Choctaw Nation, and a copy of such decision was mailed to you to your post office address November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior, the memorandum^{or} made at the time of your application and the action of the Commission thereon, and on March 25, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and child for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,



Acting Chairman.

7- M. 46.

EMPTY

EMPTY

Choc memo 49

Choc memo 49

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 14, 1900.

In the matter of the application of Caroline Gardenhire for enrollment as a citizen by blood of the Choctaw Nation. Caroline Gardenhire being duly sworn by the Commission testified as follows:

Examination by the Commission.

- Q What is your name? A Caroline Gardenhire.
Q How old are you? A I expect I am about 62, will be my next birthday, first day of March.
Q What is your post-office address? A Wichita. My number is 828 North Wichita St. Wichita, Kansas.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for anyone besides yourself? A I have five children.
Q Are they under 21 years of age and unmarried? A They are all married and over 21. Not got nary one but what is over age.
Q They will have to make application for themselves. Heads of families and over 21 years of age will have to appear in person and make application. Is your name on any of the tribal rolls of the Choctaw Nation? A Not as I know of.

Tribal roll of the Choctaw nation in the possession of the Commission examined and the name of this applicant does not appear thereon.

- Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw nation? A No sir.
Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896 examined and the name of the applicant does not appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts, examined and the name of the applicant does not appear thereon.

- Q Where do you live? A I live in Wichita, Kansas.
Q How long have you lived there? A I have lived there altogether about eight years I guess.

You will be furnished at a later date with the decision of the Commission as to your application for enrollment as a citizen by blood of the Choctaw nation.

Caroline Gardenhire 2

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 14th day of November, 1900 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 14th day of November, 1900.

Guy L. Emerson
Notary Public.

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

In the matter of the application of Caroline Gardenhire for enrollment as a citizen by blood of the Choctaw nation.

D E C I S I O N .

It appears from the evidence in this case on November 14, 1900, the applicant, Caroline gardenhire, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation; it further appears that applicant is not now and never has been enrolled by the tribal authorities of the Choctaw nation; that her name does not appear upon any of the rolls of the Choctaw nation now in the possession of the Commission; that she was not admitted to citizenship in the Choctaw Nation by this commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Caroline Gardenhire as a citizen by blood of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory
November 20, 1900.

COPY.

Muskogee, Indian Territory, November 20, 1900.

Caroline Gardeshire,
328 North Wichita St.,
Wichita, Kansas,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to the secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tama Dixby.*
Acting Chairman.

12--20

Muskogee, Indian Territory, November 23, 1900.

Caroline Gardenhire,
Wichita, Kansas.

Dear Madam:

The Commission is in receipt of your letter of the 12th instant in which you state that you have a daughter living on George Vann's farm near Lenapah, Indian Territory and refer the Commission to her as an applicant for enrollment as a citizen of the Choctaw Nation.

You are informed that the Commission cannot receive, consider or make any record of any application of any person for enrollment except upon their personal appearance before the Commission for the purpose of examination under oath. Parents will be allowed to appear on behalf of their minor unmarried children however, and if your daughter is not married and is under twenty one years of age, you should have made application for her at the time you appeared before the Commission. If however, your daughter to whom you refer is married and over twenty one years old, it will be necessary for her to appear in person and make her own application for enrollment as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

Caroline Gardenhrie

Choctaw^{vs.} Nation

Memoranda Case No. 49

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

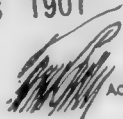
DEC 6 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

Land.
61,035-1900.

(Copy)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, a memorandum made by the Commission to the Five Civilized Tribes, in the matter of the application of Caroline Gardenhire, for the enrollment of herself as a citizen, by blood, of the Choctaw Nation.

She appeared before the commission on November 14, 1900. Her testimony, given under oath, and an examination of the records in the possession of the commission, showed that she had never been recognized as a citizen of the Choctaw Nation; that she had never been enrolled as such, and that she had never been admitted to citizenship by the Choctaw authorities, by the commission to the Five Civilized Tribes, or by the United States courts. The commission, therefore, acting under authority of the Act of May 31, 1900, refused to accept her application.

The office believes that the action of the commission was correct, and respectfully recommends that it be approved.

Very respectfully,
Your obedient servant,
W. A. Jones,
Commissioner.

(W. C. V.) P.

17528

L. R. S.

J. P.

DEPARTMENT OF THE INTERIOR

C.

Washington.

April 1, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Caroline Gardenhire for enrollment as a citizen by blood of the Choctaw Nation.

The Commissioner states that Gardenhire's testimony given under oath and an examination of the records in your possession showed that the party had never been recognized as a citizen of said Nation, that she had never been enrolled as such, and that she has never been admitted to citizenship by the Choctaw authorities, by the Commission or by the United States Court; that, therefore, you were warranted, under the provisions of the act of May 31, 1900 (31 Stat., 221, 236), in refusing to accept the application.

The party states that she has resided in Kansas for about ~~eight~~ years.

Your decision is affirmed, and you will so advise the party. A copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Ind. Ter. Div./
1239-1901.
1 inclosure .

Thos. Ryan.

Acting Secretary.

D.

COPY.

Muskogee, Indian Territory, June 6, 1901.

Caroline Gardenhire,
826 North Wichita Street,
Wichita, Kansas.

Dear Madam:

On November 14, 1900, you made application to this Commission for enrollment as a citizen by blood of the Chectaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused your enrollment as a citizen of the Chectaw Nation and a copy of such decision was mailed to you to your post-office address November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon, and on April 1, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen of the Chectaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *James Dixey.*

Acting Chairman.

Choc memo 50

Choc memo 50

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., Nov. 13, 1900.

MEMORANDUM.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Dora I. Santford and her minor children. Dora I. Santford being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Dora I. Santford.
Q What is your age? A Twenty eight.
Q What is your post-office address? A McGee, I. T.
Q It is your purpose to make application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q What is the basis of your claim for enrollment as a citizen of the Choctaw Nation? A I don't understand.
Q What is your claim for enrollment as a citizen of the Choctaw Nation? A Of course - my people claim it and of course I do too.
Q Make as complete a statement as you can, of the grounds upon which you claim you are entitled to be enrolled as a citizen of the Choctaw Nation? A I ought to have people on the roll I reckon. One of my cousins is on the roll and I suppose -
Q Are you applying for any one besides yourself? A No sir.
Q Have you any children? A Yes sir.
Q Are you going to apply for your children? A Yes sir I reckon so.
Q What are the names and ages of your children? A Maudie Island is the oldest. She is seven.
Q The next one? A FIVE, Mary Ethel.
Q Five? A Yes sir.
Q The next one? A He is three.
Q The name? A James Melton.
Q Any more? A Yes sir, one, one year old.
Q All right, the name? A Ollie Bell a girl.
Q Ollie Bell is one year old? A Yes sir.

There is offered in evidence the written application and affidavit of Dora I. Santford, the affidavit of Talitha Crawford annexed thereto, marked exhibit A, filed and made a part of the records in this application.

- Q Is your name or the names of any of your four children for whom you make application on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of the Choctaw Nation in the possession of the Commission and the name of the applicant and her four children, do not appear thereon.

- Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.

Dora I Santford 2

Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the name of the applicant does not appear thereon.

Q Have you or any of your children ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission?

A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts examined and the names of the applicant and her minor children do not appear thereon.

Q You are making your claim to enrollment as a citizen of the Choctaw Nation by virtue of the fact that Talitha Crawford, your cousin is enrolled by this Commission as a citizen of the Choctaw Nation. Is that correct? A Yes sir.

Q How did she become a citizen of the Choctaw nation? A I don't know as I understand.

Q Was she admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory? A Yes sir, I reckon so.

Talitha Crawford admitted by this Commission under the act of Congress of June 10th, 1896 in Choctaw Case No. 17.

Q Were you a party to the original application made to this Commission in 1896 for citizenship in the Choctaw Nation by which Talitha Crawford applied for citizenship in the Choctaw Nation?

A No sir.

Q Was your name in the judgment of the United States Court admitting Talitha Crawford to citizenship in the Choctaw Nation?

A No sir.

The decision of the Commission as to your application and the application you make on behalf of your children for enrollment as citizens by blood of the Choctaw Nation, will be mailed to you in writing in the near future to your present post office address.

Applicant offers in evidence the affidavits of J. K. P. Jackson and Mrs. E. J. Santford. Refused for the reason that the name of the applicant is not on any of the tribal rolls of the Choctaw Nation, neither has she or her children been admitted by either the legally constituted authorities of the Choctaw Nation or the United States Courts for the Indian Territory, and the Commission is without jurisdiction to further consider or make record of her application.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 15th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 16th, day of November, 1900.

Myra Young
Guy L. Emerson

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

NOV 15 1900

Wm. J. Sanford. 28.
Wm. Lee, J. D.

CHOCTAW.

CHILDREN:

- Maudie A. Sanford* 7.
- Mary Ottel* " " 5.
- James Melton* " " 3.
- Ellie Bell* " " 1.

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

FILED
NOV 15 1900

[Signature]
Assistant Secretary

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

In the matter of the application of Dora I. Santford for the enrollment of herself and her four minor children, Maudie Island, Mary Ethel, James Melton and Ollie Bell Santford, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on November 15, 1900, the applicant, Dora I. Santford, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her four minor children, Maudie Island, Mary Ethel, James Melton and Ollie Bell Santford, as citizens by blood of the Choctaw Nation; it further appears that applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Dora I. Santford on her own behalf and on behalf of her four minor children, Maudie Island, Mary Ethel, James Melton and Ollie Bell Santford, as citizens by blood of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

 Acting Chairman.

Muskogee, Indian Territory, 1900.

COPY.

Muskegee, Indian Territory, November 20, 1900.

Mrs. Dora I. Stantford,
Mogee, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your four minor children, as citizens by blood of the Choctaw Nation.

In the event that you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded, when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to the Secretary of the Interior for approval.

Yours truly,

(SIGNED) *Tame Dixey.*

Acting Chairman.

Dora J. Sanford et al

^{vs.}
Choctaw Nation

Memorandum Case No. 50

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

RECEIVED
ACT OF MAY 31 1900
MEMORANDUM

(Copy)

Land.
61035-1900

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, August 5, 1901.

The Honorable

The Secretary of the Interior.

Sir:

With this letter is forwarded memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Dora I. Stantford and her minor children, Maudie Island, Mary Ethel, James Milton and Ollie Bell Stantford, for enrollment as citizens by blood of the Choctaw nation. A hearing was had on the application at Muskogee, Indian Territory, November 15, 1900, the enrollment refused and this memorandum comes up for review.

The testimony of Dora I. Stantford shows that she is a resident of McGee, Indian Territory, and that she applies for enrollment in behalf of herself and her minor children as Choctaws by blood; that she had never been enrolled or recognized officially as a Choctaw and had not applied to the commission for citizenship in the Choctaw nation under the Act of Congress of June 10, 1896.

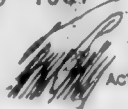
The statement of the commission is to the effect that the applicants were not enrolled on any of the official rolls of the Choctaw Nation, which were in the hands of the commission at that time, and that, therefore, it had no jurisdiction to enroll them.

The law governing the enrollment of citizens of the Choctaw nation is found in the Indian Appropriation Act, approved May 31, 1900, and reads as follows:

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

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

From the evidence it appears that Dora I. Stantford and none of her children had ever been enrolled by any of the authorities which have been charged with the duty of enrolling Choctaw citizens. The law is explicit and gives the commission no discretion in the matter of enrollments. It is their province to discover whether applicants have been duly recognized and enrolled as citizens of the nation; if they are, enrollment follows; if not, they must be rejected. It is shown that the parties to this proceeding were not within the category of those entitled to enrollment and that their application must be rejected.

It is the judgment of this office that the decision of the commission be approved by the Department, and it recommends that proper notice of the fact be given the parties.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

R.S.S. (Ba)

46246

C O P Y.

L.R.S.

F.

DEPARTMENT OF THE INTERIOR.
Washington.

I.T.D.3588-1901.

August 22, 1901.

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

Gentlemen:

The Department is in receipt of your memorandum in the matter of the application of Dora I. Santford and her minor children, Maudie Island, Mary Ethel, James Melton and Ollie Bell Santford, to be enrolled as citizens by blood of the Choctaw Nation.

The application of said parties was refused for the reason that the evidence showed that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they have not been admitted to citizenship in said nation by your Commission or by the legally constituted authorities of said nation.

The Commissioner of Indian Affairs forwarded said memorandum and recommends that the decision of the Commission be approved and that proper notice be given to the applicants.

Said recommendation is concurred in by the Department

46246

-2-

and the application of said parties for enrollment as members of the Choctaw Nation is hereby denied. You will duly advise the applicants.

A copy of the report of the Commissioner is inclosed herewith.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, September 3, 1901.

Dora I. Santford,

McGee, Indian Territory.

Dear Madam:

With respect to your application for the enrollment of yourself and your children, Mary Ethel Santford, James Melton Santford and Ollie Bell Santford as citizens of the Choctaw Nation in regard to which you were informed by the Commission's letter of November 20, 1900, that said application had been refused by the Commission, you are now further informed that the Commission is in receipt of a letter from the Honorable Secretary of the Interior, under date of August 22, 1901, stating that he has approved of the refusal by this Commission of your application referred to, and instructing the Commission to communicate that fact to you.

It is also stated, for your information, as well as for that of any others concerned, and in compliance with the tenor of the Secretary's instruction, that the refusal, as now approved, is final.

Said refusal is based upon the testimony taken in this ~~case~~, and upon the provision of the act of Congress known as the Indian Appropriation Act, approved May 31, 1900, as follows:

*That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been recognized as a citizen thereof, and duly and lawfully enrolled.

D I S S

refusal of such applications shall be final when approved by the Secretary of the Interior."

As previously indicated, it was shown that neither you nor any of the persons for whom you applied have ever been recognized as a citizen of the Chectaw Nation and duly and lawfully enrolled or admitted as such; nor was any right of that character found to exist through a parent of any of the persons applied for in this case. Therefore, in accordance with the evidence, and in accordance with the law which has just been quoted, the final refusal, now communicated to you, has been decreed.

Yours truly,

(SIGNED) *T. B. Needles.*

Commissioner in Charge.

7-M-50

Choc memo 51

Choc memo 51

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T. Nov. 15, 1900.

MEMORAN DUM.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Delilah Caroline Brumley and her minor children. Delilah Caroline Brumley being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Delilah Caroline Brumley.
Q What is your age? A 43.
Q What is your post-office address? A McGee.
Q Indian Territory? A Yes sir.
Q It is your purpose to make application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you making application for any one besides yourself?
A I have three children.
Q Are they under 21 years of age and unmarried? A Yes sir.
Q What are the names and ages of your children? A Twenty.
Q Give the names first. A Beverly Preston Ritchie.
Q How old? A Twenty.
Q Unmarried? A Yes sir.
Q How is this child's name Ritchie and your name Brumley.
Have you been married before? A No sir, not but once.
Q What was your name before you were married? A Ritchie.
Q This child born before you were married? A Yes sir.
Q Goes by your maiden name? A Yes sir.
Q What is the name of the next one? A Granville Luzerne Ritchie.
Q How old is that child? A 17.
Q This child born before you were married? A Yes sir.
Q Any more? A One.
Q What is the name of this child? A Martin Ritchie.
Q How old is this child? A Fifteen.
Q How long have you been married? A I have been married about thirteen years I guess.
Q What is the basis of the claim that you make for the enrollment of yourself and these three children as citizens by blood of the Choctaw Nation? A Well, my mother claimed the blood and my grand mother, I suppose.

There is offered in evidence the original application and petition of Delilah C. Brumley.

- Q What do you say these children are known by, the name of Ritchie? A Yes sir.
Q In your written application you state that your first child's name is Beverly Preston Wilhite, the next Granville Luzerne Rosenhoover and your last child Martin O. Rogers. Is that correct? A There is a mistake about it some way.
Q Who was the father of your first child? A Why, Wilhite sure enough.
Q Who was the father of your second child? A Rosenhoover.
Q Who was the father of the last child? A Owen Rogers.
Q Were you ever married to any of these three men? A No sir, I wasn't.
Q These children are all illegitimate children? A Yes sir.

Delilah C. Brumley 2

The original application and petition of Delilah C. Brumley and the affidavit of Talitha Crawford annexed thereto, offered in evidence, marked exhibit A, filed and made a part of the record in this application.

Q Is your name or are the names of any of your three children upon any of the tribal rolls of the Choctaw Nation? A No sir.

~~Record~~ tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant and the names of none of her children appear thereon.

Q Have you or any of your children ever been recognized by the Choctaw tribal authorities as citizens of the Choctaw Nation?

A No sir.

Q Did you or did any one in your behalf or on behalf of your three minor children, make application to this Commission in 1896 for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896, examined and the names of the applicant and her three children do not appear thereon.

Q Have you or any of your three children ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of United States Court examined and the names of the applicant and her three children do not appear thereon.

Q You are making application for enrollment as a citizen by blood of the Choctaw Nation and the application that you are making for yourself and on behalf of your three minor children is by virtue of the fact that Talitha Crawford, your cousin, was admitted to citizenship by this Commission under the act of Congress of June 10th, 1896? A Yes sir.

Q Were your names/ or the names of your three minor children included in the original application made to this Commission by which Talitha Crawford was admitted to citizenship in the Choctaw Nation? A No sir.

Q Your name was not in that application? A No sir.

The decision of the Commission as to your application and the application you/ make on behalf of your three minor children for enrollment as citizens by blood of the Choctaw Nation will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 15th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 16th, day of November, 1900.

Myra Young
Myra Young
Notary Public.

51.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

NOV 15 1900

Delilah C. Brunley H.B.
Mc. Gee, I. T.

CHOCTAW.


CHILDREN:

<i>Beverly Preston Ritchie</i>			<i>20.</i>
<i>Granville L.</i>	"	"	<i>17.</i>
<i>Martin</i>	"	"	<i>15.</i>

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

FILED

NOV 15 1900


ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Delilah Caroline Brumley for the enrollment of herself and her three minor children, Beverly Preston Ritchie, Granville Luzerne Ritchie, and Martin Ritchie, as citizens by blood of the Choctaw Nation.

DECISION.

It appears from the evidence in this case that on November 15, 1900, the applicant, Delilah Caroline Brumley, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her three minor children, Beverly Preston Ritchie, Granville Luzerne Ritchie, and Martin Ritchie, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Delilah Caroline Brumley on her own behalf and on behalf of her three minor children, Beverly Preston Ritchie, Granville Luzerne Ritchie, and Martin Ritchie, as citizens by blood of the Choctaw nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory November 20, 1900

COPY.

Muskogee, Indian Territory, November 20, 1900.

Delilah C. Brumley,
McGee, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your three minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamc Dinky.*

Acting Chairman.

19-20

Delilah C. Bumbley et al

vs.

Choc. Nation

Memoranda Case No. 57

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(COPY)

Refer in reply to the following:

Land
61035 - 1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 7, 1901.

The Honorable,
The Secretary of the Interior.

Sir:

There is forwarded with this letter memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Delilah Caroline Brumley for the enrollment of herself and her minor children, Beverly Preston, Granville Luzerne and Martin Ritchie, as citizens by blood of the Choctaw nation. The parties were rejected by the commission after a hearing and this memorandum comes up for review.

The testimony of Delilah Caroline Brumley shows that she is a resident of McGee, Indian Territory, and claims for herself and her three minor children to be entitled to enrollment as Choctaws by blood; that she nor her minor children had never been enrolled by the tribal authorities as citizens of the Choctaw nation, and that she had never applied to the commission for enrollment and had never been enrolled by it.

The statement of the commission is to the effect that the names of the applicant nor her minor children do not appear on the Choctaw rolls; that the applicants were, therefore, not entitled to enrollment and accordingly rejected.

The law governing the enrollment of citizens of the Choctaw nation is found in the Indian Appropriation Act, approved May 31,

CHOCTAW. 711 51

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original letter in
Sen Off files.*

1900, and reads as follows:

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

It appears from the evidence that Delilah Caroline Brumley nor her three minor children had ever been enrolled by any of the authorities which have been charged with the enrollment of Choctaw citizens, and the law requires specifically that in order to secure enrollment at this time the names of the applicants must appear on those rolls. The decision of the commission adverse to the applicant, was, in the judgment of this office, correct, and it recommends that that finding be approved and that notice of that approval be given the parties.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

E.S.S. (Ba)

(COPY)

D. C. No. 14180 -1901.

52399.

L. R. S.

F.

Department of the Interior.

Washington.

September 21, 1901.

I.T.D. 3591 - 1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:-

On August 7, 1901, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Delilah Caroline Brumley for the enrollment of herself and her minor children, Beverly Preston Ritchie, Grandville Luzerne Ritchie, and Martin Ritchie as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because none of the persons named has ever been enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

7 m 51

COPY.

Muskogee, Indian Territory, October 4, 1901.

Delilah C. Brunley,

McGee, Indian Territory.

Dear Madam:

On November 15, 1900 you made application to this Commission for the enrollment of yourself and your three minor children, Beverly Preston Ritchie, Granville Luxerne Ritchie and Martin Ritchie, as citizens by blood of the Choctaw Nation. On November 20, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation, and a copy of such decision was mailed to you to your post office address, November 20, 1900.

On December 3, 1900, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on August 7, 1901 the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tams Dixey*

Acting Chairman.

7- M. 51

Choc memo 52

Choc memo 52

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 15, 1900.

MEMORANDUM

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Sarah E. Jackson. Sarah E. Jackson, being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Sarah E. Jackson.
Q What is your age? A Forty seven.
Q What is your post-office address? A McGee.
Q Indian Territory? A Yes sir.
Q It is your purpose to make application for enrollment as a citizen by blood of the Choctaw Nation, is it not? A Yes sir.
Q Do you wish to make any application for any one besides yourself? A No sir.
Q Have you any children under 21 years of age and unmarried? A No sir, I have not.
Q What is the ground upon which you claim the right to enrollment as a citizen by blood of the Choctaw Nation? A I don't understand what you mean.
Q Why should you be enrolled by this Commission as a citizen of the Choctaw Nation? A Well, I have got connection by blood that is enrolled.

There is presented and offered in evidence the original application and petition of Sarah E. Jackson with the affidavit of Talitha Crawford attached thereto, which is marked exhibit A, filed and made a part of the records in this application.

- Q Is your name upon any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

- Q Have you ever been recognized by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Did you ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to this Commission in 1896, for citizenship in the Choctaw nation, examined and the name of the applicant does not appear thereon

- Q Have you ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States

Sarah E. Jackson 2

Courts, examined and the name of the applicant does not appear thereon.

Q You are making your claim to enrollment as a citizen by blood of the Choctaw Nation by virtue of the fact that you are a cousin of Talitha Crawford who was admitted to citizenship in the Choctaw Nation by this Commission under the act of Congress of June 10th, 1896? A Yes sir.

Q Were you a party to the original application made to this Commission by Talitha Crawford in 1896? A No sir.

The decision of the Commission as to your application for enrollment as a citizen by blood of the Choctaw Nation will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 15th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

Subscribed and sworn to before me this 16th day of November, 1900.

Guy L. V. Emerson
Notary Public.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

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

D E C I S I O N .

It appears from the evidence in this case that on November 15, 1900, the applicant, Sarah E. Jackson, appeared before the Commission at Muskegee, and made application for the enrollment of herself as a citizen by blood of the Choctaw Nation; it further appears that the applicant is not now and never has been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application of Sarah E. Jackson for enrollment as a citizen by blood of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskegee, Indian Territory, December 20, 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.


NOV 15 1900

Sarah E. Jackson. #7.
Mo. Sec. I. J.

CHOCTAW.

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

FILED
NOV 15 1900


ACTING CHAIRMAN.

COPY,

Muskogee, Indian Territory, November 20, 1900.

Sarah E. Jackson,

McGee, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment by the Commission are forwarded to him for approval.

Yours truly,

(SIGNED)

James D. Dineen

Acting Chairman.

18-20

Sarah E. Jackson
vs.
Choctaw Nation

Memoranda

Case No. 57

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(C O P Y)

Refer in reply to the following:

Land
16035 - 1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington,
August 6, 1911.

The Honorable,
The Secretary of the Interior.

Sir:

Herewith is forwarded memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Sarah E. Jackson for enrollment as a citizen of the Choctaw nation. On this application a hearing was had at Muskogee, Indian Territory, November 15, 1900, the application refused and this memorandum forwarded for Departmental review.

The examination of Sarah E. Jackson shows that she is a resident of McGee, Indian Territory, and claims the right to enrollment as a Choctaw by blood; that she has never been enrolled by any of the authorities which have been charged with the enrollment of Choctaw citizens.

The statement of the commission is to the effect that the applicant was not enrolled on any of the official rolls of the Choctaw nation, which were in the hands of the commission at that time, and that, therefore, it had no jurisdiction to enroll her.

The law governing the enrollment of citizens of the Choctaw nation is found in the Indian Appropriation Act, approved May 31, 1900, and reads as follows:

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

FILED

OCT 7 1901



ACTING CHAIRMAN

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

From the evidence, it appears that Sarah E. Jackson had never been enrolled as a citizen of the Choctaw nation. There is evidence to show that she is a Choctaw by blood, and it appears that her cousin, Talitha Crawford, was admitted to citizenship in the Choctaw nation by the commission under the act of Congress of June 10, 1896. The law is explicit, however, and as her name had never been enrolled by any of the authorities which have been charged with the duty of enrolling Choctaws, the commission could not act otherwise and her application should have been refused.

It is the judgment of this office that the decision of the commission was correct and that it be approved by the Department, and it recommends that proper notice of that fact be given the party.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

E.S.S. (Ba)

(COPY)

D. C. No. 14240-1901.

L. R. S.

52398.

F.

Department of the Interior.

Washington.

September 21, 1901.

I.T.D. 3590-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On August 6, 1901, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Sarah E. Jackson for enrollment as a citizen of the Choctaw Nation, and recommended that your action in the premises be approved.

You refused the application under the act of May 31, 1900, because the applicant has never been enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan

Acting Secretary.

E.M.D.

1 inclosure.

COPY.

Muskogee, Indian Territory, October 7, 1901.

Mrs. Sarah E. Jackson,
Muskogee, Indian Territory.

Choctaw Memorandum
No. 52.

Dear Madam:

On November 15, 1900, you made application to this Commission for the enrollment of yourself as a citizen by blood of the Choctaw Nation. The testimony taken in support of your said application showed conclusively that you had never been a recognized citizen of the said nation and duly and lawfully enrolled or admitted as such and by letter, dated November 20, 1900, enclosing a copy of the decision of the Commission, you were notified that your application, as aforesaid, had been refused in accordance with the provisions of the act of Congress of May 31, 1900, which are as follows:

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

On December 3, 1900, the memorandum of your application was reported to the Secretary of the Interior for his consideration.

Mrs. S. B. J. E

The Commission is now in receipt of a letter from the Secretary of the Interior, dated September 21, 1901, in which he states that he has approved the judgment of the Commission in your case and refused your application for enrollment as a citizen of the Choctaw Nation.

Yours truly,

(SIGNED) *James Dixby.*

Acting Chairman.

7 M-52

Choc memo 53

Choc memo 53

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskegee, I. T. Nov. 15, 1900.

MEMORANDUM

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Theodosia Cordelia Pierce and her minor children. Theodosia Cordelia Pierce being duly sworn, by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Theodosia Cordelia Pierce.
Q What is your age? A Thirty.
Q What is your post-office address? A McGee.
Q Indian Territory? A Yes sir.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation, are you not? A Yes sir.
Q Are you applying for any one besides yourself? A My children.
Q How many children have you? A Four.
Q What are their names and ages? A Bonnie Pierce, 11.
Q What is the next one? A Naoma, seven.
Q The next one? A Six, Ernest.
Q The next one? A Hattie.
Q How old is Hattie? A About two years old now, will be next month, the eighth of next month.
Q What are your grounds of your claim for the enrollment of yourself and children as citizens by blood of the Choctaw Nation?
A Well, I have connection.
Q What do you mean by connection? A Well, I have connection who claims to be Choctaw, is the best I can answer you. For I don't understand you.
Q You mean that your claim to be enrolled as a Choctaw citizen is by reason of the fact that you have relatives who are on the rolls being made, is that correct? A Yes sir.
Q Is your name or are the names of your four children for whom you make this application, on any of the tribal rolls of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission, examined and the names of none of the applicants found thereon.

Q Did you or did any one in your behalf or on behalf of your four minor children, make application for enrollment to the tribal authorities of the Choctaw Nation? Have you ever been enrolled by the Choctaw tribal authorities? A No sir.

Q Did you or did any one in your behalf or on behalf of your four minor children make application to this Commission in 1896, for citizenship in the Choctaw nation under the act of Congress of June 10th, 1896? A No sir.

Record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation, examined and the names of none of the applicants appear thereon

Q Have you or your four children ever been admitted to citizenship in the Choctaw Nation by judgment of the United States

Theodosia C. Pierce 2

Courts for the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir. I reckon not.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts, examined and the names of none of the applicants appear thereon.

There is offered in evidence the written application and petition of Theodosia C. Pierce and the affidavit of Talitha Crawford, marked exhibit A, filed and made a part of the record in this application.

Q Your claim for the enrollment of yourself and your four minor children is by virtue of the fact that your cousin Talitha Crawford was admitted to citizenship in the Choctaw Nation by this Commission under the act of June 10th, 1896, is that correct? A Yes sir.

Q What is your only claim? A Yes sir.

Q That your cousin was admitted in 1896 by this Commission?

A Yes sir.

Q Was your name, or the names of your children included in the original application made to this Commission? A No they wasn't put in there I don't reckon.

Q You were not a party to that application? A No sir.

The decision of the Commission as to your application and the application you make on behalf of your four minor children for enrollment as citizens by blood of the Choctaw Nation, will be mailed to you in writing in the near future to your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 15th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 16th day of November, 1900.

Guy L. Emerson
Notary Public.

59.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

NOV 15 1900


Theodosia C. Pierce 30.
Mc. Lee, J. D.

CHOCTAW.

CHILDREN:

<i>Bonnie Pierce</i>	<i>11</i>
<i>Naoma</i> "	<i>7</i>
<i>Ernest</i> "	<i>6</i>
<i>Hattie</i> "	<i>"</i>

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 15 1900

 ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Theodosia Cordelia Pierce for the enrollment of herself and her four minor children, Bonnie Pierce, Naama Pierce, Ernest Pierce, and Hattie Pierce, as citizens by blood of the Choctaw Nation.

DECISION.

It appears from the evidence in this case that on November 15, 1900, the applicant, Theodosia Cordelia Pierce, appeared before the Commission at Muskegee, and made application for the enrollment of herself and her four minor children, Bonnie Pierce, Naama Pierce, Ernest Pierce, and Hattie Pierce, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

It is therefore considered, ordered and adjudged by the Commission that the application for enrollment of Theodosia Cordelia Pierce on her own behalf and on behalf of her four minor children, Bonnie Pierce, Naama Pierce, Ernest Pierce, and Hattie Pierce, as citizens by blood of the Choctaw Nation, be and the same is hereby refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskegee, Indian Territory

November 20, 1900

COPY.

Muskogee, Indian Territory, November 20, 1900.

Theodesia C. Pierce,

MoGee, Indian Territory,

Dear Madam:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your four minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment by this Commission are sent to him for approval.

Yours truly,

(SIGNED)

Tamo Binoy.

Acting Chairman.

17-20

Theodosia C. Pierce et al.

^{vs.}
Choctaw Nation

Memoranda Case No. 52

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

DEC 3 1900

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(COPY)

Refer in reply to the following:

Land
61035 - 1900.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 5, 1901.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded with this letter memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Theodosia Cordelia Pierce and her four minor children Bonnie, Naoma, Ernest and Hattie Pierce, for enrollment as citizens of the Choctaw nation. A hearing was had on the application at Muskogee, I. T., November 15, 1900, the application was refused and this memorandum forwarded for Departmental review.

The examination of Theodosia Cordelia Pierce shows that she is a resident of McGee, Indian Territory, and claims for herself and in behalf of her minor children the right to enrollment as Choctaws by blood; that she has never been enrolled by the tribal authorities as a citizen of the Choctaw nation, and that she has never applied to the commission for enrollment and never been enrolled by it.

The commission recites that the applicants are not entailed on any of the official rolls of the Choctaw nation, which were in the hands of the commission at that time, and that, therefore, it had no jurisdiction to enroll them.

The law governing the enrollment of citizens of the Choctaw

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

FILED

OCT 7 1901



ACTING CHAIRMAN.

nation is found in the Indian Appropriation Act, approved May 31, 1900, and reads as follows:

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

It appears from the evidence that Theodosia Cordelia Pierce nor her minor children had ever been enrolled by any of the authorities which have been charged with the enrollment of Choctaw citizens, and the law requiring specifically that in order to secure enrollment at this time the names of the applicants must appear on those rolls. The decision of the commission adverse to the applicants was, in the judgment of this office, correct.

It is therefore recommended that that decision be approved and that notice of that fact be served upon the parties.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commissioner.

E.B.S. (Ba)

(COPY)

D. C. No. 14231-1901.

52018.

L. R. S.

F.

Department of the Interior,
Washington.

September 20, 1901.

I.T.D. 3587-1901.

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

Gentlemen:

On August 5, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Theodosia Cordelia Pierce and her minor children, Bonnie, Naoma, Ernest, and Hattie Pierce, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because none of the applicants has ever been enrolled or recognized as a citizen of said nation.

The Department affirms your decision, and you will so advise the applicants. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary
E.M.D.

1 inclosure.

COPY.

Muskogee, Indian Territory, October 7, 1901.

Theodosia Cordelia Pierce,
Mogee, Indian Territory.

{ Choctaw Memorandum
No. 53.

Dear Madam:

On November 16, 1900, you made application to this Commission for the enrollment of yourself and your four minor children, Bonnie, Naema, Ernest and Hattie Pierce as citizens by blood of the Choctaw Nation.

The testimony taken in support of your said application showed conclusively that none of the parties for whom application was made had been a recognized citizen of the said nation and duly and lawfully enrolled or admitted as such and by letter dated November 20, 1900, enclosing a copy of the decision of the Commission, you were notified that your application as aforesaid had been refused in accordance with the provisions of the act of Congress of May 31, 1900, which are as follows:

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

On December 3, 1900, the memorandum of your application was reported to the Secretary of the Interior for his consideration.

1032

The Commission is now in receipt of a letter from the Secretary of the Interior dated September 20, 1901, in which he states that he has approved the judgment of the Commission in your case and refused the application for the enrollment of yourself and four minor children as citizens of the Choctaw Nation.

Yours truly,

SIGNED, *James L. Hoy.*

Acting Chairman.

7 M-53

Choc memo 54

Choc memo 54

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, NOVEMBER 20, 1900.

In the matter of the application of George P. Hatton for the enrollment of his five minor children as citizens by blood of the Choctaw Nation.

George P. Hatton, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Hatton.
Q Your full name? A George P. Hatton.
Q How old are you? A Forty two.
Q What is your post office address? A Hanton, Indian Territory.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A For my wife. My wife is a sister to her.
Q Are you a white man? A Yes sir.
Q Where is your wife? A My wife is dead.
Q Who are you making application for? A Her name was Martha Hatton. I am making it for our children.
Q For your children by an Indian wife? A Yes sir.
Q What are the names of your children? A Johnnie Hatton.
Q How old? A Nineteen. Pearl Hatton.
Q How old is Pearl? A Seventeen.
Q Go ahead. What is the next one? A William Hatton.
Q How old is William? A Fifteen.
Q The next one? A Coke.
Q How old is he? A Twelve, I believe.
Q Go ahead. A George Hatton.
Q How old is George? A Seven.
Q Is that all of them? A Yes sir.
Q It is your purpose to make application for the enrollment of your five minor children as citizens by blood of the Choctaw Nation?
A Yes sir.
Q You claim their right to enrollment through their mother? A Yes sir.
Q What was her name? A Martha Jane Linney.
Q Is she living? A No sir, she is dead.
Q Was she ever a recognized member of the Choctaw tribe of Indians?
A No sir.
Q Was she ever enrolled by the Choctaw tribal authorities? A No sir.
Q When did she die? A She died October a year ago. October 27th.
Q Are the names of your five children on any of the Choctaw tribal rolls? A No sir.
Tribal rolls of the Choctaw Nation now in the possession of the Commission, prepared by the authorities of the Choctaw Nation examined and the names of none of the applicants found thereon.
Q Did your deceased wife or any one for her or in behalf of your five minor children apply to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Was your wife or any of her children ever admitted to citizenship in the Choctaw Nation by any of the tribal authorities? A No sir.
Q Did your wife or did any one in her behalf or in behalf of your five minor children make application to this Commission for citizenship in the Choctaw Nation under the act of Congress of June 10, 1896? A No sir, I reckon not.
Record of applications for citizenship in the Choctaw Nation in 1896 made to this Commission, examined, and the names of none of the applicants found thereon.

George P. Hatton-2

minor

Q Was your wife or were your five children ever admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in Indian Territory examined and the names of none of the applicants found therein.

The decision of the Commission as to the application made by you on behalf of your five minor children as citizens by blood of the Choctaw Nation will be mailed to you in writing at your present post office address in the near future.

Anna Bell, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full the ~~minutes~~ proceedings in the above entitled cause on the 20th day of November, 1900, and the above is a full, true and correct copy of her stenographic notes in said cause.

Anna Bell

Subscribed and sworn to before me this 21 day of November, 1900.


Acting Chairman.

54

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

George P. Nation. 42.
Munton, Ind. Ter.

NOV 20 1900

CHOCTAW.

Johnnie Nation	19
Pearl " "	17
William " "	15
Coke " "	12
George " "	11

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 20 1900



Application made by Geo. P. Nation
on behalf of his minor children.

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

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 27, 1900.

Mr. George P. Hatton,

Hunton, Indian Territory,

Dear Sir:

There is inclosed you herewith a copy of the judgment of the Commission, refusing your application for the enrollment of your five minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,


Acting Chairman.

1-27
AB

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

In the matter of the application of George P. Hatton for the enrollment of his minor children, Johnnie Hatton, Pearl Hatton, William Hatton, Coke Hatton, and George Hatton, as citizens by blood of the Choctaw Nation.

DECISION.

The applicant in this case, George P. Hatton, on November 20, 1900, appeared before the Commission at Muskogee, and made application for the enrollment of his five minor children, Johnnie, Pearl, William, Coke and George Hatton, as citizens by blood of the Choctaw Nation. It appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of George P. Hatton for the enrollment of his five minor children, Johnnie, Pearl, William, Coke and George Hatton, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory,

DEC 28 1900

COPY.

Muskogee, Indian Territory, December 27, 1900.

Mr. George P. Hatten,

Hunton, Indian Territory,

Dear Sir:

There is inclosed you herewith a copy of the judgment of the Commission, refusing your application for the enrollment of your five minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED)

W. C. C. Crosby
Acting Chairman.

1-27
AB

Amnton Ind Ter

Jan 9th 1901

Landes Commission

Muskogee, I. T.

Dear Sirs: Your registered
letter asking the decision of
Body in regard to the enrollment
of my five children has been
received. In reply I would be a leave
to reply by stating that I wish the
names of my children sent to Sec.
Interior with the others. If Blood
is knocked out by the applicants being
ignorant of what to do then my children
may lose their rights as Indians.
Nancy Leonard has furnished
ample proof that the whole body
of them are Choctaws by blood
own

INDEXED.

COMMISSION TO FIVE TRIBES.		
No.	Received	ANSWERED
		Book Page
605 1801	JAN 14 1901	

Walton, George P.
Houston, D. J.
Jan 9-1901

CHICKASAW

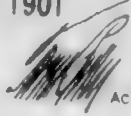
Wants case of himself and
Children referred to Secty of Int.
Encloses letter of Commission -

Filed with Choctaw ^M 54
M

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

FILED

JAN 15 1901



ACTING CHAIRMAN.

and I suppose now that
we will all have to wait the
action of Sec of Interior. I enclose
in this a paper which my wife
received from Clark & the Co.
'Port Indian' in 1896. It is of no
service to them now and
will send it to you and
if it should be of any evidence
in the case of children
you can use it, if not please
return it to the Dept. for
your records & then showing the Law
from which you act.

Very truly
yours
Wm. H. Hutton
New York
1896

COPY.

Muskogee, Indian Territory, January 15, 1901.

George P. Hatton,
Hunton, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of the 9th instant in which you request that the record in the matter of the application for the enrollment of your children, Johnnie, Pearl, William, Coke and George Hatton, be forwarded to the Secretary of the Interior for his consideration, and your request has been duly filed with the papers in this case and the record so made will be transmitted to the Secretary of the Interior when the cases of applicants refused enrollment in the Choctaw Nation by this Commission, are sent to him for approval.

You state in your letter that you enclose a letter from the County Clerk of Blue County, but such enclosure did not accompany your letter. You did however, return the letter of the Commission to you, December 27th, 1900.

Yours truly,

(SIGNED) *James Dinby.*

Acting Chairman.

7-M54

Johnnie Hatton et al.

vs.

Choctaw Nation

Memoranda

Case No. #54

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

FEB 15 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Land.
10256-1901.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 23, 1901.

In re application of George P. Hatton)
for the enrollment of his minor child-) No. 54.
ren, Johnnie, Pearl, William Coke and)
George Hatton as citizens by blood of)
the Choctaw Nation.)

The Honorable

The Secretary of the Interior.

Sir:

Referring to Departmental letter of March 19, 1901, there is enclosed herewith a report dated February 15, 1901, from the Acting Chairman of the Commission to the Five Civilized Tribes transmitting the memoranda relative to the applications of certain persons to citizenship in the Choctaw Nation.

The Commission transmitted with its report the memorandum in the case of (Geo.P.Hatton) Johnnie Hatton et al among others.

The memorandum in each of the other cases transmitted by the Commission with said report will be forwarded to the Department with separate reports from this office.

The memorandum in the case under consideration shows that George P. Hatton appeared before the Commission to the Five Civilized Tribes at Muscogee, November 20, 1900, and made application for the enrollment of his five minor children, Johnnie, Pearl, William, Coke and George Hatton as citizens by blood of the Choctaw Nation.

A careful examination of the memorandum shows that said minor children claim their right to enrollment through their mother; that she has never been recognized as a member of the Choctaw tribe that her name does not appear on any of the tribal rolls of the Choctaw Nation; that the names of said children do not appear on any of the tribal rolls of said nation; that no application was made by anyone to the Commission for the enrollment of said children in accordance with the provisions of the act of June 10, 1896 (29 Stats., 321, 339); and that these minor children and their mother were not admitted to citizenship by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of the Commission.

On October 4, 1900, the Department instructed the Commission to transmit the record in certain citizenship cases and to advise the applicants that their cases had been forwarded to the Department for its consideration and final determination." Neither the Commission's said report nor the memorandum and record in this case do not show whether or not the applicant has been advised by the Commission that said memorandum has been forwarded to the Department. It is presumed by the office, however, that the Commission has complied with the Department's instructions.

On December 28, 1900, the Commission, after stating the substance of the testimony, quoted from the act of May 31, 1900 (31 Stats., 221) relative to the enrollment of citizens of the various tribes, rendered judgment and found that said minor children were not entitled to enrollment as citizens by blood of said

nation.

In the opinion of this office, the decision of the Commission is correct as appears from the memorandum and record and it is therefore respectfully recommended that said decision be approved and the Commission so advised and instructed to give the applicant proper notice.

Very respectfully,

Your obedient servant,

W. A. Jones.

G. A. W. (L'e)

Commissioner.

17041

J. P.

L. R. S.

C.

DEPARTMENT OF THE INTERIOR.

Washington.

March 28, 1901.

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

Gentlemen:

With his letter of March 23, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of George P. Hatton for the enrollment of his five minor children as citizens by blood of the Choctaw Nation.

It appears that the mother of these children has never been recognized as a member of the Choctaw tribe and that her name does not appear on any of the tribal rolls of said nation in your possession. You state that the applicants are not now and never have been enrolled by the tribal authorities of said nation, that their names do not appear on any of the rolls of the nation now in the possession of the Commission and that they were not admitted to citizenship in said nation by the legally constituted authorities of said nation, by your Commission or by the United States court.

Referring to the act of May 31, 1900 (31 Stat., 221, 236) you held that you were without jurisdiction to consider this application and you refused to enroll the parties.

The Commissioner states that your decision is correct and he recommends that it be approved.

The Department concurs in this recommendation and your decision is hereby affirmed. You will so advise the party.

A copy of the Commissioner's letter is inclosed. Your attention is called to the statement of the Commissioner in regard to notices to parties when their cases are transmitted by you to the Department

Respectfully,

Thos. Ryan.

Acting Secretary.

Ind. Ter. Div.
1189-1901.
1 inclosure.

D.

0000

Muskogee, Indian Territory, June 8, 1901.

George P. Hatten,
Hanten, Indian Territory.

Dear Sir:

On November 20, 1900, you made application to this Commission for the enrollment of Johnnie, Pearl, William, Coke and George Hatten as citizens by blood of the Choctaw Nation. On December 28, 1900, after a consideration of said application the Commission refused the enrollment of Johnnie, Pearl, William, Coke and George Hatten as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address December 28, 1900.

On February 15, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of the application and the action of the Commission thereon, and on March 28, 1901, the Secretary of the Interior censured in the decision of the Commission refusing the application for the enrollment of Johnnie, Pearl, William, Coke and George Hatten as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamc Dixby.*

Acting Chairman.

Muskegee, Indian Territory, February 27, 1901.

George H. Ratton,

Osage, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant in which you request that the depositions of Nancy Leorand and John Lane be forwarded to the Secretary of the Interior with your application for the enrollment of your five minor children as citizens of the Choctaw nation.

You are informed that the original testimony and all papers in the matter of your application for the enrollment of your five minor children, Johnnie, Pearl, William, Coke and George Hatten, as citizens of the Choctaw Nation, were on February 15th, 1901, forwarded to the Secretary of the Interior for his approval of the action of the Commission in refusing the application of your children for enrollment as citizens by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-M-54

Muskogee, Indian Territory, April 27, 1901.

Mr. G. P. Nation,
Munton, Indian Territory,

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 13th inst., in which you ask if the depositions of John Lane and Mrs. Leonard were sent to the Secretary of the Interior with your application for the enrollment of your five minor children as citizens of the Choctaw Nation.

Under date of February 25, 1901, you sent to this Commission a request that the depositions of Nancy Leonard and John Lane be forwarded to the Secretary of the Interior with the application for the enrollment of your five minor children as citizens of the Choctaw Nation. On February 27, 1901, you were informed by the Commission that the original testimony and all papers in the matter of your application for the enrollment of your five minor children, Johnnie, Pearl, William, Oake and George Nation, as citizens of the Choctaw Nation, were, on February 15, 1901, forwarded to the Secretary of the Interior for his approval. It is presumed by the Commission that these affidavits, which you refer to, were returned to Nancy Leonard, Krebs, Indian Territory, on February 27, 1901.

Yours truly,

Acting Chairman

Muskogee, Indian Territory, July 20, 1901.

Mr. George P. Hatton,
Hunton, Indian Territory.

Dear Sir:

There has recently been received at this office the affidavit of R. C. Fletcher of the 16th of July, 1901, and the affidavit of Nancy Leonard, of June 28, 1901, and a petition of Martha Hatton, dated November 4, 1896, addressed to Judge M. F. Robinson, on behalf of herself and children, to be paid their pro rata share of the Leased District payment made to the citizens of the Choctaw Nation. It is presumed that these papers have been submitted by you in support of the application for the enrollment of your children, John, Pearl, William, Coke and George Hatton, as citizens of the Choctaw Nation. The same are returned to you herewith with the information that the Commission cannot accept or consider any additional evidence in support of the application for the enrollment of these children as citizens of the Choctaw Nation, and your attention is invited to our letter of June 5, 1901, relative to the disposition of such application.

Yours truly,

7-M 64

McM
61

Commissioner in Charge.

Choc memo 55

Choc memo 55

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, NOVEMBER 20, 1900.

In the matter of the application of Leora Blackman for the enrollment of herself and her minor children as citizens by blood of the Choctaw Nation.

Leora Blackman, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Leora Blackman.
Q How old are you? A Thirty one.
Q What is your post office address? A Franks.
Q Indian Territory? A Yes sir.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one beside yourself? A Myself and children
Q How many children have you? A Five.
Q What are their names and ages? A Eddie fifteen.
Q The name of the next one? A Johnnie.
Q How old is Johnnie? A Twelve
Q The next one? A Jimmie.
Q How old is Jimmie? A Eight
Q The next one? A Altha.
Q How old is Altha? A Five
Q The next one? A Mabry.
Q How old is Mabry? A He is two.
Q Is that all? A Yes sir.
Q Is your name or the names of your five minor children upon any of the tribal rolls of the Choctaw Nation? A No sir.
Tribal rolls of the Choctaw Nation now in the possession of the Commission, prepared by the authorities of the Choctaw Nation examined and the names of none of the applicants found thereon.
Q Did you or did any one in your behalf or in behalf of your minor children make application to this Commission for citizenship in 1896 under the act of Congress approved June 10, 1896? A No sir.
Record of applications made to this Commission for citizenship in the Choctaw Nation 1896 examined and the names of none of the applicants found thereon.
Q Have you or your minor children ever been admitted to citizenship in the Choctaw Nation by judgment of the U. S. Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.
Record of persons admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory examined and the names of none of the applicants found thereon.

You will be furnished with a copy of the decision of the Commission as to your application for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation, mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings in the above entitled case on the

Leora Blackman-2

20th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause.

Anna Bell

Subscribed and sworn to before me this 21st day of November, 1900.



Acting Chairman.

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

Leora Blackmon, 31.
Franks, Ind. Ter.

NOV 20 1900

CHOCTAW.

<i>Eddie Blackmon</i>			<i>15.</i>
<i>Johnnie</i>	<i>"</i>	<i>"</i>	<i>12.</i>
<i>Jimmie</i>	<i>"</i>	<i>"</i>	<i>8.</i>
<i>Altha</i>	<i>"</i>	<i>"</i>	<i>5.</i>
<i>Mary</i>	<i>"</i>	<i>"</i>	<i>2.</i>

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

FILED
NOV 20 1900

[Signature]

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

In the matter of the application of Leora Blackman for the enrollment of herself and her minor children, Eddie Blackman, Johnnie Blackman, Jimmie Blackman, Altha Blackman and Mabry Blackman, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

The applicant in this case, Leora Blackman, on November 20, 1900, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her five minor children, Eddie, Johnnie, Jimmie, Altha and Mabry Blackman, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application for enrollment of Leora Blackman on her own behalf and on behalf of her five minor children, Eddie, Johnnie, Jimmie, Altha and Mabry Blackman, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory DEC 28 1900

COPY.

Muskogee, Indian Territory, December 27, 1900.

Leora Blackman,

Franks, Indian Territory,

Dear Madam:

There is inclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your five minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED)

Tamm Dink

Acting Chairman.

AB
2-27

1
Leora Blackmon, et al.

vs.

Choctaw Nation

Memoranda

Case No. #55

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

FEB 15 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Land
10256-1901

Copy.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, March 25, 1901.

In re application of Leora Blackman)
for the enrollment of herself and)
her minor children, Eddie, Johnnie,) No. 55.
Jimmie, Altha, and Mabry Blackman)
as citizens by blood of the Choctaw)
Nation.)

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of March 19, 1901, and to office report of March 23, 1901, transmitting a report from the Commission to the Five Civilized Tribes dated February 15, 1901, relative to the applications of certain persons for enrollment as citizens of the Choctaw Nation, there is enclosed herewith the memorandum relative to the application of Leora Blackman for the enrollment of herself and her minor children, Eddie, Johnnie, Jimmie, Altha, and Mabry Blackman as citizens by blood of the Choctaw Nation.

The memorandum in this case shows that the name of the applicant and the names of her minor children do not appear on any tribal roll of the Choctaw Nation; that she did not, on behalf of herself and on behalf of her minor children, make application to the commission for enrollment as citizens by blood of said nation under the provisions of the act of June 10, 1896, and that said parties were not admitted to citizenship by judgment of the U. S.

Court in the Indian Territory on ~~an~~ appeal from a decision of the tribal authorities or the decision of the Commission.

On December 28, 1900, the Commission rendered its decision in this case and after restating the testimony and quoting from the provisions of the act of May 31, 1900, relative to enrollment, held that the applicant and her minor children were not entitled to enrollment as citizens by blood of said nation.

Relative to the instructions to the Commission contained in Department letter of October 4, 1900, the attention of the Department is invited to office report transmitting the application of George P. Hatton. The record in this case shows the conditions to be the same in this respect as shown by the record in the Hatton case .

This office is of the opinion that the Commission's decision in said case is correct and that it should be approved. It is therefore respectfully recommended that the decision of the Commission be approved and the Commission so advised and directed to give the applicant proper notice.

Very respectfully,
Your obedient servant,

W. A. Jones,

Commissioner.

G. A. W. (L'e)

17558 I.R.S.

C O P Y.

J. P.

DEPARTMENT OF THE INTERIOR.
Washington.

C.

April 1, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Leora Blackman for the enrollment of herself and her five minor children as citizens by blood of the Choctaw Nation. Nothing is shown as to the father of these children.

The Commissioner states that it is shown that the names of the applicants do not appear on any tribal roll of said nation; that none of them have been admitted to citizenship by the tribal authorities, by your Commission or by the United States court. He found that your decision refusing to accept the application was correct.

With this the Department concurs, and your decision is hereby affirmed, being in accordance with the provisions of the act of May 31, 1900 (31 Stat., 221, 236). You will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

D

Ind. Ter. Div.
1228-1901.
1 inclosure.

7-M.55

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
SEP 20 1901

U.S. DEPT. OF INTERIOR

ACTING CHAIRMAN.

Lena Blackman

RETURN TO WRITER

Shaw's

(Handwritten initials)



OFFICIAL BUSINESS.
Penalty for postage, \$300.

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

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

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, May 29, 1901.

Cora Blackman,

Franks, Indian Territory.

Dear Madam:

On November 20, 1900, you made application to this Commission for the enrollment of yourself and your five minor children, Eddie, Johnnie, Jimmie, Altha and Mabry Blackman as citizens by blood of the Choctaw Nation. On December 28, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address December 28, 1900.

On February 15, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application and the action of the Commission thereon and on April 1, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,



Acting Chairman.

7-M-55

Muskogee, Indian Territory, February 27, 1901.

Leora Blackman,

Stonewall, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 23th instant wherein you desire that the depositions of Nancy Leonard and John Lane be forwarded to the secretary of the Interior with your application for enrollment as a citizen of the Choctaw nation.

Replying to your letter the Commission has to inform you that the original testimony and all papers filed in the matter of the application of Leora Blackman et. al for enrollment as citizens of the Choctaw nation, were on February 13th, 1901, forwarded to the secretary of the Interior for his approval of the Commission's action in refusing the application of Leora Blackman and her children for enrollment as citizens by blood of the Choctaw nation.

Yours truly,

Acting Chairman.

7-X-55

3812-1909.

Muskogee, Oklahoma, June 10, 1909.

Mr. S. T. Johns,
Kemp, Oklahoma,

Sir:

Your letter of May 31, 1909, addressed to the United States Indian Agent, has been by him referred to this office for appropriate action.

Therein you ask about the enrollment of Eddie Blackman and state that in her application she was known as Eddie Harris.

In reply you are advised that one Eddie Blackman, child of Leora Blackman, was an applicant for enrollment as a citizen by blood of the Choctaw Nation and this application was refused by the Commission to the Five Civilized Tribes December 28, 1900 and on April 1, 1901 this action was approved by the Secretary of the Interior.

You are further advised that the rolls of citizenship of the Five Civilized Tribes were closed March 4, 1907 and this office is now without authority to receive or entertain the application of any person for enrollment in any of said tribes.

Since the date last above named no further legislation has been enacted relative to enrollment nor have I any informa-

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tion as to the probable reopening of the rolls in the future.

Respectfully,

Acting Commissioner.

AB

Choc memo 56

Choc memo 56

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, NOVEMBER 20, 1900.

M E M O R A N D U M .

In the matter of the application for enrollment of Margaret Partain and her minor children.

Margaret partain, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Margaret Partain
Q What is your age? A Twenty seven
Q What is your post office address? A Centre, Indian Territory.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one beside yourself? A No sir.
Q Have you any children? A Yes sir.
Q Do you want to make application for your children? A Yes sir.
Q How many children have you? A Three
Q What are their names and ages? A Myrtle Partain.
Q How old is she? A I think she is eleven years old.
Q What is the name of the next one? A James E.
Q How old is he? A Seven.
Q What is the name of the next one? A Alonzo
Q How old is Alonzo? A Five.
Q Is that all the children you have? A Yes sir.
Q Is your name or the names of any of your three children on the the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of the Choctaw Nation, prepared by the authorities of the Choctaw Nation examined and the names of none of the applicants found thereon.

- Q Did you or did any one on your behalf or on behalf of your three minor children ever make application for citizenship in the Choctaw Nation? A No sir.
Q Did you or did any one for you or on behalf of your minor children make application to this Commission in 1896 for citizenship in the Choctaw Nation under the act of June 10, 1896? A I dont Understand
Q In 1896 was any application ever made for you or your children for citizenship in the Choctaw Nation? A No sir, I don't guess there was.

Cases

Record of citizenship examined and the names of these applicants not found among the names of those who made application for citizenship to this Commission in 1896.

- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw authorities or of this Commission? A No sir.

Record of persons admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in the Indian Territory examined, and the names of none of the applicants found thereon.


The decision of the Commission as to your application and the application of your three minor children for enroll-

ment as citizens by blood of the Choctaw Nation will be furnished you in writing in the near future, mailed to you at your present post office address.

Anna Bell, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full the proceedings in the above entitled case on the 20th day of November, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings.

Anna Bell

Subscribed and sworn to before me this 20th day of November, 1900.


Acting Chairman.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

56.

Margaret Partain 27.
Center, Ind. Ter.

NOV 20 1900

CHOCTAW.

Myrtle Partain 11.
James E. " " 7.
Abner " " 5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 20 1900

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

In the matter of the application of Margaret Partain for the enrollment of herself and her three minor children, Myrtle Partain, James E. Partain and Alonzo Partain, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on November 20, 1900, the applicant, Margaret Partain, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her three minor children, Myrtle, James E., and Alonzo Partain, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application for enrollment of Margaret Partain on her own behalf and on behalf of her three minor children, Myrtle, James E. and Alonzo Partain, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory DEC 28 1900

COPY.

Muskegee, Indian Territory, December 27, 1900.

Margaret Partain,

Center, Indian Territory,

Dear Madam:

There is inclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your three minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment in the Choctaw Nation are sent to him for approval.

Yours truly,

SIGNED,

James Dickey.

Acting Chairman.

AR
3-27

Center Land Socy

Jan. 7th 1901

To the Hon. Lands Commission
Washington D. C.

Dear Sirs:

Your ^{Regd} letter to me
dated Dec 28th 1900 notifying me
that you could not locate Margaret
Purlain, and her three children,
Myrtle, James, ^{and} Elonzo by reason
of not finding the names of my,
Margaret Purlain's, parents on any of
the election rolls, and also by certain
sections of the laws governing your body
To the enquiry in your registered
letter asking me if "I desired my name
and those of my children sent up for
decision of the Sec. Interior with the others"

for final settlement."

I would say in reply
 that I certainly do wish to carry
 my claim to the full extent of the law
 That is I wish my name and those
 of my three children to be placed along
 with that of my mother, Nancy Leonard,
 from whom I claim my right as a native.
 If she gets her right, I think I should
 have mine, being the legitimate child

Thanking you for registered notification.

I am very respectfully
 Mrs. Margaret Turbine

P. O. address ----- Canaan N.H. 110

INDEXED.

COMMISSION TO FIVE TRIBES.		
No.	Received	ANSWERED
		Book Page
429		
1901	JAN 10 1901	

*Hartain, Mrs. Margaret
Center, F. J.*

Jan. 7 1901

CHICKASAW

*Mails case referred to Secretary
of Interior.*

File with Choctaw Mem. # 56.

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

FILED

JAN 11 1901



ACT'NG CHAIRMAN

7-m. 56

COPY.

Muskogee, Indian Territory, January 11, 1901.

Mrs. Margaret Partain,
Center, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 7th instant in which you request that the record in the matter of the application for the enrollment of yourself and your children as citizens of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration.

Your request has been filed with the other papers in this case and the record so made will be transmitted to the secretary of the Interior for his consideration when certain cases of applicants refused enrollment in the Choctaw Nation under the act of Congress of May 31st, 1900, are forwarded to him for approval.

Yours truly,

(Signed) James Bixby.

Acting Chairman.

7-X-56

Margaret Partain, et al.

vs.

Choctaw Nation .

Memoranda

Case No. #58

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

FEB 11 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Copy.

Land
10256-1901

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, March 25, 1901.

In re application of Margaret Partain)
for the enrollment of herself and her)
minor children, Myrtle, James, and)
Alonzo Partain as citizens by blood)
of the Choctaw Nation.)

No. 56.

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of March 19, 1901, and to office report of March 23, 1901, transmitting the report of the Commission to the Five Civilized Tribes of February 15, 1901, and the memorandum relative to the application of George P. Hatton for the enrollment of his minor children as citizens of the Choctaw Nation, there is enclosed herewith the memorandum in the case of Margaret Partain for the enrollment of herself and her minor children, Myrtle, James, and Alonzo Partain as citizens by blood of the Choctaw Nation, which said memorandum was transmitted with the Commission's report above mentioned.

The memorandum in this case shows that the name of the applicant and the names of her minor children do not appear on any of the tribal rolls of the Choctaw Nation; that said applicant did not make application for the enrollment of herself and her minor children to the authorities of the Choctaw Nation; that she did not make application for enrollment of herself and children to the

Commission to the Five Civilized Tribes in accordance with the provisions of the act of June 10, 1896 (29 Stats., 321, 339), and that said parties have not been admitted to citizenship in said nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of the Commission.

On December 28, 1900, the Commission rendered judgment in said case and found that said parties were not, under the provisions of the act of May 31, 1900 (31 Stats., 221), entitled to enrollment as citizens by blood of said nation.

With reference to whether or not the Commission has complied with the instructions contained in Department letter of October 4, 1900, the attention of the Department is invited to office report of even date transmitting the memorandum in the Hatton case. The record in this case does not show whether or not said instructions have been complied with.

This office is of the opinion that the decision of the Commission in refusing to enroll the parties under the provisions of the act of May 31, 1900, is correct, and that it should be sustained. It is therefore respectfully recommended that the decision of the Commission in said case be approved and that the Commission be so advised and directed to give the applicant proper notice.

Very respectfully,
Your obedient servant,

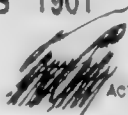
W. A. Jones,
Commissioner.

G. A. W. (I'e)

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

C O P Y.

L.R.S.

J. P.

DEPARTMENT OF THE INTERIOR.
Washington.

C.

March 29, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Margaret Partain for the enrollment of herself and her three minor children as citizens by blood of the Choctaw Nation.

It is shown that the applicants are not now and never have been enrolled by the tribal authorities of said nation; that their names do not appear upon any of the rolls of the nation now in the possession of the Commission; and that they were not admitted to citizenship by your Commission or by the legally constituted authorities of said nation or by the United States court.

The application was rejected in accordance with the act of May 31, 1900(31 Stat., 221, 236).

The Commissioner recommends that your action be approved. Finding no reason to disturb your decision, it is hereby affirmed and you will so advise the party.

A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan,
Acting Secretary.

Ind. Ter. Div.
1225-1901.
1 inclosure.

D

COPY.

Muskegee, Indian Territory, June 6, 1901.

Margaret Partain,
Center, Indian Territory.

Dear Madam:

On November 20, 1900, you made application to this Commission for the enrollment of yourself and your three minor children Myrtle, James F. and Alonzo Partain, as citizens by blood of the Choctaw Nation. On December 28, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address December 28, 1900.

On February 15, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 29, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED, *James D. Dwyer*

Acting Chairman.

7-M-56

Muskogee, Indian Territory, February 27, 1901.

Margaret Partain,
Genter, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 23th instant in which you desire that the depositions of Nandy Leonard and John Lane be forwarded to the Secretary of the Interior in the matter of your application for the enrollment of yourself and children as citizens by blood of the Choctaw nation.

Replying to your letter the Commission has to inform you that the original testimony and all papers filed with this Commission in the case of Margaret Partain, et. al for enrollment as citizens of the Choctaw nation were on February 15th, 1901 forwarded to the secretary of the Interior for his approval of the Commission's action in refusing the application of Margaret Partain et. al for enrollment as citizens by blood of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-11-86

Choc. memo 57

Choc memo 57

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, NOVEMBER 21, 1900.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Annie Skellenger and her two minor children.

Annie Skellenger, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Annie Skellenger.
Q What is your age? A Twenty nine.
Q What is your post office address? A Krebs,
Krebs, Indian Territory? A Yes sir.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one beside yourself? A Myself and two children.
Q What are the names and ages of your children? A George.
Q George Skellenger? A Yes sir.
Q How old is George? A He is five years old.
Q What is the name and age of the next one? A Emery.
Q How old is he? A Three.
Q Is that all? A Yes sir, that is all.
Q Is your name or are the names of your two children upon any of the tribal rolls of the Choctaw Nation? A No sir.

By the Commission:

Tribal rolls of the Choctaw Nation now in the possession of the Commission, prepared by the Choctaw authorities examined, and the names of none of the applicants found thereon.

- Q Did you or did any one in your behalf or in behalf of your minor children make application for citizenship in the Choctaw Nation to this Commission under the act of Congress of June 10, 1896?

A No sir.

Q Ha

By the Commission:

Record of applications for citizenship in the Choctaw Nation made to this Commission in 1896 examined and the names of none of the applicants found thereon.

- Q Have you or your children ever been admitted to citizenship in the Choctaw nation by this Commission? A No sir.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

By the Commission:

Record of persons admitted to citizenship in the ~~United States~~ Choctaw Nation by judgment of the United States Court in Indian Territory examined and the names of none of the applicants found thereon.

The decision of the Commission as to your application and the application you make on behalf of your two minor children for enrollment as citizens by blood of the Choctaw Nation will be furnished you in writing through the mail to your present post office address.

Anna Bell, having been first duly sworn, on her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full the testimony in the above entitled cause, taken on November 21, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

Anna Bell

Subscribed and sworn to before me this 27 day of December, 1900.


Acting Chairman.

57

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

NOV 21 1900

Annie Skellenger. 29.
Krebs, Ind. Ter.

CHOCTAW.

CHILDREN:

George Skellenger 5.
Emery

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

FILED
NOV 21 1900



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

In the matter of the application of Annie Skellenger for the enrollment of herself and her two minor children, George Skellenger and Emery Skellenger, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

It appears from the evidence in this case that on November 21, 1900, the applicant, Annie Skellenger, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her two minor children, George and Emery Skellenger, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application for enrollment of Annie Skellenger on her own behalf and on behalf of her two minor children, George and Emery Skellenger, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory,

DEC 28 1900

COPY.

Muskogee, Indian Territory, December 27, 1900.

Annie Skellenger,

Krebs, Indian Territory,

Dear Madam:

There is inclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your two minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamm Dins*
Acting Chairman.

AB
4-27

Annie .Skellinger, et al.

vs.

Choctaw Nation.

Memoranda

Case No. #57

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

FEB 15 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Land.
10256-1901.

(Copy)

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

Washington, March 25, 1901.

In re application of Annie Skellenger)
for the enrollment of herself and her) No.57.
minor children, George and Emery)
Skellenger, as citizens by blood of)
the Choctaw Nation.)

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of March 19, 1901, and to office report of March 23, 1901, transmitting a report of the Commission to the Five Civilized Tribes dated February 15, 1901, and the record relative to the application of George P. Hatten for the enrollment of his minor children as citizens of the Choctaw Nation, there is enclosed herewith the record relative to the application of Annie Skellenger for the enrollment of herself and her minor children, George and Emery Skellenger, as citizens by blood of said nation, which said memorandum was transmitted with the Commission's report above mentioned.

The memorandum in this case shows that the applicant appeared before the Commission to the Five Civilized Tribes at Muskogee November 21, 1900; that her name and the names of her minor children do not appear upon any of the tribal rolls of the Choctaw Nation; that she nor anyone else in her behalf made application to the Commission for her enrollment and the enrollment of her

minor children as citizens of said nation in accordance with the provisions of the act of June 10, 1896; and that the parties have not been admitted to citizenship in said nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of the Commission.

On December 28, 1900, the Commission rendered a decision in said case holding that said parties were not entitled to enrollment, under the provisions of the act of May 31, 1900, relative to enrollment, as citizens by blood of said nation.

The memorandum and record do not show whether or not the Commission complied with the instructions contained in Department letter of October 4, 1900, relative to notifying parties that the memoranda relative to their applications had been forwarded to the Department for consideration.

This office is of the opinion, from the memorandum in the case, that the action of the Commission in refusing to enroll said parties under the provisions of said act of May 31, 1900, is correct and therefore recommends that its decision be approved and the Commission so advised, with instructions to give the applicant proper notice.

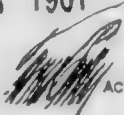
Very respectfully,
Your obedient servant,
W. A. Jones,
Commissioner.

G. A. W. (L'e)

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

FILED

OCT 8 1901



ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR,

Washington, April 1, 1901.

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

Gentlemen:

With his letter of March 25, 1901, the Commissioner of Indian Affairs transmitted the memorandum made by the Commission in the matter of the application of Annie Skellenger for the enrollment of herself and her two minor children as citizens by blood of the Choctaw Nation. Nothing is shown as to the father of these children.

The Commissioner states that it is shown that Skellenger's name and the names of her children do not appear upon any of the tribal rolls of said nation; that neither she nor her children have been admitted to citizenship by the tribal authorities, by your Commission or by the United States court. He also states that it is not shown that the Commission complied with instructions contained in departmental letter of October 4, 1900, relative to notifying parties that the memoranda in regard to their applications had been forwarded to the Department for consideration. It is presumed that you complied with such instructions.

The Commissioner found that your decision was warranted by the provisions of the act of May 31, 1900 (31 Stat., 221, 236). With this the Department concurs and your decision is affirmed. You will so advise the party. A copy of the Commissioner's letter is

Inclosed.
Ind. Ter. Div.
1227-1901.
1 inclosure.

Respectfully

Thos. Ryan.
Acting Secretary,
D.

COPY.

Muskogee, Indian Territory, May 29, 1901.

Annie Skellenger,

Krebs, Indian Territory.

Dear Madam:

On November 21, 1900, you made application to this Commission for the enrollment of yourself and your two minor children, George and Emery Skellenger as citizens by blood of the Choctaw Nation. On December 28, 1900, after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post-office address December 28, 1900.

On February 15, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon and on April 1, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamo Dixby.*

Acting Chairman.

7-2-57

Muskogee, Indian Territory, January 16, 1901

Frank Leonard,

Krebs, Indian Territory.

Dear Sir:

The Commission is in receipt of letter of the 13th instant signed by Nancy Leonard, Annie Skellenger and yourself, requesting that the papers in the matter of your applications for enrollment as citizens of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration.

You are informed that it will be necessary for you and Annie Skellenger to send in separate requests to have the records in your cases forwarded to the Secretary of the Interior and as soon as such requests are received by the Commission, they will receive proper attention.

The records of the Commission show that no decision has as yet been rendered in the matter of the application for enrollment as citizens of the Choctaw Nation of Nancy Leonard and her minor children, and until such decision is rendered the Commission cannot receive or consider a request to have the papers in the case forwarded to the Secretary of the Interior. The Commission contemplates rendering such decision in the near future and a copy of the same, stating fully therein the reason for any action that may be taken by the Commission will be forwarded to Nancy Leonard.

Yours truly,

7-R-147
7-M-57-59

Acting Chairman.

Muskogee, Indian Territory, February 27, 1901.

Annie Skellenger,

Krebs, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 25th instant in which you request that your application and the deposition of Nancy Leonard and John Lane be forwarded to the secretary of the Interior.

Replying to your letter the Commission has to inform you that on February 15th, 1901, the original testimony and all papers filed in the matter of the application of Annie Skellenger et. al for enrollment as citizens of the Choctaw nation were forwarded to the Secretary of the Interior for his approval of the Commission's action in refusing such application.

Yours truly,

Acting Chairman.

7-N-57

Choc memo 58

Choc memo 58

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, NOVEMBER 21, 1900.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Othelie Taylor and her two minor children.

Othelie Taylor, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Othelie Taylor.
Q What is your age? A Twenty.
Q What is your post office address? A Byrne.
Q Where is that, Indian Territory? A Yes sir, it is down here in the Choctaw Nation.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you applying for any one beside yourself? A Two children.
Q What are the names and ages of your two children? A Malothie is the oldest.
Q How old is that child? A She is two years old.
Q What is the name of the next one? A Amos.
Q How old is Amos? A He is just two years old.
Q Is your name, or are the names of your two minor children upon any of the tribal rolls of the Choctaw Nation? A No sir.
Q Did you, or did any one in your behalf ever make application to the Choctaw tribal authorities for citizenship in the Choctaw Nation?
A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by Choctaw tribal authorities? A No sir.
Q Did you or did any one in your behalf in 1896 make application to this Commission for citizenship in the Choctaw Nation under the act of June 10, 1896? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by authorities of the Choctaw tribe? A No sir.
Q Have you ever been admitted by judgment of court on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

By the Commission:

The decision of the Commission as to your application and the application you make on behalf of your two minor children for enrollment as citizens by blood of the Choctaw Nation will be furnished you by mail at your present post office address.

Anna Bell, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 21st day of November, 1900, and that the above and foregoing is a true and correct transcript of her stenographic notes in said cause.

Anna Bell

Subscribed and sworn to before me this 26th day of November, 1900.

[Signature]
Acting Chairman.

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

I, Tans Bixby, Acting Chairman of the Commission to the Five Civilized Tribes, do hereby certify that examination has been made of the roll of Choctaw citizens, prepared in 1896 by the legally constituted authorities of the Choctaw tribe, and that the name of the applicant herein, Othelia Taylor, is not found thereon; that examination has also been made of the record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation under the Act of Congress approved June 10, 1896, and of the record of persons admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in Indian Territory, on appeal from the decision of the Choctaw tribal authorities or of this Commission, and the name of the said applicant, Othelia Taylor, does not appear on either of said records.



Acting Chairman.

Dated this *26th* day of *December*, 19*20*.

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

I, Tans Bixby, Acting Chairman of the Commission to the Five Civilized Tribes, do hereby certify that examination has been made of the roll of Choctaw citizens, prepared in 1896 by the legally constituted authorities of the Choctaw tribe, and that the name of the applicant herein, Othelia Taylor, is not found thereon; that examination has also been made of the record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation under the Act of Congress approved June 10, 1896, and of the record of persons admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in Indian Territory, on appeal from the decision of the Choctaw tribal authorities or of this Commission, and the name of the said applicant, Othelia Taylor, does not appear on either of said records.



Acting Chairman.

Dated this *Twenty* day of *December*, 1900.

58.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

NOV 21 1900

Othelie Taylor 20.
Byrne, Ind. Ter.

CHOCTAW.

CHILDREN:

Malettie Taylor 2.
Amos " " 2 inc.

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

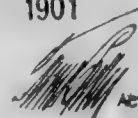
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NOV 21 1900


ACTING CHIEF CLERK.

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

FILED

JAN 7 1901


ACTING CHAIRMAN

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

ALLISON L. AVLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 26, 1900.

Othelie Taylor,

Byrne, Indian Territory,

Dear Madam:

There is inclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your two minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

Acting Chairman.

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

In the matter of the application of Othelie Taylor for the enrollment of herself and her two minor children, Malethie Taylor and Amos Taylor, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

It appears that on November 21, 1900, the applicant, Othelie Taylor, appeared before the Commission at Muskogee, and made application for the enrollment of herself and her two minor children, Malethie and Amos Taylor, as citizens by blood of the Choctaw Nation; it further appears that the applicants are not now and never have been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application for enrollment of Othelie Taylor on her own behalf and on behalf of her two minor children, Malethie and Amos Taylor, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.

Muskogee, Indian Territory, December 26, 1900.

COPY.

Muskogee, Indian Territory, December 26, 1900.

Othello Taylor,

Byrne, Indian Territory,

Dear Madam:

There is inclosed you herewith a copy of the judgment of the Commission refusing your application for the enrollment of yourself and your two minor children as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

SIGNED: *James Dinby*

Acting Chairman.

6-26

INDEXED, 7-7m-58

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
110	JAN 4 1901		
1901			

*Taylor, Mrs Othelie
Byrne, J. J.
Jan 2. 1901*

*Wants case referred to Secty.
of Interior*

Filed with Choctaw M 58

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

FILED

JAN 7 1901



ACTING CHAIRMAN.

Byrne Ind. Ter,
Jan; 2nd 1901

To the Commissioner to
the five civilized Tribes
Dear Sir

I am in possession
of a copy of your judgement
refusing my enrolment.
You will please present
my case to the Secretary
of the Interior and oblige.
Mrs Othelia Taylor.

COPY.

Muskogee, Indian Territory, January 7, 1901.

Mrs. Othelia Taylor,
Byrne, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of the 2nd instant in which you request that the papers in the matter of your application for enrollment as a citizen of the Choctaw Nation be forwarded to the Secretary of the Interior.

Such request has been duly filed with the other papers in your case and the record so made will be transmitted to the Secretary of the Interior when the cases of applicants refused enrollment in the Choctaw Nation, are forwarded to him for approval.

Yours truly,

(SIGNED)

Farris Dixey.

Acting Chairman.

7 M-58

Othelie Taylor, et al.

vs.

Choctaw Nation.

Memoranda

Case No. #58

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

FEB 15 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Copy.

Refer in reply to the following:

Land
10256-1901.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1901.

In re application of Othelie Taylor)
for the enrollment of herself and)
her minor children, Malethie and)
Amos Taylor, as citizens by blood of)
the Choctaw Nation.)

No. 58.

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of March 19, 1901, and to office report of March 23, 1901, transmitting the report of the Commission to the Five Civilized Tribes of February 15, 1901, forwarding the memorandum relative to certain applications for citizenship in the Choctaw Nation, there is enclosed herewith a memorandum in the application of ~~Othelie~~ Taylor for the enrollment of herself and her minor children, Malethie and Amos Taylor, as citizens by blood of the Choctaw Nation, which said memorandum was forwarded by the Commission with the report above mentioned.

The memorandum in this case shows that the parties above mentioned have never been admitted to citizenship in the Choctaw Nation by the tribal authorities of said nation; that their names do not appear on any tribal roll of said nation; that application was not made by or for them to the Commission for enrollment as citizens of said nation in accordance with the provisions of the act of June 10, 1896; and that they have not been admitted

to citizenship in said nation by judgment of the United States Court for the Indian Territory on appeal from the decision of the tribal authorities or the decision of the Commission.

On December 26, 1900, the Commission found that said parties were not entitled to enrollment, under the provisions of the act of May 31, 1900, relative to enrollment, as citizens by blood of said nation.

On October 4, 1900, the Department instructed the Commission to forward certain cases and to notify the applicants that the memoranda in their cases had been forwarded to the Department for its consideration.

The memorandum and record in this case do not show whether or not such instructions have been complied with, but it is presumed, however, that they have.

In the opinion of this office, the decision of the Commission in refusing to enroll said parties under the provisions of the act of May 31, 1900, is correct and should be approved. It is therefore recommended that said decision be approved and the Commission so advised and directed to give the applicant proper notice.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

G. A. W. (L'e)

(COPY)

D. C. No. 14108-1901.

L. R. S.

50932.

F.

Department of the Interior,
Washington.

September 13, 1901.

I.T.D.
1826-1901.

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

Gentlemen:

On March 25, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for the enrollment of Othelia Taylor and her minor children Malethia and Amos, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because none of the parties has ever been enrolled or recognized as a citizen of said nation.

The Department affirms your decision and you will so advise the applicant. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E. M D.

1 inclosure.

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

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

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 3, 1901.

Mrs. Ophelia Taylor,
Byrne, Indian Territory.

Dear Madam:

On November 21, 1900 you made application to this Commission for the enrollment of yourself and your two minor children, Mathelia and Amos Taylor, as citizens by blood of the Choctaw Nation. On December 26, 1900 after a consideration of said application, the Commission refused the enrollment of yourself and your children as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post office address, December 26, 1900.

On February 15, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on March 25, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,


Acting Chairman.

7- M. 58

Muskeges, Indian Territory, February 27, 1901.

Othello Taylor,

Wapanucka, Indian Territory.

Dear Madam,

Receipt is hereby acknowledged of your letter of the 25th instant in which you desire that the deposition of Nancy Leonard and John Lane be forwarded in the matter of your application for the enrollment of yourself and children as citizens of the Choctaw Nation, to the secretary of the Interior.

Replying to your letter the Commission has to inform you that on February 15th, 1901, the original testimony and all papers filed in the matter of the application of Othello Taylor, et. al for enrollment as citizens of the Choctaw Nation were forwarded to the Secretary of the Interior for his approval of the Commission's action in refusing such application.

Yours truly,

Acting Chairman.

7-2-51

Muskogee, Indian Territory, March 9, 1901.

Othelia Taylor,

Wapannoka, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of your letter of the 6th instant acknowledging receipt of the Commission's letter of the 27th of February and in which you state that you shall expect the Commission to forward the affidavits of Nancy Leonard and John Jane to the Secretary of the Interior.

Replying to your letter you are informed that as stated in the Commission's letter of the 27th ultimo, the original testimony and all papers filed in the matter of the application of Othelia Taylor, et. al for enrollment as citizens of the Choctaw Nation have been forwarded to the Secretary of the Interior for his approval of the Commission's action in refusing such application and therefore the records of the Commission so far as this case is concerned, are closed.

Yours truly,

Acting Chairman,

7-K-56

261
32
7/11/04
Unclaimed
Unknown

582
527



Department of the Interior.

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

OFFICIAL BUSINESS.

Penalty for private use, \$300.

George J. Jones,

Atoka, Indian Territory.

REGISTERED
MAR 20 04
MUSKOGEE, IND. TER.

MAR 27 1904

J.H.D.

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
Memo. 68.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 19, 1904.

George J. Jones,
Atoka, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior under date of March 4, 1904, affirmed the decision of the Commission to the Five Civilized Tribes, dated May 1, 1903, denying the application for the enrollment of yourself and your children, Mattie, Clemmy, Less, Emily and Thomas Jones, as citizens by blood of the Creek Nation.

Respectfully,

C. R. Breckinridge

Commissioner in Charge.

Register.

choc memo 59

choc memo 59

MEMORANDUM.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOVEMBER 21, 1900. MUSKOGEE.

In the matter of the application for enrollment of Frank Leonard as a citizen by blood of the Choctaw Nation.

Frank Leonard, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A Frank Leonard.
Q What is your age? A Twenty three.
Q What is your post office address? A Center.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q You apply for any one beside yourself? A No sir.
Q You are not married? A No sir.
Q Never have been married? A No sir.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A No sir.
Q Have you ever made application to the Choctaw tribal authorities for citizenship in the Choctaw Nation? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by the tribal authorities of that Nation? A No sir.
Q Did you or did any one in your behalf make application to this Commission 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 judgment of the Commission to the Five Civilized Tribes? A No sir.
Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the Choctaw tribal authorities or the decision of this Commission? A No sir.

By the Commission:

The decision of the Commission as to your application for enrollment as a citizen by blood of the Choctaw Nation will be furnished you by mail to your present post office address.

Anna Bell, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full the proceedings had in the above entitled cause and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings had on the 21st day of November, 1900, in the above cause.

Subscribed and sworn to before me this 21st day of November, 1900.

Anna Bell
Acting Chairman.

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

I, Tams Bixby, Acting Chairman of the Commission to the Five Civilized Tribes, do hereby certify that examination has been made of the roll of Choctaw citizens, prepared in 1896 by the legally constituted authorities of the Choctaw tribe, and that the name of the applicant herein, Frank Leonard, is not found thereon; that examination has also been made of the record of applications made to this Commission in 1896 for citizenship in the Choctaw Nation under the Act of Congress approved June 10, 1896, and of the record of persons admitted to citizenship in the Choctaw Nation by United States Courts in Indian Territory, on appeal from the decision of the Choctaw tribal authorities or of this Commission, and the name of the said applicant, Frank Leonard, does not appear on either of said records.



Acting Chairman.

Dated this *20th* day of *December*, 1900.

59.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

NOV 21 1900

Frank Leonard. 23.
Center, Ind. Ter.

CHOCTAW.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 21 1900

[Signature]

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

In the matter of the application of Frank Leonard for enrollment as a citizen by blood of the Choctaw Nation.

D E C I S I O N .

The applicant in this case, Frank Leonard, on November 21, 1900, appeared before the Commission at Muskogee, and made application for enrollment as a citizen by blood of the Choctaw Nation. It appears that the applicant is not now and never has been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in the Indian Territory on appeal.

The Act of Congress of May 31st, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application for enrollment of Frank Leonard as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.



Acting Chairman.

Muskogee, Indian Territory, December 26, 1900.

COPY.

Muskogee, Indian Territory, December 26, 1900.

Frank Leonard,
Center, Indian Territory,
Dear Sir:

There is inclosed you herewith a copy of the judgment of the Commission refusing your application for enrrellment as a citizen by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise the Commission in writing, and the same will be forwarded when the memoranda of applicants who have been refused enrrellment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Tamm Dwyer*.

Acting Chairman.

5-26

Frank Leonard

vs.

Choctaw Nation.

Memoranda Case No. #59

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

FEB 15 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Copy.

Refer in reply to the following:

Land
10256-1901.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 27, 1901.

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of March 19, 1901, and to office report of March 23, 1901, transmitting a report of the Acting Chairman of the Commission to the Five Civilized Tribes, dated February 15, 1901, forwarding the memoranda relative to certain citizenship cases, there is enclosed herewith the memorandum relative to the application of Frank Leonard for enrollment as a citizen by blood of the Choctaw Nation, which said memorandum was forwarded with the Commission's report above mentioned.

The memorandum in this case shows that the applicant's name does not appear on any of the tribal rolls of the Choctaw Nation; that he has never made application to the tribal authorities for enrollment as a citizen of the Choctaw Nation; that he has never been admitted to citizenship in said nation by the tribal authorities; that he did not make application to the Commission for citizenship in said nation under the provisions of the act of June 10, 1896; and that he has not been admitted to citizenship in said nation by judgment of the United States Court in the Indian Territory on appeal from the decision of the tribal authorities or the decision of the Commission in accordance with the provisions of

CHOCTAW: M 59.

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original letter in
Gen Off files*

said last-mentioned act.

On December 26, 1900, the Commission rendered its decision in said case and held that under the provisions of the act of May 31, 1900, relative to enrollment, the applicant, Frank Leonard, was not entitled to be enrolled as a citizen of the Choctaw Nation by blood.

The office is unable to state whether or not the Department's directions of October 4, 1900, have been complied with by the Commission but it presumes that they have.

It is the opinion of this office that the decision of the Commission in refusing to enroll the applicant under the provisions of the act of May 31, 1900, is correct, and that it should be approved. It is therefore recommended that the decision of the Commission be approved and the Commission so advised and directed to give the applicant notice of the Department's action in the premises.

Very respectfully,

Your obedient servant,

W. A. Jones,

Commissioner.

G.A.W. (L'e)

(COPY)

D. C. No. 14100-1901.

L. R. S.

51552.

F.

Department of the Interior,

Washington.

September 16, 1901.

I.T.D. 1294-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On March 27, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Frank Leonard for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because the applicant has never been enrolled or admitted to citizenship in said nation.

The Department affirms your decision in this case, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

COPY,

Muskogee, Indian Territory, October 3, 1901.

Mr. Frank Leonard,
Krebs, Indian Territory.

Dear Sir:

On November 21, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On December 26, 1900, after a consideration of said application the Commission refused your application for enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to your post office address, December 26, 1900.

On February 15, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on March 27, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED

James Dixby

Acting Chairman.

7- M. 59.

Muskogee, Indian Territory, January 16, 1901

Frank Leonard,

Krebs, Indian Territory.

Dear Sir:

The Commission is in receipt of letter of the 13th instant signed by Nancy Leonard, Annie Skellenger and yourself, requesting that the papers in the matter of your applications for enrollment as citizens of the Choctaw Nation be forwarded to the Secretary of the Interior for his consideration.

You are informed that it will be necessary for you and Annie Skellenger to send in separate requests to have the records in your cases forwarded to the Secretary of the Interior and as soon as such requests are received by the Commission, they will receive proper attention.

The records of the Commission show that no decision has as yet been rendered in the matter of the application for enrollment as citizens of the Choctaw Nation of Nancy Leonard and her minor children, and until such decision is rendered the Commission cannot receive or consider a request to have the papers in the case forwarded to the Secretary of the Interior. The Commission contemplates rendering such decision in the near future and a copy of the same, stating fully therein the reason for any action that may be taken by the Commission will be forwarded to Nancy Leonard.

Yours truly,

7-R-167
7-M-57-59

Acting Chairman.

Muskogee, Indian Territory, February 27, 1901.

Frank Leonard,

Krebs, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 25th instant in which you request that your application with the depositions of Nancy Leonard and John Lane be forwarded to the Secretary of the Interior.

Replying to your letter the Commission has to inform you that the original testimony and all papers filed in the matter of the application of Frank Leonard for enrollment as a Choctaw citizen were on February 15th, 1901, forwarded to the Secretary of the Interior for his approval of the action of the Commission in refusing the application for enrollment of Frank Leonard as a citizen by blood of the Choctaw nation.

Yours truly,

Acting Chairman.

7-M-59

Choc memo 60

Choc memo 60

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T. November 23rd, 1900.

IN THE MATTER OF THE APPLICATION FOR ENROLLMENT OF MEGO PURSLEY
AS A CITIZEN BY BLOOD OF THE CHOCTAW NATION.

Said Mego Pursley, being duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Mego Pursley.

Q What is your age? A I am fifty-seven years old.

Q What is your post office address? A Why, I am working
down here at Perry Oklahoma now, but my home is at Skullyville in the
Choctaw Nation. Perry Oklahoma is where I would be at.

Q That is your post office, is it? A Yes, sir.

Q Are you making application for any one besides yourself? A
No, sir; just myself.

Q Are you married? A Yes, sir; I am married.

Q Have you any children? A No, I ain't got any children.

Q Is your name on any of the tribal rolls of the Choctaw Na-
tion? A If it is, I don't know it.

BY THE COMMISSION: The tribal rolls of the Choctaw Nation in the
possession of the Commission have been examined and the name of the
applicant Mego Pursley does not appear thereon.

Q Where you ever admitted to citizenship in the Choctaw Nation
by the Commission to the Five Civilized Tribes under the act of
Congress approved June 10th, 1896? A Yes, sir.

Q What do you mean? Were you ever admitted to citizenship in
the Choctaw Nation by this Commission under act of Congress of June
10th 1896, that is four years ago? A No, I ain't been there.

BY THE COMMISSION: The records of parties readmitted to citizen-
ship by the Commission to the Five Civilized Tribes ~~examined~~ under act
of Congress ~~approved~~ of June 10th, 1896, examined, and the name of the
applicant does not appear thereon.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by the Choctaw tribal authorities? A Why, I don't know what
you mean.

Q Did the Council at Tuskahoma ever admit you to citizenship?

A That is my home.

Q Did the Council at Tuskahoma ever admit you to citizenship
in the Choctaw Nation? A Why yes.

Q When? A I can't understand what you mean.

Q Did the Council at Tuskahoma----do you know what that is? A
No, sir.

Q Do you know what the Choctaw Council is? A Yes, sir.

Q Well, did they ever admit you to citizenship? Have they
ever passed any law making you a citizen? A No, I never been
there to----- (Witness hesitates)

Q Have you ever made application to them? Did you ever apply
to them for citizenship? A I did.

Q To the Choctaw Council at Tuskahoma, did you ever apply to
them for citizenship? A No.

Q Have you ever been admitted to citizenship in the Choctaw
Nation by a judgment of the United States Courts in the Indian Ter-
ritory? A Yes, sir.

Q Now, think what you are saying. You are testifying under oath.
Have you ever been admitted to citizenship by the United States Courts
in the Indian Territory? A No, I don't believe I have. I know I
ain't.

BY THE COMMISSION: The record of parties admitted to citizen-

Mego Puraly----2.

ship in the Choctaw Nation by judgment of the United States Courts in the Indian Territory examined, and the name of the applicant does not appear thereon.

Q Have you ever prior to this time made any application to this Commission for enrollment as a citizen of the Choctaw Nation, that is before this? A No, sir.

BY THE COMMISSION: The decision of the Commission as to your application for enrollment as a citizen by blood of the Choctaw Nation will be mailed to you in writing in the near future at your present post office address.

-----0-----

Wm. S. Wellsheer, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause on the 23rd day of November, 1900, and that the above and foregoing is a correct and true transcript of his stenographic notes in said cause.

Subscribed and sworn to before me this *24th* day of November
A. D. 1900.

Gay L. Emerson
Notary Public.

#60.

REFUSED.

ACT OF MAY 31, 1900.
MEMORANDUM.

Mego Pursly

Perry, Ok. Treaty. 57.

NOV 23 1900

CHOCTAW.

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

FILED
NOV 23 1900

[Signature]
ATTORNEY AT LAW.

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

In the matter of the application of Mego Pursly for enrollment as a citizen by blood of the Choctaw Nation.

D E C I S I O N .

The applicant in this case, Mego Pursly, on November 23rd, 1900, appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a citizen by blood of the Choctaw Nation. It appears that the applicant is not now and has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of Mego Pursly for enrollment as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.



Acting Chairman.

JAN 19 1901

COPY.

Muskogee, Indian Territory, January 31, 1901.

Mege Parsly,

Perry, Oklahoma.

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise this Commission in writing and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

SIGNED.

Tame Dixby

Acting Chairman.

Enc e e

7-M-66

Reg. mail.

INDEXED.

COMMISSION TO FIVE TRIBES.			
No.	Received	ANSWERED	
		Book	Page
1957	FEB -8 1901		
1901			

*Pursley Mego a
Perry, Okla
Feb 5 1901*

*Wants case referred to Secty.
of Interior.*

File with Choctaw Mem. # 60.

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

FILED

FEB 9 1901



ACTING CHAIRMAN

Dear Sir

Feb 5 1901

To the Honorable Commission of
The 5000 Miles Trail of the
First railroad and contents
noted and will be taken
to a well known place
the publication of the
Honorable Secretary of the
Interior Department for his
approval and

Respectfully

Wm. C. Dudley

COPY

Muskogee, Indian Territory, February 9, 1901.

Wego A. Pursley,

Perry, Oklahoma.

Dear Sir:

The Commission is in receipt of your letter of the 5th instant, in which you request that the record in the matter of your application for enrollment as a citizen of the Choctaw Nation be forwarded to the secretary of the Interior for his consideration.

Your request has been duly filed with the other papers in this case and the record so made will be forwarded to the Secretary of the Interior when the cases of applicants refused enrollment in the Choctaw Nation are submitted to him for approval.

Yours truly,

(SIGNED) *James Kirby*

Acting Chairman.

7-11-60

6

Mego Pursley

vs.

Choctaw Nation

Memoranda Case No. 60

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

Mar. 2, 1901.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(Copy)

Refer in reply to the following:

Land.

15347-1901.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 3, 1901.

The Honorable,

The Secretary of the Interior.

Sir:-

There is forwarded with this letter memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Mego Pursly, as a citizen of the Choctaw nation, which application was heard at Muskogee, Indian Territory, November 23, 1900, the applicant being refused enrollment, and this memorandum forwarded for Departmental review, March 4, 1901.

The examination of Mego Pursly shows that he is a resident of Perry, Oklahoma, fifty-seven years of age, and claims to be entitled to enrollment as a Choctaw by blood; that he has never been enrolled by the tribal authorities as a citizen of the Choctaw nation, and that he has never previously applied to the commission for enrollment, and never had been enrolled by it.

The statement of the commission is to the effect that the applicant is not enrolled on any of the official rolls of the Choctaw nation, which were in the hands of the commission at that time, and that, therefore it had no jurisdiction to enroll the applicant.

The law governing the enrollment of citizens of

the Choctaw nation is found in the Indian Appropriation Act, approved May 31, 1900 and reads as follows:

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

It appears from the evidence that Mego Pursly has never been enrolled by any of the authorities which have been charged with the enrollment of the Choctaw citizens, and the law requires specifically that in order to secure enrollment at this time his name must appear on those rolls. The decision of the commission adverse to the applicant, was, in the judgment of this office, correct.

It is, therefore, recommended that the decision of the commission be approved by the Department, and that proper notice of that fact be given the party.

Very respectfully,

Your obedient servant,

E. S. S. (Ba)

Commissioner.

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

FILED

OCT 4 1901

[Handwritten signature]
... CHAIRMAN.

*Original letter in
San Office files.*

(COPY)

D. C. No. 13916-1901.

L. R. S.

50545.

F.

Department of the Interior,
Washington,

I. T. D. 3359-1901.

September 12, 1901.

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

Gentlemen:

On August 3, 1901, the Indian office transmitted your memorandum in the matter of the application of Mego Pursly to be enrolled as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because the applicant has never been enrolled or admitted to citizenship in said nation by any competent authority.

The Department affirms your decision and you will so advise the applicant. A copy of the Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E. M. D.

1 inclosure.

7- M. 60

COPY.

Muskogee, Indian Territory, October 3, 1901.

Mr. Mege Paraly,
Perry, Oklahoma.

Dear Sir:

On November 23, 1900, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On January 19, 1901, after a consideration of said application, the Commission refused you enrollment as a citizen of the Choctaw Nation, and a copy of such decision was mailed to you to your post office address January 31, 1901.

On March 2, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on August 3, 1901, the Secretary of the Interior concurred in the decision of the Commission, refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamm Dixey.*
Acting Chairman.

Muskogee, Indian Territory, July 13, 1900.

Mr. Mage Persley,

C/o A. R. Museller

~~Fairland, Indian Territory,~~

Permy C. F.

Dear Sir:

The Commission is in receipt of your affidavit in the matter of your Choctaw blood, and the same is herewith returned to you for the reason that there is no record of your ever having appeared before the Commission as an applicant for enrollment, and under no circumstances can the Commission accept written applications for enrollment, or file any papers in support of such application, without a personal appearance of the applicant; at which time a sufficient statement will be taken, under oath, upon which the Commission may base a decision, and also for forwarding to the Secretary of the Interior when the final rolls of the citizens of the Choctaw Nation are sent to him for approval.

If you desire to appear before the Commission at any time in the near future, it is suggested that you do so some time between the 16th and 31st of this month, at the office of the Commission in Muskogee, and a hearing will be given you; on such personal appearance you will be allowed to file such papers as you may desire to submit in support of your application.

Yours truly,

Acting Chairman.

B-13

Ret for non appearance.

38

Muskogee, Indian Territory, March 4, 1901.

Mego Rusley,

709 First Street,

Perry, Oklahoma.

Dear Sir:

The Commission is in receipt of your letter of the 6th of February addressed to the Honorable Secretary of the Interior and by him referred to this Commission for consideration and appropriate action.

You state in your letter that you are a Choctaw Indian by blood and that you have heretofore removed to and in good faith settled in the Choctaw Nation. That you were born in said Nation and recognized as a citizen of such Nation and have been so recognized for 57 years. That your parents and grand parents have all been enrolled and you then give the names of members of your family.

Replying to your letter the Commission has to inform you that it appears from our records that at Muskogee, Indian Territory, on November 23rd, 1900, you appeared before the Commission and made application for enrollment as a citizen by blood of the Choctaw Nation, and it appeared at that time after an examination by the Commission of the records in its possession, that your name was not upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission, neither did it appear that you had ever been admitted to citizenship in the Choctaw Nation by either the tribal authorities thereof, or by the duly constituted authorities of the

Megs Pusley B

United States.

On January 19th, 1901, the Commission rendered a decision refusing your application for enrollment, a copy of which was mailed to you at Perry, Oklahoma, on February 1st, 1901, and we have your registry receipt for such letter.

You are further informed that the Commission has this day forwarded to the Honorable Secretary of the Interior, the memorandum made at the time of your application for enrollment as a citizen of the Choctaw nation together with the decision of the Commission as to such application, for his approval of the Commission's action in refusing to enroll you as a citizen of the Choctaw Nation.

Yours truly,

Acting Chairman.

7-14-60

L. N.

Department of the Interior.

March 15, 1901

*Be respectfully referred to the
Commission to the Five Civil-
ized Tribes for consideration
and appropriate action.*

H. S. [Signature]
Acting Secretary.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

MAR 20 1901

[Signature]
ACTING CHAIRMAN

4152

Department of the Interior, RECEIVED MAR 14 1901 No. 1026 Indian Territory Division.
--

Priny, Okla. Ter.
Mar. 4, 1901.

Chief, Seale P.

States that the Dawes Commission writes that the name of Mess Pringle is not on Rolls; that he is a full blood Chickasaw and that the name in his application appears as "Pringle" but should be corrected and made Mess Pringle

Mch 15/01 Letter to writer
33 p.c. 405.

Perry, O. T., March 9, 1901.

To the Hon. Secretary,

Washington, D. C.

Sir:-

I am in receipt of a letter from the Hon. Commissioner, addressed to Mego Pusley, which reads as follows:

" Replying to your letter the Commissioner has to inform you that it appears from our record that, at Muskogee, Indian Territory, on November 23, 1900, Mego Pusley appeared before the Hon. Commissioner, and made application for enrollment, as a citizen, by blood, of the Choctaw Nation, and it appeared at that time, after an examination, by the Commissioner, of the records in his possession, that Mego Pusley's name was not upon any of the tribal rolls of the Choctaw Nation in possession of the Hon. Commissioner.

Your Honor, in behalf of Mego Pusley, I will say that he is a full blood Choctaw Indian, belonging to the Choctaw Tribe of Indians and has resided with said tribe for nearly 57 years; that he is unable to read and write the English language and cannot spell his own name; that he was born on the Kiamichi River in said Choctaw Nation and established his residence therein; that the application heretofore submitted instead of containing the name of Mego Pusley, should have contained the name of Mego Pursley, and that the rectification is hereby made, and the mistake arose from the fact that said Mego Pursley cannot speak very plain English, and his name was misquoted.

WHEREFORE, it is hereby asked that the same be reconsidered.

K. H. ...
W. H. ...

Muskogee, Indian Territory, March 20, 1901.

Neah P. Crew,

Perry, Oklahoma.

Dear Sir:

The Commission is in receipt of your letter of the 9th instant addressed to the Honorable Secretary of the Interior and by him referred to this Commission for consideration and appropriate action.

In said letter you call the attention of the Secretary of the Interior to a communication from the Commission to the Five Civilized Tribes addressed to Mego Pusley.

From an examination of our records we are of the opinion that you refer to our letter of the 4th instant replying to the inquiry of Mego Pursley of the 6th of February, 1901.

After statements made by you relative to the application and rights to enrollment of Mego Pusley and as to the mis-spelling of his name, you ask that this application be reconsidered.

Replying to your letter we have to inform you that on March 1st, 1901, the memorandum made by the Commission of the application of Mego Pursley was forwarded to the Secretary of the Interior for his approval of the Commission's action in refusing the application for enrollment of this person as a Choctaw citizen.

Yours truly,

7-M-50.

Acting Chairman.

Choc memo 61

see also MCR 1787

Choc memo 61

MEMORANDUM.

Choctaw Case No. 61

Date **DEC 18 1900**

Name *Mollie Supton*

Age *37*

Post-Office: *Longville Miss.*

Children:

CHOCTAW.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer

Francis

Mollie Hopkins

vs.

Choctaw Nation.

Memoranda Case No. 61

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

MAR 2 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Mollie Hopkins

vs.

Choctaw Nation.

Memorandum case No. 61.

The original testimony and all papers filed in this case have this day been transferred to and made a part of the application of Mollie Hopkins as a Mississippi Choctaw, M.C.R. 1787, in accordance with instructions of Commissioner of Indian Affairs, August 3, 1901.

W. M. Beal

October 15, 1901.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Hattiesburg, Mississippi, December 18, 1900.

In the Matter of the Application of Mollie Hopkins et al
as citizens of the Choctaw Nation.

Mollie Hopkins, being first duly sworn by Acting Chairman
Bixby, testified as follows:

By Mr. Bixby:

- Q What is your name? A Mollie Hopkins.
Q What is your age? A 59 years.
Q What is your postoffice address? A Longville, Mississippi.
Q Do you live at or near Longville? A Yes, within about a mile and
a half of Longville.
Q How long have you lived there? A I have lived in Mississippi all
my life.
Q Have you ever lived in the Indian Territory? A No sir.
Q Have you ever made application--are you now making application for
enrollment as a Choctaw Indian by blood? A Yes sir.
Q Are you married? A No, I have been married twice. and my husbands
is dead. I havn't any husband now.
Q Have you any children under 21 years of age and unmarried? A No,
I have two sons that 20 years old; the oldest is about 30; that is
all the children I have.
Q Are they both over 21 years? A Yes sir.
Q Do their names appear upon any of the tribal rolls of the Choctaw
Nation in the Indian Territory? A No, I reckon not.
Q Did you ever make application to the tribal authorities of the
Choctaw Nation in the Indian Territory for citizenship?
A No sir.
Q Did you, or did anyone in your behalf, make application to the Com-
mission to the Five Civilized Tribes in the year 1896, for citi-
zenship in the Choctaw Nation, Indian Territory? A Well, yes; we
had a little; we went before the square and testified about our
blood and the Injun and it was sent over there, but we never got o
over there; we never got a return about it.
Q You never heard anything about it in any form? A No, never heard
nothing more about it.
Q It didn't get to the Commission, did it? A No, I don't reckon it
did.
Q You never appealed the case to the United States court? A No sir
Q Then you was not admitted by a judgment of the United States court
in the Indian Territory on appeal from the decision from the tribal
authorities of the Choctaw Nation or of this Commission? A No.
wh thought we would go over and tend to it, and they said for us
to come to the Mississippi Court; not to come there.

A copy of the decision of this Commission relative to
this application will be furnished you, mailed to your
present postoffice address.

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Frances R. Brown, having been first duly sworn upon her
oath states that as stenographer to the Commission to the Five Civil-
ized Tribes, she reported in full all proceedings had in the above
entitled cause on the 18th day of December, 1900, and that the above
and foregoing is a full, true and correct transcript of her stenograph-
ic notes, of said proceedings on said date.

Frances R. Brown
Subscribed and sworn to before me this 5th day of
January, 1901.

John G. Lieber

Notary Public.

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

In the matter of the application of Mollie Hopkins for enrollment as a citizen of the Choctaw Nation.

D E C I S I O N.

The applicant in this case, Mollie Hopkins, on December 18, 1900, appeared before the Commission at Hattiesburg, Mississippi, and made application for enrollment as a citizen of the Choctaw Nation. It appears that the applicant is not now and has never been enrolled by the tribal authorities of the Choctaw Nation; that her name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that she was not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of Mollie Hopkins for enrollment as a citizen of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

JAN 19 1901


Acting Chairman.

Choc memo 62

See also mcr 1785

Choc memo 62

MEMORANDUM.

Choctaw Case No. 62.

Date DEC 18 1900

Name James Horton

Age 32

Post-Office: Longville Miss

Wife: W. W. Horton

Age 32.

Children:

Jesse Horton 11

Robert Horton 10

Lucy Horton 8

Fannie Horton 6

Ira Horton 4

Violet Horton 2

Eli Horton 1

CHOCTAW.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer

Francis P. Brown

James Horton et al.

vs.

Choctaw Nation

Memoranda Case No. 62

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

MAR 2 1901

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

*Aug 3 1901 Remanded by
Gov. of Okla. with
instructions
concerning*

James Horton et al

vs.

Choctaw Nation.

Memorandum case No. 62.

The original testimony and all papers filed in this case have this day been transferred to and made a part of the application of James Horton et al. as Mississippi Choctaws, M.C.R. 1785, in accordance with instructions of Commissioner of Indian Affairs, August 3, 1901.



October 15, 1901.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Hattiesburg, Mississippi, December 18, 1900.

In the Matter of the Application for Enrollment as Citizens of the Choctaw Nation of James Horton et al.

James Horton having been first duly sworn by Acting Chairman Bixby, testified as follows:

By Mr. Bixby:

- Q What is your name? A James Horton.
Q How old are you? A 32 years.
Q What is your postoffice address? A Longville, Mississippi.
Q Do you live in or near Longville? A Yes sir.
Q How long have you lived at your present home? A Four years.
Q Where did you live before that? A I have lived in the immediate settlement all my life.
Q Did you ever live in the Indian Territory? A Never did.
Q Are you now making application for enrollment as a Choctaw Indian by blood? A I am.
Q Are you married? A Yes sir.
Q Do you make any claim on behalf of your wife? A Yes sir.
Q Is your wife a white woman? A Yes sir.
Q Do you claim she is an intermarried citizen of the Choctaw Nation?
A Yes sir.
Q What is her name? A Annie.
Q How old is she? A She is 32 years.
Q Does she live with you at Longville? A Yes sir.
Q How long has she lived in Mississippi? A All her life.
Q Have you your marriage certificate? A No, I have not; I have a record. I have the family bible.
Q When were you married? A Lee county Mississippi.
Q When? A July 5, 1888.
Q Have you any children? A Yes sir.
Q Do you make application in their behalf? A Yes sir.
Q For enrollment as Choctaw Indians by blood? A Yes sir.
Q What are their names and ages? A Jesse, born May 1, 1889, Robert, born December 3, 1890, Lucy born Sept. 22, 1892, Fanny, born Oct. 16, 1894, Ira born Feb. 10, 1896, Violet, born Apr. 4, 1898 and Eli born Dec. 25, 1899.
Q Does your name or the name of your wife, or the names of any of your children for whom you make application, appear on any of the rolls of the Choctaw Nation in the Indian Territory? A No.
Q Did you ever make application to the tribal authorities of the Choctaw nation for citizenship? A No, not to the proper authorities.
Q Did you or did anyone in your behalf, or in the behalf of your wife or minor children, make application to the Commission to the Five Civilized Tribes in 1896 under the act of Congress of June 10, 1896, for citizenship as a Choctaw Indian in the Indian Territory?
A No sir.
QQ Were you or your wife or your children, or any of them, admitted by a judgment of the United States court for the Indian Territory on appeal from the tribal authorities of the Choctaw Nation, or of this Commission, to citizenship in the Choctaw Nation, Indian Territory? A No sir.

You will be furnished with a copy of the decision of this Commission relative to this application, mailed to your present post office address.

-----o-----
Frances R. Brown having been first duly sworn upon her

2- Horten.

oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 18th day of December, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 5th day of
January, 1901.

John G. Sieber

Notary Public.

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

In the matter of the application of James Horton for the enrollment of himself, and for the enrollment of his minor children, Jesse, Robert, Lucy, Fanny, Ira, Violet and Eli, as citizens by blood of the Choctaw Nation.

D E C I S I O N .

The applicant in this case, James Horton, on December 18, 1900, appeared before the Commission at Hattiesburg, Mississippi, and made application for the enrollment of himself, and for the enrollment of his minor children, Jesse, Robert, Lucy, Fanny, Ira, Violet and Eli, as citizens by blood of the Choctaw Nation. It appears that the applicants are not now and have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 20, 1896, or by Judgment of the United States Court in Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of James Horton for the enrollment of himself and minor children, Jesse, Robert, Lucy, Fanny, Ira, Violet and Eli, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

JAN 19 1901


Acting Chairman.

Choc memo 63

see mCR 5219

Choc memo 63

CHOCTAW,

No. 63

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

MEMORANDUM.

In the Matter of the
Application for Enrollment of

Jesse D. Horton, et al.
CANCELLED

APR 17 1902

Ind R. ... to be considered

As citizen of the CHOCTAW Nation.

Refused *Jan 19 1901* under the Act of
Congress of May 31, 1900.

Muskogee, I. T., *Mar 2* 1901

Respectfully forwarded to the Secretary of
the Interior for review.

Chas. E. ...
Acting Chairman.

Choc memo 64

see mcr 1789

Choc memo 64

MEMORANDUM.

Choctaw Case No 604

Date DEC 18 1900

Name Nancy Coggins

Age 42

Post-Office: Longville, Miss

Father John Hoodbridge

Mother ^{Rebed} Susan Hoodbridge

Husband John Coggins

Children:

Rollie 20

John 19

Oliver 16

Robert 11

Walter 12

Myrtle 10

Ella 7

Pauline 5

William 2

Viola 1

CHOCTAW.

REFUSED.
MAY 31, 1900.
MAYOR ADUM.

Stenographer

Francis Brown.

Nancy Coggins et al.

vs.

Choctaw Nation.

Memoranda Case No. 64

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

MAR 2 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Ch...

of

here

app.

Nancy Coggins et al.

vs.

Choctaw Nation.

Memorandum case No. 64.

The original testimony and all papers filed in this case have this day been transferred to and made a part of the application of Nancy Coggins et al. as Mississippi Choctaws, M.C.R. 1789, in accordance with instructions of Commissioner of Indian Affairs, August 3, 1901.

W. O. Beall

October 15, 1901.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Hattiesburg, Mississippi, December 18, 1900.

In the Matter of the Application of Nancy Coggins et al
for enrollment as citizens of the Choctaw Nation.

Nancy Coggins, being first duly sworn by Acting Chairman
Bixby, testified as follows:

By Mr. Bixby:

- Q What is your name? A Nancy Coggins.
Q What is your age? A 42 years.
Q What is your postoffice address? A Longsville, Mississippi.
Q Do you live at Longsville? A I live between Ratliff and Longville
but we have our mail at Longsville.
Q How long have you lived in Mississippi? A I have lived there all
my life except the two years I lived in the Territory.
Q When did you live in the Territory? A I lived there one year about
six years ago, and one year before that I lived there a year.
Q You have been living in Mississippi for the last six years? A Yes
we come back over six years ago.
Q You have lived in Mississippi all your life except the two years
when you were in the Territory? A Yes sir.
Q You now wish to make application for enrollment as a Choctaw In-
dian by blood, do you? A Yes sir.
Q What is your father's name? A John Woolridge.
Q Is he living? A No, he died when I was a child.
Q What is your mother's name? A Ann Thompson.
Q Is she living? A Yes sir.
Q Are you married? A Yes sir.
Q Do you make application on behalf of your husband? A Yes sir.
Q What is his name? A John Coggins.
Q Is he an Indian by blood or a white man? A I don't know; he was
raised out, and he don't know himself. It was so claimed he was a
Choctaw.
Q What do you claim? Intermarried citizen of the Choctaw Nation, or
Choctaw Indians? A I don't know; he says he don't.
Q I don't know of you don't. A I don't know either.
Q Why do you apply for him if you don't know what he is? A He says
he don't know either. He was told he was Choctaw; he was raised
an orphan. He don't know.
Q Have you your marriage certificate? A No sir.
Q Have you any children? A Yes sir.
Q Please give their names and ages? A Dolly 20y ears, Sam 19 years
Collie 16,, Talbert 14, Robert 12, Myrtle 10, Meta 7, Callie 5,
Arthur 3 and Volla 1 year.
Q Does your name or the name of your husband, or the names of any of
your minor children for whom you make application, appear upon
any of the tribal rolls of the Choctaw Nation in the Indian Terri-
tory? A Was you speaking to me?
Q Yes, who do you suppose I was speaking to? A I don't understand
you.
Q (repeated.) A Yes--no-- he was my grandpa.
Q Did you or your husband ever make applic ation to the tribal au-
thorities of the Choctaw nation in your own behalf or on behalf of
your children, for citizenship in the Choctaw Nation? A Yes.
Q When? A A few years ago, but ma didn't get it fixed up for us.
She didn't get them in right.
Q You did make application to the Choctaw authorities? A Yes sir.
Q Were you denied? A She didn't carry our names over to the country.
Q Where did she carry them? A She didn't carry them at all I don't
recker.

2-Coggins.

- Q What became of them? A I don't know.
- Q Did you or did anyone in your behalf, or on behalf of your husband or minor children, make application to the Commission to the Five Civilized Tribes in 1896, for citizenship in the Choctaw Nation, in the Indian Territory? A Yes.
- Q What action did the Commission take? A We sent our papers over there; ma never had them fixed up
- Q Did you or did you not make application to the Commission to the Five Civilized Tribes? The Dawes Commission? A Well, we had it fixed up and had it sent out to make application.
- Q What action did the Commission take? A I don't know.
- Q Were you, or any of the persons for whom you make application at this time, admitted by a judgment of the United States Court in the Indian Territory, on appeal from the decision of the tribal authorities of the Choctaw Nation or of this Commission?
- A (No answer.)
- Q Did the United States court admit you or your husband or children to citizenship in the Choctaw Nation? A No sir.
- Q Is there any additional statement which you desire to make at this time in behalf of this application? A No sir.

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You will be furnished with a copy of the decision of the Commission, mailed to your present postoffice address.

Frances R. Brown having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 18th day of December, 1900, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 5th day of January, 1901.

Wm G. Lecher

Notary Public.

Choc memo 65

see MCR 1649

Choc memo 65

MEMORANDUM.

Choctaw Case No. *65*

Date **DEC 18 1900**

Name *Eus Hooldridge*

Age *44*

Post-Office: *Ratliff, Miss*

Wife: *Julia Hooldridge*

Children: *William W. 20*
James 18
Viola 17
Laureton M. 13
Artie 9
Otis 8
Lilliah 6
John 3

CHOCTAW.

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

Stenographer

Frances C. Brown

Gus Wooldridge et al.

vs.

Choctaw Nation.

Memoranda Case No. 65

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

MAR 2 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
MAR 2 1901*

Gus Wooldridge et al

vs.

Choctaw Nation.

Memorandum case No. 65.

The original testimony and all papers filed in this case have this day been transferred to and made a part of the application of Gus Wooldridge et al as Mississippi Choctaws, M.C.R. 1649, in accordance with instructions of Commissioner of Indian Affairs, August 3, 1901.

W. C. Deere

October 15, 1901.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Hattiesburg, Mississippi, December 18, 1900.

In the Matter of the Application of Guss Woolridge et al
for enrollment as citizens of the Choctaw Nation.

Gus Woolridge having been first duly sworn, by Acting
Chairman Bixby, testified as follows:

By Mr. Bixby:

- Q What is your name? A Guss Woolridge
Q What is your age? A 44 years.
Q What is your postoffice address? A Ratliff, Mississippi.
Q Do you live at or near Ratliff? A About 3 miles east.
Q How long have you lived at your present home? A Been living there
in the neighborhood of 22 years.
Q Did you ever live in the Indian Territory? A No sir.
Q You are now making application for enrollment as a Choctaw Indian
by blood, are you? A Yes sir.
Q What is your mother's name? A A M. Woolridge-Thompson.
Q Is she living? A Yes sir.
Q How much Indian blood do you claim to have? A 1/4.
Q Do you claim your Indian blood through your mother or father?
A My mother.
Q Are you married? A Yes sir.
Q What is your wife's name? A Julia Woolridge.
Q How old is she? A She was born in 1860.
Q Are you desirous of making application in her behalf? A Yes sir.
Q What do you claim her to be? A She is a white woman.
Q You claim then, I presume, that she is an intermarried citizen of
the Choctaw Nation? A Yes sir.
Q Where does she live? A Lives right there with me at Ratliff.
Q How long has she lived there? A Born and raised within two miles
of the place.
Q Never lived in the Indian Territory? A No sir.
Q Under what law were you married? A Under the law of Mississippi.
Q Have you your marriage certificate with you? A No, I didn't get
it; it is on the records at Fulton.
Q Have you any children? A Yes sir.
Q Under 21 years old and unmarried? A I have 2 married, and I have 7
Q Do you wish to make application for your children? A Yes sir.
Q What are the names and ages of those under 21 years?
A William A., born July 19, 1880, Susanna, born Mch. 14, '82
Viola born Dec. 23, '83 Quinton M., born Arp. 25, '83, Autie born
Feb. 19, '91 Otis born Dec. 12, '92, Lillian born Dec. 31, '94 and
John born Feb. 18, '97.
Q These children are living with you at your home? A Yes sir.
Q Have either you or your wife or your children ever been enrolled
by the tribal authorities of the Choctaw Nation in the Indian Ter-
ritory? A No sir.
Q Were you or your wife or your children, or either of them, admitted
to citizenship in the Choctaw Nation in the Indian Territory upon
the decision of the Five Civilized Tribes acting under the law
of June 10, 1896? A No, we didn't get in. apply to
Q Did you or your wife or your children or either of them, ~~applied to~~
the tribal authorities of the Choctaw Nation or the authorities of
the United States for citizenship in the year 1896? A We sent our
names up, but they didn't go before the Commission.
Q To the Choctaw tribal authorities? A No.
Q Sent them to the Dawes Commission? A I sent them to my mother
here, and she didn't get them in.
Q Your names were not presented? A No sir.
Q Were you or your wife, or your children or either of them admitted

2-Woolridge.

- to citizenship by a judgment of the United States court in the Indian Territory, acting under the law of June 10, 1896? A No sir.
- Q Then neither you nor your wife nor your children have ever been recognized in any way, either by the tribal authorities of the Choctaw Nation or by the authorities of the United States as citizens of the Choctaw Nation A No sir.
- Q Is there any additional statement that you would like to make in support of this application? A No sir, I don't know there is.
- You will be furnished with a copy of the decision of the Commission, mailed to your present postoffice address.

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Frances R. Brown, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 18th day of December, 1900, and that the above and foregoing is a full, true and correct transcript of her shorthand notes of said proceedings on said date.

Frances R. Brown

Subscribed and sworn to before me this 5th day of January, 1901.

John E. Lieber

Notary Public.

Choc memo 66

Choc memo 66

7-4-68

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, I. T. January 11, 1901.

In the matter of the application of James McClary for enrollment as a citizen by blood of the Choctaw Nation. James McClary being duly sworn by the Commission, testified as follows:

MEMORANDUM.

Examination by the Commission.

- Q What is your name? A James McClary.
Q How old are you? A I am sixty.
Q What is your post-office address? A Ward.
Q Indian Territory? A Yes sir.
Q How long have you lived in the Indian territory.
A Twelve or fifteen years.
Q In the Choctaw Nation? A Yes sir.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Are you making application for any one besides yourself?
A I am for my children.
Q How many children have you under 21 years of age and unmarried? A Nary one.
Q We cannot hear your application for them. They must apply for themselves. A My children are all of age.
Q They will have to apply for themselves. The regulations of the Department require that each and every applicant for enrollment must present himself in person before the Commission at one of its appointments for examination under oath so that a sufficient statement can be taken upon which the Commission can determine his right to enrollment and such record and action of the Commission will be preserved and transmitted to the Secretary of the Interior when the rolls made by the Commission are transmitted to the Secretary of the Interior for his approval. If they are over 21 years old they will have to apply for themselves in person. You have no children under twenty one years of age? A No sir.
Q You are making this application for yourself alone? A Yes sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that nation? A Yes sir.
Q When? A Ever since I have been there.
Q Been recognized by the Choctaw tribal authorities, by any act of council? A They never have made me pay any permits or nothing of that kind.
Q But have they ever recognized you as a citizen. Have you ever been admitted to citizenship by an act of their Council? A No sir.
Q Did you ever apply to the Choctaw tribal authorities for enrollment as a Choctaw? A Never did.
Q Is your name on any of the tribal rolls of the Choctaw Nation? A If it is I don't know it.

Tribal rolls of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

James McClary 2

Q Did you make application to the Commission to the Five Civilized Tribes for citizenship in the Choctaw Nation in 1896 under the act of Congress of June 10th, 1896? A Yes sir, I made that.

Q You made application in 1896 did you? A Yes sir.

Q What action did the Commission take as to your application? A I was rejected.

Q Did you appeal? A No sir.

The records of the Commission examined of cases heard under the act of Congress of June 10th, 1896, and on citizenship docket C, page 420 Choctaw case No. 1330 appears the application of James M. McClary. Original petition in this application having been filed September 9th, 1896. The answer of the Choctaw Nation was filed thereto and on December 8th, 1896, the Commission rendered a decision denying the application of James M. McClary and the parties to said application for citizenship in the Choctaw Nation. There is no record of any appeal having been taken from the decision of the Commission in the time prescribed by law.

Q Your full name is James M. McClary? A Yes sir.

Q Your wife's name is Melinda McClary? A Yes sir.

Q You did not take an appeal from the decision of the Commission in 1896? A No sir, I didn't have the money.

Q No appeal having been taken from the decision of the Commission in the time prescribed by law, the decision of the Commission you in 1896 became final.

You will be furnished with the decision of the Commission in the matter of your application for enrollment as a citizen of the Choctaw Nation in the near future through the mail.

Myra Young, having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 11th day of January, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

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

Guy L. Emerson
Acting Chairman.

MEMORANDUM.

Choctaw Case No. #

Date *Jan'y, 11, 1901.*

Name *James Mc. Clary.*

Age *60.*

Post-Office: *Ward, I. T.*

REFUSED.

MEMORANDUM.

Children:

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

FILED

JAN 11 1901



ACT'G. CHAIRMAN

Stenographer *Myra Young.*

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

In the matter of the application of James McClary for enrollment as a citizen by blood of the Choctaw Nation.

D E C I S I O N.

The applicant in this case, James McClary, on January 11, 1901, appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a citizen by blood of the Choctaw Nation. It appears that the applicant is not now and has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was not admitted to citizenship by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of James McClary for enrollment as a citizen by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.


Acting Chairman.

JAN 19 1901

COPY.

Muskogee, Indian Territory, January 31, 1901.

James McClary,

ward, Indian Territory.

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise this Commission in writing and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw Nation are sent to him for approval.

Yours truly,

(SIGNED) *Wm. H. Long*

Acting Chairman.

Enc u u

7-M-66

Reg. mail.

James McClary

vs.

Choctaw Nation

Memoranda Case No. 66

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

MAR 2 1901

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

(COPY)

Refer in reply to the following:

Land
15347 - 1901.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 3, 1901.

The Honorable,

The Secretary of the Interior.

Sir:-

Herewith is forwarded memorandum of the Commission to the Five Civilized Tribes in the matter of the application of James McClary for enrollment as a citizen of the Choctaw nation. An examination was had before the commission at Muskogee, Indian Territory, on January 11, 1901, the application denied and this memorandum comes up for review by the Department.

The examination of Mr. McClary discloses the fact that he is 60 years of age and is a resident of Ward, Indian Territory, and claims to be entitled to enrollment as a Choctaw by blood; that he is not on any of the rolls of the Choctaw nation, and has never been admitted to citizenship. He also states that he made application to the Dawes Commission for enrollment in 1896 and as a result was rejected.

The statement of the commission is to the effect that the name of James McClary does not appear on any of the official rolls of citizenship of the Choctaw nation in the possession of the commission, and that he did apply to the commission in 1896, the record of his application appearing in Docket C, page 420, case No. 1330; that the application was denied and no appeal taken therefrom, and that, therefore, the commission had no jurisdiction to enroll the applicant.

CHOCOTAW. M C

All rights to be heard in this letter proceeding and it is the

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

FILED

OCT 25 1901



ACTING CHAIRMAN.

*Original letter ---
See Exhibit 1*

The law governing the enrollment of citizens of the Choctaw nation is found in the Indian Appropriation Act, approved May 31, 1900, and reads as follows:

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

Under the law given herein, persons, in order to secure enrollment before the Commission at the time this applicant appeared, were required to have been previously enrolled by either the tribal authorities of the Choctaw nation or the Commission while acting under a law passed in 1896. It appears that Mr. McClary was never enrolled by the tribal authorities, and that he did make application before the commission in 1896; that his application was at that time refused after a hearing, and that while there was available to him the right of appeal to the United States Court, he did not avail himself of that right, and the judgment of the commission, therefore, became final. He has lost all right to be heard in this latter proceeding and it is the opinion of this office that the judgment of the commission in rejecting the application was correct.

It, therefore, recommends that the decision of the commission be approved, and that proper notice of that fact be served upon the party.

Very respectfully,

Your obedient servant,

E.S.S. (Ba)

Commissioner.

(COPY)

D. C. No. 13915-1901.

L.R.S.

50546

F.

Department of the Interior,
Washington.

September 11, 1901.

I.T.D. 3358-1901.

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

Gentlemen:-

On August 3, 1901, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of James McClary for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the matter be approved.

You refused said application under the act of May 31, 1900, for the reason that applicant is not duly enrolled or admitted to citizenship in said nation.

The Department affirms your decision and you will so advise the applicant. A copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

7-1066

COPY.

Muskogee, Indian Territory, October 3, 1901.

Mr. James McClary,
Ward, Indian Territory.

Dear Sir:

On January 11, 1901 you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. On January 19, 1901, after a consideration of said application, the Commission refused you enrollment as a citizen of the Choctaw Nation and a copy of such decision was mailed to you to your post office address, January 31, 1901.

On March 2, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on August 3, 1901, the Secretary of the Interior concurred in the decision of the Commission refusing your application for enrollment as a citizen by blood of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamoc Dixey*
Acting Chairman.

7- M. 632

Choc memo 67

Choc memo 67

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskegee, I. T. January 11, 1901.

7-M-67

In the matter of the application of Samuel Madison Firestone for the enrollment of himself as an intermarried citizen of the Choctaw Nation and his wife and two children as citizens by blood of the Choctaw Nation.

MEMORANDUM.

Samuel Madison Firestone being duly sworn by the Commission, testified as follows:

Examination by the Commission.

- Q What is your name? A Samuel Madison Firestone.
Q How old are you? A Thirty seven.
Q What is your post-office address? A Tucker, Indian Territory.
Q Is that in the Choctaw Nation? A Yes sir.
Q How long have you lived in the Choctaw Nation? A About seventeen years.
Q You are making application for enrollment as a citizen by blood of the Choctaw Nation? A No sir, as an intermarried citizen
Q Are you married to a citizen of the Choctaw Nation? A They proved the blood.
Q When? A They proved the blood and were rejected.
Q Then they didn't prove it did they? A The Notary Public taking the testimony said it was sufficient to hang a man. We had evidence of Indians. A great aunt of my wife's is enrolled.
Q You are applying them as an intermarried citizen and your wife and children as citizens by blood of the Choctaw Nation? A Yes sir.
Q What is your wife's name? A Linnie Firestone.
Q Were you ever married to her in accordance with the Choctaw law? A No sir, I married her under the United States Laws.
Q She was a citizen of the Choctaw Nation at the time you married her? A She wasn't claimed as a citizen. She claimed it.
Q She was a resident of the Choctaw Nation? A Yes sir.
Q Have you any children? A Yes sir.
Q How many? A Two.
Q What are their names and ages? A The oldest one Myrtle Modenia.
Q How old is she? A Seven.
Q What is the name of the next one? A Mary, two years old.
Q How old is your wife? A My wife is about 28.
Q Did you ever make application for the enrollment of yourself your wife and your children prior to this time? A No sir, I never did.
Q Have you ever made application to the Choctaw tribal authorities for the enrollment of yourself, your wife or your children? A No sir.
Q Have you ever been enrolled by the Choctaw tribal authorities either you, your wife or your children, as citizens of the Choctaw Nation? A No sir.

Tribal roll of citizens of the Choctaw Nation in the possession of the Commission, examined and the names of the applicants do not appear thereon.

Q Was any application ever made to the Commission to the Five Civilized Tribes under the act of Congress of June 10th, 1896, for citizenship in the Choctaw Nation of yourself, your wife and your children? A My wife and children was in but I didn't make application myself. Her father made application, you know.

Q When was that? A In 1896.

Q What was her father's name? A James McClary.

Q Were the names of your wife and children included in that application made in 1896? A My wife was in there and one child.

Q One child, Myrtle Firestone, is that right? A Yes sir.

Q Was your name included in that application? A I don't think it was.

The records of the Commission examined of cases heard under the act of Congress of June 10th, 1896, for citizenship in the Choctaw Nation and in citizenship docket C page 422 Choctaw case No. 1330, James M. McClary vs the Choctaw Nation, the original application was filed September 9th, 1896. The answer of the Choctaw Nation was filed thereto and on December 8th, 1896, the Commission denied the application of James M. McClary et. al for citizenship in the Choctaw Nation. The names of Linnie, Myrtle and S. M. Firestone were included in said original application

A I didn't know my name was in it.

Q There is no record of any appeal having been taken from the decision of the Commission in the time prescribed by the act of June 10th, 1896, and the decision of the Commission at that time became final.

You will be furnished with a written decision of the Commission mailed to your present post-office address.

Myra Young having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 11th day of January, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young.

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

Guy L. Emerson
Notary Public.

MEMORANDUM.

Choctaw Case No _____
Date *Jan'y 11, 1901.*
Name *Samuel M. Firestone.*
Age *37.*
Post-Office: *Tucker, I. T.*

WIFE:

Linnie Firestone, 28

Children:

Myrtle M. Firestone 7.
Mary Firestone 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JAN 11 1901



Stenographer *Myra Young.*

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

In the matter of the application of Samuel Madison Firestone, for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Linnie, and two minor children, Myrtle Modenia and Mary, as citizens by blood of the Choctaw Nation.

DECISION.

The applicant in this case, Samuel Madison Firestone, on January 11, 1901, appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Linnie, and two minor children, Myrtle Modenia and Mary, as citizens by blood of the Choctaw Nation. It appears that the applicants are not now and have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that they were not admitted to citizenship by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the Act of Congress approved June 10, 1896, or by judgment of the United States Court in Indian Territory on appeal.

The Act of Congress of May 31, 1900, provides:

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

Under the provision of law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of Samuel Madison Firestone, for enrollment as an intermarried citizen, and for the enrollment of his wife, Linnie, and two minor children, Myrtle Modenia and Mary, as citizens by blood of the Choctaw Nation, be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory.

Acting Chairman.

JAN 19 1901

COPY.

Muskogee, Indian Territory, January 31, 1901.

Samuel Madison Firestone,
Tucker, Indian Territory.

Dear Sir:

There is enclosed you herewith a copy of the judgment of the Commission refusing your application for enrollment as a inter-married citizen of the Choctaw nation and the application made by you on behalf of your wife, Linnie Firestone and your two minor children, Myrtle Modenia and Mary Firestone for enrollment as citizens by blood of the Choctaw Nation.

If you desire to have your case presented to the Secretary of the Interior, you will so advise this Commission in writing and the same will be forwarded when the memoranda of applicants who have been refused enrollment as citizens of the Choctaw nation are sent to him for approval.

Yours truly,

Tams Dixey

Acting Chairman.

Enc v v

7-M-67

Reg. mail.

Samuel M. Firestone et al.

vs.

Choctaw Nation.

Memoranda Case No. 67

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

MAR 9 1901

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

(COPY)

Refer in reply to the following:

Land
15347 - 1901.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 7, 1901.

The Honorable,

The Secretary of the Interior.

Sir:

With this letter is forwarded memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Samuel Madison Firestone, for enrollment as an intermarried citizen, and for the enrollment of his wife, Linnie, and two minor children, Myrtle Modenia and Mary Firestone as citizens by blood of the Choctaw nation. A hearing was had on this application at Muskogee, Indian Territory, January 11, 1901, the application refused and this memorandum forwarded for Departmental review.

The testimony of Samuel Madison Firestone shows that he is a resident of Tucker, Indian Territory, and has resided in the Choctaw nation for 17 years. That he claims the right to enrollment as an intermarried citizen, and in behalf of his wife and minor children the right to enrollment as citizens by blood of the Choctaw nation; that he, nor his wife nor children had ever been enrolled by any of the authorities which have been charged with the enrollment of Choctaw citizens.

The statement of the commission is to the effect that the names of the applicants do not appear on any of the official rolls of the Choctaw nation, which were in the hands of the commission at

CHOCTAW. *M 67*

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

FILED

OCT 4 1901



ACTING CHAIRMAN.

*Original letter in
Gen Off. files.*

that time, and that, therefore, it had no jurisdiction to enroll them.

The law governing the enrollment of citizens of the Choctaw nation is found in the Indian Appropriation Act, approved May 31, 1900, and reads as follows:

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

The facts disclosed by the examination show that none of the parties have ever been enrolled as citizens of the Choctaw nation, and it is also disclosed that in the application made by James M. McClary, et al., for citizenship in the Choctaw nation, to the commission under the Act of Congress of June 10, 1896, the names of S. M. Firestone, his wife, Linnie, and minor child, Myrtle, were included in said original application; that on this application enrollment was refused; that no appeal was taken from the decision of the commission, which thereupon became conclusive, and, therefore, the claims were adjudicated to a finality in 1896.

It is the judgment of this office that the finding of the commission was correct, and it recommends that that finding be approved and that notice of that approval be given the parties.

Very respectfully,

Your obedient servant,

E.S.S. (Ba)

A. C. Tonner,

Acting Commissioner.

(COPY)

D. C. No. 14179 - 1901.

52400.

L. R. S.

F.

Department of the Interior.

Washington.

September 21, 1901.

I.T.D. 3592-1901.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

On August 7, 1901, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for the enrollment of Samuel Madison Firestone, his wife Linnie Firestone, and their children Myrtle Modenia and Mary Firestone, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application under the act of May 31, 1900, because none of the persons named has ever been enrolled or admitted to citizenship in said nation.

The Department affirms your decision, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos. Ryan
Acting Secretary.
E.M.D.

1 inclosure.

7-11-67

COPY

Muskogee, Indian Territory, October 4, 1901.

Mr. Samuel Madison Firestone,
Tusker, Indian Territory.

Dear Sir:

On January 11, 1901, you made application to this Commission for the enrollment of yourself and your two minor children, Myrtle Madelia Firestone and Mary Firestone, as citizens by blood of the Choctaw Nation, and for the enrollment of your wife, Linnie Firestone as a citizen by intermarriage of the Choctaw Nation. On January 19, after a consideration of said application the Commission refused the enrollment of yourself and your family as citizens of the Choctaw Nation and a copy of such decision was mailed to you to your post office address January 31, 1901.

On March 2, 1901 there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application and the action of the Commission thereon, and on August 7, 1901 the Secretary of the Interior concurred in the decision of the Commission refusing the application of yourself and children for enrollment as citizens by blood of the Choctaw Nation, and of your wife as a citizen by intermarriage of the Choctaw Nation.

The action of the Commission and of the Secretary

S. M. P.--2.

of the Interior as to such application is final.

Yours truly,

(SIGNED) *James S. Gandy*

V- M. 67.

Acting Chairman.

[The following text is extremely faint and illegible due to the quality of the scan. It appears to be a multi-paragraph letter or report.]

COPY:

Muskegee, Indian Territory, October 18, 1901.

Mr. Samuel L. Firestone,
Tucker, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 13th instant, calling attention to an error in a communication forwarded you on October 4, 1901, relative to the application for the enrollment of yourself and minor children as citizens by blood of the Choctaw Nation, and for the enrollment of your wife, Linnie Firestone, as a citizen by intermarriage of the Choctaw Nation.

You are informed that the statement, that you applied for enrollment as a citizen by blood of the Choctaw Nation, and your wife, Linnie, as a citizen by intermarriage, was a clerical error.

The action of the Secretary of the Interior, confirming the decision of this Commission refusing the enrollment of your wife and two children as citizens by blood of the Choctaw Nation, and yours as a citizen by intermarriage of that tribe is final.

Yours truly,

(SIGNATURE)

James D. Dwyer

Acting Chairman.

EMPTY

Choc memo 70

Choc memo 70

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Colbert, Ind.Ter., June 12, 1900.

In the Matter of the Application of :
CHARLEY C. YEISER for Enrollment as :
a Citizen by blood, of the Choctaw :
Nation. :
-----:

R-578
7-11-10

Charley C. Yeiser, being first duly sworn by Acting Chairman ~~Bar~~
by, testified as follows:

- Q What is your name? A Charley C. Yeiser.
Q What is your age? A 46 years.
Q What is your postoffice address? A Colbert, Ind. Ter.
Q Have you ever been recognized by the tribal authorities of the
Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw
Nation as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear on the tribal rolls of the Choctaw Nation?
A No sir.
- The tribal rolls of the Choctaw Nation examined and
the name of Charley C. Yeiser not found thereon.
- Q Were you admitted by the Commission to the Five Civilized Tribes
as a citizen of the Choctaw Nation under the Act of Congress approved
June 10, 1896? A No sir.
- The citizenship record of the Commission to the Five
Civilized Tribes, under Act of June 10, 1896, examined
and the name of Charley C. Yeiser not found thereon.
- Q Were you admitted by the United States Court for the Indian Terri-
tory upon an appeal from the Commission to the Five Civilized Tribes
as a citizen of the Choctaw Nation, under the Act of June 10, 1896?
A No sir.

The court records examined and the name of Charley
C. Yeiser not found to have been admitted by a judg-
ment of the United States Court for the Indian Terri-
tory.

-----o-----

Your application for enrollment as a citizen of the
Choctaw Nation is refused for the reason that, under
the Act of Congress approved May 31, 1900, The Indian
Appropriation Bill, this Commission has no authority
to receive, consider or make any record of the appli-
cation of any person for enrollment of any tribe in
the Indian Territory, as a citizen thereof, who has
not been recognized as a citizen thereof, and duly en-
rolled or admitted as such. Said law further provides
that the refusal of this Commission to entertain your
application, shall be final, when approved by the
Secretary of the Interior.

In the event that you should desire to appeal from this
decision to the Secretary of the Interior, you are at
liberty to do so, and this Commission will transmit
this decision refusing your application, together with
any argument in support of such appeal as you may
desire to transmit to the Hon. Secretary of the Inter-
ior.

Frances R. Brown, being first duly sworn, says that as stenog-

D. G. Yeiser.

refer to the Commission to the Five Civilized Tribes, she reported in full the testimony of the above named witness, and that the foregoing transcript is a true and complete transcript of all the evidence submitted by said witness in the above case.

Francis R. Brown

Subscribed in my presence and sworn to before me this
12th day of June, A. D., 1900.

[Signature]
Acting Chairman.

(COPY)

Refer in reply to
the following:
Land
30506-1900.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.

Washington, June 30, 1900.

The Honorable
The Secretary of the Interior.

Sir:

I have the honor to acknowledge receipt of Departmental letter of June 26, 1900, transmitting to this office, for report and recommendation thereon as soon as practicable, a communication from Tams Bixby, Acting Chairman of the Commission to the Five Civilized Tribes, dated the 19th instant, with enclosures relative to the application of Charley C. Yeiser for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the papers that on June 12, 1900, Charley C. Yeiser appeared before the enrolling member of the commission at Colbert, Indian Territory, and made application to be enrolled as a citizen of the Choctaw Nation by blood, whereupon the following record of the case was made:

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Colbert, Ind. Ter., June 12, 1900.

In the matter of the application of:
Charles C. Yeiser for enrollment :
as a citizen by blood, of the Choctaw :
Nation. :
: :
: :

R 578.

Charley C. Yeiser being first duly sworn by Acting Chairman Bixby, testified as follows:

Q. What is your name? A. Charley C. Yeiser
Q. What is your age? A. 46 years.

Q. What is your post-office address? A. Colbert, Ind. Ter.
 Q. Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A. No, sir.
 Q. Have you ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A. No, sir.
 Q. Does your name appear on the tribal rolls of the Choctaw Nation? A. No, sir.

The tribal rolls of the Choctaw Nation examined and the name of Charley C. Yeiser not found thereon.

Q. Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A. No, sir.

The citizenship record of the Commission to the Five Civilized Tribes, under act of June 10, 1896, examined and the name of Charley C. Yeiser not found thereon.

Q. Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes, as a citizen of the Choctaw Nation, under the Act of June 10, 1896? A. No, sir.

The court records examined and the name of Charley C. Yeiser not found to have been admitted by a judgment of the United States Court for the Indian Territory.

Your application for enrollment as a citizen of the Choctaw Nation is refused for the reason that under the Act of Congress approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider, or make any record of the application of any person for enrollment of any tribe in the Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this commission to entertain your application shall be final when approved by the secretary of the Interior.

In the event that you should desire to appeal from this decision to the secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with an argument in support of such appeal as you may desire to transmit to the Hon. Secretary of the Interior.

Frances R. Brown, being first duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes, she is reported in full the testimony of the above named witness, and that the foregoing transcript is a true and complete transcript of all the evidence submitted by said witness in the above case.

Frances R. Brown.

Subscribed in my presence and sworn to before me this 12th day of June, A. D. 1900.

Tams Bixby, Acting Chairman.

At a date not shown, Yeiser, by A. L. Lester, his

attorney, filed an appeal from the action of the commission, maintaining that the commission erred in refusing to receive, consider, or make any record of Yeiser's application for enrollment, and asking that an order be issued to the commission directing it to "not only receive the application of applicant but to receive and file in support thereof and to consider in connection therewith any proof he may desire to offer."

The citizenship attorneys for the Choctaw Nation have filed a brief in reply, insisting that the commission performed its whole duty and that its action was strictly in accordance with the law.

The Indian Appropriation Act approved May 31, 1900 (Public No. 131), contains the following provision relative to the duties of the said Commission to the Five Civilized Tribes:

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

On June 7th, 1900, the said Chairman of the Commission telegraphed to the Secretary asking for a construction of the above quoted language, and in reply the following telegram was sent to him on June 9, 1900:

Telegram seventh instant received. Commission should make memoranda facts and its reasons for refusal to consider or make record of application for any person for enrollment. Its investigation should extend "to all facts necessary to a complete knowledge of applicant's claim." Provision referred to does not enlarge authority of commission "heretofore conferred on it by law" except as to Mississippi Choctaws.

It appears that the said commission did make memoranda of the

C.C.A. (Case)

Commissioner

W.A. Jones

Your obedient servant,
Very respectfully,

There is a case in the same number.

and that the action is supported and discussed to continue to
see for a complaint and I respectfully recommend that the department be
properly equipped to receive and just case which Mr. Jones

The action in this case appears to me to have been eminently
a memorandum of the proceedings.

to make a "record" of the case. If done however, make and preserve

the case, then it declines to receive and make and preserve
hand, the commission determines that it is not a matter of
application and all evidence in support of it.

record of the case and as a matter of course and files a
tion, then it makes what is technically a jurisdictional
or not it has jurisdiction. It is not a matter of course
before it and "considers" the case for enough to determine whether

docket record of all applications or attempted applications filed
matters of enrollment and like any other tribunal it makes a note or

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20250
MAY 18 1981
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION
COMMUNICATIONS SECTION

4 -
facts and its reasons for refusal to consider or make record of application in Zeiser's case. It asked him all the questions necessary to determine whether or not he was entitled to enrollment if the answers given to the questions are true.

The commission is vested with certain judicial powers in matters of enrollment and like any other tribunal it makes a note or docket record of all applications or attempted applications filed before it and "considers" the case far enough to determine whether or not it has jurisdiction. If it determines that it has jurisdiction, then it makes what is technically and legally known as a record of the case and as a matter of course accepts and files the application and all evidence in support thereof. If, on the other hand, the commission determines that it is without jurisdiction of the case, then it declines to receive and file any other papers or to make a "record" of the case. It does, however, make and preserve a memorandum of the proceedings.

Its action in this case appears to me to have been eminently proper. I am unable to perceive any just cause which Mr. Zeiser has for complaint and respectfully recommend that the commission be advised that its action is approved and directed to continue to treaty-like cases in the same manner.

Very respectfully,
Your obedient servant,

W.A. Jones.

Commissioner.

C.C.V. (Lte).

(COPY)

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

July 12, 1900.

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

Gentlemen:

The Department is in receipt of the communication from the Acting Chairman, dated the 19th ultimo, transmitting therewith report of the proceedings had before your Commission at Colbert, Indian Territory, on the 12th ultimo in the matter of the application of Charley C. Yeiser for enrollment as a citizen by blood of the Choctaw Nation, together with a brief on behalf of the applicant in support of his appeal from the decision of your Commission, and also a brief prepared by the attorneys of the Choctaw Nation. You state that said papers are forwarded to the Department at the request of the attorneys of the respective parties for such consideration as they may merit.

Said papers were referred to the Commissioner of Indian Affairs on the 25th ultimo for report and recommendation, and on the 2nd instant the Department received the report from the Commissioner dated the 30th ultimo upon the matter referred.

The Commissioner quotes at length from the record made in said case, and refers to the provision in the Indian Appropriation act for the fiscal year ending June 30, 1901, approved May 31, 1900 (Public No. 131), which provides:

"That said commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for en-

rollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof and duly and lawfully enrolled or admitted as such, and its refusal of such application shall be final when approved by the Secretary of the Interior."

Reference is also made to the instructions to your Commission on June 9th in response to a telegram from the Acting Chairman thereof, as follows:

"Telegram seventh received. Commission should make memoranda of the facts and its reason for refusal to consider or make record of application for any person for enrollment. Its investigation should extend 'to all facts necessary to a complete knowledge of applicant's claim.' Provision referred to does not enlarge authority of Commission heretofore conferred on it by law except as to Mississippi Choctaws."

The Commissioner finds that said instructions were complied with by your Commission, and that its action in said case has been "eminently proper".

He therefore recommends that you be advised that the action of the Commission in said case "is approved and directed to continue to treat like cases in the same manner."

The Department concurs in the recommendation of the Commissioner, and transmits a copy of his said report herewith.

Respectfully,

Thos. Ryan,

Acting Secretary.

Ind. Ter. Div.
2071, 2155-1900.
1 inclosure.

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

In the matter of the application of Charley C. Yeiser for enrollment as a citizen by blood of the Choctaw Nation.

D e c i s i o n .

The applicant in this case, Charley C. Yeiser, appeared before the Commission at Colbert, Indian Territory, June 18, 1900, and there made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears that the applicant is not now and has never been enrolled by the tribal authorities of the Choctaw Nation; that his name does not appear upon any of the rolls of the Choctaw Nation now in the possession of the Commission; that he was never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, acting under the act of Congress approved June 10, 1896, or by judgment of the United States Court in Indian Territory on appeal.

The act of Congress of May 31, 1900, provides:

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

Under the provision of the law above quoted, this Commission is without jurisdiction to consider this application.

It is therefore ordered and adjudged by the Commission that the application of Charley C. Yeiser for enrollment as a citizen by blood of the Choctaw Nation be, and the same is hereby, refused.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.

Muskogee, Indian Territory,

This the twenty-first day of February, 1901.

COPY.

Muskogee, Indian Territory, February 21, 1901.

Charley C. Yeiser,
Colbert, Indian Territory.

Dear Sir:

There is enclosed you herewith, a copy of the decision
of the Commission in the matter of your application for enrollment
as a citizen by blood of the Choctaw Nation.

Yours truly,

(SIGNED) *James Dixby*

Acting Chairman.

Enc r

V-X-70

Reg. mail

Choc memo 71

Trans TO 7-6002 4-16-06

Choc memo 71

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

MEMORANDUM.

In the Matter of the
Application for Enrollment of

Jamie Landrum et al.

As citizen of the CHOCTAW Nation.

Refused DEC 18 1901 under the Act of
Congress of May 31, 1900.

Muskogee, I. T., DEC 30 1901 190

Respectfully forwarded to the Secretary of
the Interior for review.

L. B. Needham
Acting Chairman.

JAN 11 1902

Choc memo 72

Choc memo 72

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T. March 26, 1901.

MEMORANDUM.

In the matter of the application of Willie Lehw for the enrollment of herself and her minor child, Floyd Lehw as citizens by blood of the Choctaw Nation. Willie Lehw being duly sworn by Commissioner Needles testified as follows:

Examination by Commissioner Needles.

Q What is your name? A Willie Lehw.
Q What is your age? A Twenty-two.
Q What is your post-office address? A Bekohito.
Q Who do you desire to apply to have enrolled? A Myself and baby.
Q What is your baby's name? A Floyd Lehw.
Q You claim to be a Choctaw Indian? A Yes sir.
Q You make application then for enrollment as a Choctaw citizen? A Yes sir.
Q Have you ever been recognized by the Choctaw authorities? A No sir.
Q Does your name appear upon any of the rolls of the Choctaw Nation? A No sir.

Tribal rolls in the possession of the Commission examined and the names of neither of the applicants appear thereon.

Q Did you ever apply to the Dawes Commission in 1896? A No sir. I guess so.
Q What was your father's name? A White.
Q Well, his given name? A Jim White.
Q Did he apply? A No sir. My mother did.
Q What is your mother's name? A Mahala Jordan.
Q Did she apply to be enrolled? A I don't know whether she did or not.
Q Where were you born? A Arkansas.
Q How long did you live in Arkansas? A About ten years.
Q When did you remove to the Choctaw Nation? A About ten years ago.
Q Did your father and mother ever live in the Choctaw Nation? A I don't know whether my mother ever did or not.
Q Is your father living? A I don't know.
Q When were you married? A I have been married four years.
Q Where were you married? A In Texas.
Q Have you been living in Texas? A I have been living in the Nation about five years.
Q I thought you said ten? A I come to the Nation about ten year ago.
Q Then went to Texas? A Yes sir, went to Texas and come back.
Q You were married in Texas? A Yes sir.
Q And have been living in the Nation about five years? A Yes sir.
Q Where were your children born? A In Texas one of them and one was born in the Nation. One is dead.
Q What is your husband's name? A Isham Lehw.
Q Is he a citizen of the Choctaw Nation or a white man? A White man.

Willie Lehw 2---

Q You say you made application in 1896 before the Dawes Commission. Do you know what disposition was made of your case?
A No sir, I don't know. I never heard.

Record of applications made to this Commission in 1896 under the act of June 10th, 1896, for citizenship in the Choctaw Nation, examined and the name of Willie Lehw is not found thereon.

Q Have you or your children for whom you make this application ever been admitted to citizenship in the Choctaw Nation by judgment of the United States Court? A No sir.

Record of parties admitted to citizenship in the the Choctaw Nation by judgment of the United States Court on appeal from the decision of the Commission of the decision of the Choctaw tribal authorities, examined and the name of Willie Lehw is not found thereon.

The decision of the Commission as to your application and the application you make on behalf of your minor child for enrollment as citizens of the Choctaw Nation will be mailed to you at your present post-office address.

Myra Young, having been first duly sworn, upon her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 26th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 26th day of March, 1901.

Guy L. Emerson
Notary Public.

MEMORANDUM.

Choctaw Case No. 72

Date March 26, 1901

Name Willie Rehew

Age 22

Post-Office: Bokchito I.T.

Children: Floyd Rehew

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

FILED

MAR 26 1901



ACTING CHAIRMAN

Stenographer Myra Young.

COPY

Muskogee, Indian Territory, December 18, 1901.

Willie Lebew,

Bokchito, Indian Territory,

Dear Madam:

On the 26th day of March, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your minor child, Floyd Lebew, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 521.)

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all

V.L. 2

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

The Commission has, therefore, on this date, decided that yourself and your minor child above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said child as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

T. B. Needles,

By Commissioner in Charge.

Register.
7 M 72

Willie Lehew, et al.

vs.

Choctaw Nation/

Case No. ⁷²

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Refer in reply
to the following:
Land
349-1902.

DEPARTMENT OF THE INTERIOR ,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is forwarded with this letter memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Willie Lehew for the enrollment of herself and her minor child Floyd Lehew as citizens of the Choctaw Nation. On hearing, the application was refused by the Commission, and this memorandum comes up for Departmental review.

From the testimony it appears that not one of the applicants herein has ever been recognized as a citizen of the Choctaw Nation or enrolled or admitted as such.

The Commission states that pursuant to the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), it has no authority to enroll the applicants and the application is therefore refused.

The office concurs in the decision of the Commission and Respectfully recommends its approval.

Very respectfully,
Your obedient servant,
(Signed) A . C. Tonner,
Actg Commissioner.

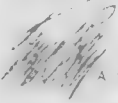
E.S.S.

C

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

FILED

JAN 23 1902



A. T. ING CHAIRMAN

D. C. No. 829-1902.

COPY

L R S

2665

F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.183-1902.

January 11, 1902.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Willie Lehw and her child Floyd Lehw as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application in accordance with the act of May 31, 1902.

The Department affirms your decision in this case, and you will so advise the applicants. Copy of the Acting Commissioner's letter is inclosed herewith.

Respectfully ,

Thos Ryan

Acting Secretary.

FMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 24, 1902.

Willie Lehev,

Bokohito, Indian Territory.

Dear Madam:

On March 26, 1901, you made application to this Commission for the enrollment of yourself and your minor child, Fleyd Lehev, as citizens by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused the enrollment of yourself and your minor child as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of yourself and your minor child as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED) *Tame Birby.*

7 M 72

Acting Chairman.

Muskogee, Indian Territory, February 16, 1908

Ishan Lehev,

Bekchito, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 12th instant relative to the rights to enrollment as citizens of the Choctaw Nation of Willie Lehev and her minor child, Floyd Lehev.

The Commission can render you no further information in this matter than to advise you that its action refusing the enrollment of Willie Lehev and her minor child has been approved by the Secretary of the Interior and that no further evidence in support of such application can be received or considered.

Yours truly,

Commissioner in Charge.

Choc memo 73

Choc memo 73

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskogee, I. T. March 26, 1901.

MEMORANDUM.

In the matter of the application of William Grant Jordan for enrollment as a citizen by blood of the Choctaw Nation. William Grant Jordan being first duly sworn by Commissioner Needles, testified as follows:

Examination by Commissioner Needles.

- Q What is your name? A William Grant Jordan.
Q What is your age? A Forty two.
Q What is your post-office address? A Bokchito.
Q Are you a resident of the Indian Territory? A Yes sir.
Q How long have you resided there? A Permanent in the Indian Territory?
Q Yes. A Going on four years.
Q Where were you born? A Hot Springs County, Arkansas.
Q Did you live in Arkansas until four years ago? A Texas and Arkansas together and part of the time in the Nation.
Q How long have you lived continuously now in the Choctaw Nation? A Going on four years continuously. Steady.
Q Do you apply for enrollment in the Choctaw nation? A Yes sir, I did at Alich.
Q Have you been recognized as a citizen of the Choctaw Nation by the Choctaws? A Yes sir. That's what they claim. They never asked us any permits.
Q Have you ever been recognized by the authorities of the Choctaw Nation? A No sir not by the authorities. They have not identified us.
Q Does your name appear upon any of the rolls of the Choctaw Nation? A No sir, not that I know of.

Tribal rolls of citizens of the Choctaw Nation in the possession of the Commission examined and the name of the applicant does not appear thereon.

- Q Did you apply to the Dawes Commission in 1896? A Yes sir I applied but was a few hours too late getting to them. I applied at Vinita and they written to me that it was too late.
Q No action was taken? A They just writ back to me it was too late. The time was passed. It was the 10th.

Record of applications made to the Commission under the act of June 10th, 1896 for citizenship in the Choctaw nation examined and the name of the applicant does not appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by a judgment of the United States Court in the Indian Territory? A No sir.

Record of parties admitted to citizenship in the Choctaw Nation by judgment of the United States Courts in the Indian Territory, examined and the name of this applicant does not appear thereon.

William Grant Jordan 2-----

Q Have you ever been enrolled? A I guess I was put on the roll at Alichí.

Q Were you before ~~ix~~ any Commission before you were at Alichí?

A The Choctaw Commission many places.

Q You had applied to the Choctaw Commission before? A Yes sir, proof after proof.

Q And were never admitted by the Choctaw authorities? A No sir, they talked favorable but we never got the notices. Our blood has never been denied. It is just negligence. I had been admitted at Council.

Q You mean you had been permitted to go in and talk to the Council? A Yes sir.

Q Never legally admitted as a citizen by the Choctaw authorities? A No sir, only just by word.

Q What degree of blood do you claim? A Just a quarter.

The decision of the Commission as to your application you make on behalf of yourself for enrollment as a citizen of the Choctaw Nation will be mailed to you at your present post-office address.

Myra Young, having been first duly sworn upon her oath states, that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 26th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Myra Young

Subscribed and sworn to before me this 26th day of March, 1901.

Guy L. Emerson
Acting Chairman,
Notary Public.

MEMORANDUM.

Choctaw Case No. *73*

Date *March 26, 1901*

Name *William Grant Jordan*

Age *42*

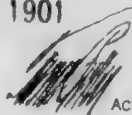
Post-Office: *Bokchito I. T.*

Children:

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

FILED

MAR 26 1901



ACTING CHAIRMAN

Stenographer

Mary Young

COPY

Muskogee, Indian Territory, December 18, 1901.

William Grant Jordan,

Bokohito, Indian Territory,

Dear Sir:

On the 26th day of March, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321.)

The act of Congress of May 31, 1900, (31 Stats., 221), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe

W.G.J. 2

in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles,
Commissioner in Charge.

Register.
7M 73

Willia Grant Jordan,

vs.

Choctaw Nation.

Case No. 73

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

Herewith is forwarded for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of William Grant Jordan for enrollment as a citizen by blood of the Choctaw Nation. A hearing was had before the Commission and the application was rejected.

It appears from the testimony and records that the applicant has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation.

The Commission state that pursuant to the provisions of the Act of Congress, approved May 31, 1900, (31 Stats., 221) it has no authority to enroll the applicant and his application is therefore refused.

The office concurs in the decision of the Commission and respectfully recommends its approval.

Very respectfully,

Your obedient servant,

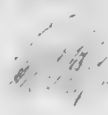
(Signed) A. C. Tenner,

Actg Commissioner.

E.S.S.

L.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 23 1902



THARMAN.

D. C. No. 827-1902.

COPY

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F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.184-1902.

January 11, 1902.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of William Grant Jordan for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary.

FMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

William Grant Jordan,
Bokchito, Indian Territory.

Dear Sir:

On March 26, 1901, you made application to this Commission for your enrollment as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *James L. Linnoy*

Acting Chairman.

Choc memo 74

Choc memo 74

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., APRIL 1st, 1901.

IN THE MATTER OF THE APPLICATION FOR ENROLLMENT AS A CITIZEN OF THE
CHOCTAW NATION OF George G. Stephens.
GEORGE G. STEPHENS, being first duly sworn by Commissioner, C. R.
Breckinridge testified as follows:

EXAMINATION BY THE COMMISSION:

- Q What is your name? A George G. Stephens.
Q How old are you? A Twenty nine. (29)
Q What is your Postoffice address? A Celestine.
Q Indian Territory? A Yes, sir.
Q How long have you lived in the Indian Territory?
A As long as I can remember.
Q Were you born here in the Territory? A I can not say where I
was born, but I have lived here as long as I can remember.
Q You have always lived in the Choctaw Nation? A Yes, sir.
Q Have you ever had a residence any where else? A No, not a
permanent residence: I have worked outside of the Nation some.
Q Now it is your purpose to make application for enrollment as a
citizen of the Choctaw Nation? A Yes, sir.
Q Do you claim as a citizen by blood? A No, sir.
Q How do you claim? A By inheritance.
Q You claim through your father? A Yes, sir.
Q Your father was a white man? A Yes, sir.
Q What was his name? A William Tandy Stephens.
Q Was he at one time married to a Choctaw Indian?
A I can not say that; that was before I was born you know.
Q Was your mother a white woman? A Yes, sir.
Q And you are the child of these two white parents? A Yes, sir.
Q Are you applying for enrollment for any one besides yourself?
A No, sir.
Q Are you married? A Yes, sir.
Q What is your wife's name? A Minnie Stephens.
Q Is she a white woman? A Yes, sir.
Q Have you any children? A Yes, sir, I have one child: I be-
lieve there is one place in there I said I had none.
Q What is the child's name and age? A Leona Stephens, three
years old.
Q Do you make application for her? A No, sir.
Q Is your name on any of the Tribal Rolls of the Choctaw Nation?
A Not that I know of.

The Tribal Rolls of the Choctaw Nation now in the possession
of the Commission have been examined and the name of the applicant,
George G. Stephens does not appear thereon.

- Q Did you, or did any one in your behalf, in 1896 make appli-
cation to the Commission to the Five Civilized Tribes for citizen-
ship in the Choctaw Nation, under the Act of Congress of June 10,
1896? A I can not say whether I did or not: I knew I did not.

Record of persons, parties to the original application for citi-
zenship in the Choctaw Nation, under the Act of Congress of June
10, 1896 examined, and the name of this applicant not found thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation
by Judgment of the United States Court in the Indian Territory?
A No, sir.

Record of persons admitted to citizenship in the Choctaw Nat-
ion by judgment of the United States Court in the Indian Territory

GEORGE G. STEPHENS.

--2--

examined, and the name of this applicant does not appear thereon.

Q Have you ever in any manner been recognized by the Tribal authorities of the Chectaw Nation by any official Act of their National Council as a citizen of the Chectaw Nation?

A I have been recognized by them as a citizen.

Q Have you ever in any manner been recognized by the Tribal Authorities of the Chectaw Nation by any official Act of their National Council as a citizen of the Chectaw Nation? A No, sir.

Q Is there any farther statement that you desire to make?

A No, I guess not.

BY THE COMMISSION:

The Commission will furnish you with a decision in writing as to your application for enrollment as a citizen of the Chectaw Nation at your present Postoffice address.

The undersigned, being sworn states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the above is a true and complete transcript of his stenographic notes thereof.

R. R. Craven
Subscribed and sworn to before me at Muskogee, Indian Territory,
this the 1st day of April, A. D., 1901.

J. H. Dodson

Notary Public

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

APR 1 1901

George G. Stephens

CHOCTAW.

*application made by George
G. Stephens on his own
behal^d*

COPY

Muskogee, Indian Territory, December 18, 1901.

George G. Stephens,
Celestine, Indian Territory.

Dear Sir:

On the 1st day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of your application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stat., 321).

The act of Congress of May 31, 1900, (31 Stat., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof,

C. G. S.--2.

and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Cheetaw nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider, or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of your application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles
Commissioner in Charge.

Register.
7 M 74

George G. Stephens,

vs.

Choctaw Nation.

Case No. 74

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to forward herewith, for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of George G. Stephens for enrollment as a citizen of the Choctaw Nation. The application was refused by the Commission.

From the testimony and records it appears that the applicant has never been recognized, enrolled or admitted as a citizen of the Choctaw Nation.

The Commission state that pursuant to the provisions of the Act of Congress, approved May 31, 1900, (31 Stats., 221) it has no authority to enroll the applicant and his application was therefore refused.

The office concurs in the decision of the Commission and respectfully recommends its approval.

Very respectfully,
Your obedient servant,
A. C. Tenner,

Acting Commissioner.

E.S.S.

L.

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

FILED

JAN 23 1902

[Handwritten signature]
S. C. ARMEN.

D. C. No. 833-1902.

COPY

L.R.S.

2671

F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.185-1902.

January 11, 1902.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of George G. Stephens for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application in accordance with the act of May 31, 1900.

The Department affirms your decision, and you will so advise the applicant. A copy of the Acting Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

EMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

George G. Stephens,
Celestine, Indian Territory.

Dear Sir:

On April 1, 1901, you made application to this Commission for your enrollment as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date .

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *James Dixby.*

Acting Chairman.

Choc memo 75

Choc memo 75

711. 7-5

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskogee, I. T. March 26, 1901.

In the matter of the application of Emma Patterson for the enrollment of her three minor children, Darthie M., Alfred Shelby and Monroe Howell Patterson, as citizens by blood of the Choctaw Nation. Emma Patterson being duly sworn by Commissioner Needles testified as follows:

Examination by Commissioner Needles.

- Q What is your name? A Emma Patterson/
Q What is your age? A 28.
Q What is your post-office address? A Bokchito.
Q What county do you live in- do you reside in the Choctaw Nation? A Yes sir.
Q What county? A Blue county.
Q Who do you desire to have enrolled? A My three children.
Q Please give their names and ages? A Darthie M. Patterson aged seven.
Q Well, the next one? A Alfred Shelby Patterson aged 4.
Q The next child? A Monroe Howell Patterson fifteen months.
Q What is your husband's name? A ~~W. H. Patterson~~.
Q Is he a citizen of the Choctaw Nation? A No sir.
Q Is he a white man? A Yes sir.
Q Are the children you named your children? A Yes sir.
Q Are you a recognized citizen of the Choctaw Nation? A I don't know that I have been enrolled yet. I don't know.
Q Does your name appear upon any of the rolls of the Choctaw Nation? A Not that I know of.

Tribal rolls of the Choctaw Nation in the possession of the Commission examined and the name of Emma Patterson does not appear thereon.

- Q Where were you born? A In Arkansas.
Q How long did you live in Arkansas? A I was raised there. My mother died there when I was small.
Q When did you come to the Indian Territory? A About four years ago as well as I can remember.
Q You lived in Arkansas then until you removed to the Indian Territory four years ago? A Yes sir.
Q Where were you married? A I was married in Texas. I went out there and stayed a year and married in Texas.
Q Have you ever been recognized as a citizen of the Choctaw Nation? A Well, I don't know. I have been before the Choctaw Commission and they said that I was all right. I don't know.
Q Do you know whether your name is on any of the Choctaw rolls? A I don't know, sir.
Q Do you know whether you applied or any one applied for you in June, - in 1896 - under the act of June 10th, 1896, to be enrolled as a Choctaw citizen? A That was when I was before the Commission at Red Oak. I suppose about three years ago. That's where I applied.
Q Was that the first time you applied when you went before the Commission at Red Oak? A Yes sir.
Q Weren't you at Alicki? A Yes sir but I was at Red Oak. Yes sir I went before the Dawes Commission at Alicki.
Q What Commission were you before when you were at Red Oak? A Choctaw Commission.

Q What disposition did they make of your case? A I don't know what they done with it. They said we were recognized as Choctaws and thought we was. That is what they told us.

Q Did you ever draw any Choctaw money? A Yes sir.

Q When was that? A It's been about ten or eleven years ago.

Q Where were you living at that time? A Living in Arkansas.

Q Do you know how much you drew? A Seventy dollars.

Q Who drew it for you? A John Pebsworth, my uncle.

Record of applicants admitted to citizenship in the Choctaw nation by the Commission under the act of June 10th, 1896, examined and the name of the applicant does not appear thereon.

Q If there is any statement you want to make you can do so or if you have any witnesses we will hear them. A I have my two cousins here, that is citizens and if there is any other question you would like to ask them.

Q What is your mother's name? A Caroline T. Jordan.

Q Did your father or mother ever live in the Indian territory? A Yes sir my mother and father lived -

Q In the Indian Territory? A Yes sir.

Q When was that? A That was before I was born.

Q Did they ever live in the Indian territory after you were born? A Not that I know of. They died when I was quite a baby, when I was small.

Q What was your father's name? A Samuel Jordan. My father died also when I was small.

Q Your husband and you according to your testimony, removed to the Indian Territory about a year and a half before you made application at Alichí? A Yes sir.

Q Whose hands did you place your business in at that time? A Solomon Homer of Caddo.

Q He agreed to get you on the Choctaw roll? A Yes sir.

Q Do you own any property in the Choctaw Nation? A No sir.

Q What degree of blood do you claim to have, do you know? A My mother she was a half breed. It was through my mother.

Q She was half. My grand mother they say was a full blood.

Q Your father was a white man? A Yes sir.

This information will be filed with your case and you will be notified of the disposition the Commission makes of it.

Myra Young having been first duly sworn upon her oath states that as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 26th day of March, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Subscribed and sworn to before me this 26th day of March, 1901.

Myra Young

Guy L. Harrison
Notary Public.

MEMORANDUM.

Choctaw Case No. *75*

Date

Name

Age

Post-Office:

Children: of Emma Patterson on
Choctaw Card # *D 624*

Darthee M Patterson age *7*

Alpha Shelby Patterson age *4*

Monroe Howell Patterson age *15 mo*

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

FILED

MAR 26 1901



ACTING CHAIRMAN.

Stenographer

Myra Young

COPY

Muskogee, Indian Territory, December 18, 1901.

Emma Patterson,

Bokchito, Indian Territory,

Dear Madam:

On the 26th day of March, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of your three minor children, Darthie M., Alfred Shelby, and Monroe Howell Patterson, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321.)

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all au-

E.P. 2

thority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date decided that your three minor children above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of your said minor children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By — T. B. Needles,
Commissioner in Charge.

Register.
7 M 75

Darthie M. Patterson, et al

vs.

Choctaw Nation.

Case No. 75

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, Jan. 10, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

Herewith is transmitted for the consideration of the Department, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Emma Patterson for the enrollment of her three minor children Darthie M., Alfred Shelby, and Monroe Howell Patterson as citizens by blood of the Choctaw Nation. The application was refused by the Commission.

From the testimony and records it appears that the applicants herein have never been recognized, enrolled or admitted as citizens of the Choctaw Nation. It also appears that the parents of said applicants have never been recognized as Choctaw citizens.

The statement of the Commission is to the effect that it has no authority to enroll the applicants herein as it would be in violation of the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221).

The office concurs in this decision and respectfully recommends its approval.

Very respectfully,
Your obedient servant,

W. A. Jones,

Commissioner.

E. S. S.
L.

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

FILED

JAN 23 1903

D. C. No. 839-1902.

COPY

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DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.205-1902.

January 13, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 10, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Darthie M., Alfred Shelby and Monroe Howell Patterson as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application December 18, 1901, in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicants. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

RMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Emma Patterson,

Bekahito, Indian Territory.

Dear Madam:

On March 26, 1901, you made application to this Commission for the enrollment of your three minor children, Darthie M., Alfred Shelby and Monroe Howell Patterson as citizens by blood of the Choctaw Nation.

On December 16, 1901, after a consideration of said application, the Commission refused the enrollment of your three minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of such application, and the action of the Commission thereon, and on January 13, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of your three minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tams Bixby*

ACTING CHAIRMAN

Choc memo 76

Choc memo 76

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, Indian Territory, April 24th, 1901.

In the matter of the application of Joseph H. Vaughan for enrollment as a citizen by blood of the Choctaw Nation.

Joseph H. Vaughan, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Joseph H. Vaughan.
Q What is your age? A 49, past.
Q What is your postoffice address? A Maner, Texas.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation?
A I have never been in the Nation.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A I can't say that I have. No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation? A No sir.
Q Does your name appear upon the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the name of Joseph H. Vaughan is not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the five Civilized Tribes, under the Act of Congress of June 10, 1896, examined, and the name of Joseph H. Vaughan is not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the name of Joseph H. Vaughan not found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement? A I only desire that according to proof that I am proved up to be Indian blood and I want my bloodal rights is all.

By J. H. Gordon, attorney for applicant:

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship, in the Choctaw Nation, D. Baren Vernon and others, and also proof to show that he is descended from the same common ancestor, D. Baren Vernon. Applicant offers proof to show that he is one-eighth Choctaw Indian blood.

By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

Your application for enrollment as a citizen of the Choctaw Nation is refused for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes, of said proceedings on said date.

Ira S. Niles

Subscribed and sworn to before me this 24th day of April, A .D.1901.

J. S. Johnson
Notary Public.

MEMORANDUM.

CHOCTAW. Case No. 76

Date APR 24 1901

Name *Joseph H. Vaughan*

Age *49*.

Post-Office: *Manor Texas.*

Children:

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer *D. J. Miles.*

COPY

Muskogee, Indian Territory, December 18, 1901.

Joseph W. Vaughan,
Manor, Texas,

Dear Sir:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 821.)

The act of Congress of May 31, 1900, (31 Stats., 821) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen

J.R.V. 2

thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By_ T. B. Needles,
Commissioner in Charge.

Registers
7 M 76

Joseph H. Vaughan,
vs.
Choctaw Nation.

Case No. 76

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

SECTION 1000, FEDERAL BUREAU OF INVESTIGATION,
COMMISSION TO THE FEDERAL BUREAU OF INVESTIGATION.

FILED

JAN 22 1902

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 9, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

Herewith is transmitted for consideration of the Department, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Joseph H. Vaughan for enrollment as a citizen by blood of the Choctaw Nation. The application was refused by the Commission.

It appears from the record transmitted, that the applicant herein, has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation, and, therefore, under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221) the Commission has no authority to enroll said applicant.

The decision of the Commission refusing enrollment is concurred in by this office and it is respectfully recommended that the decision be approved.

Very respectfully,

Your obedient servant,

(Signed) A.C. Tonner.

Commissioner.

E.S.S.

L.

D. C. No. 831-1902.

COPY.

2666

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DEPARTMENT OF THE INTERIOR.
WASHINGTON.

I.T.D.186-1902.
182-1902.

January 11, 1902.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Joseph H. Vaughan as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

In your letter of December 30, 1901, it is stated that you inclosed the decision of the Commission in the above case and other cases. Said decision was not received by the Department, and you will forward the same and a copy thereof for the use of the Department and the Indian Office.

The Department affirms your action, and you will so advise the applicant in this case. A copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting secretary.

ED

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Joseph H. Vaughan,
Maner, Texas.

Dear Sir:

On April 24, 1901, you made application to this Commission for your enrollment as a citizen of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamm Dixey.*
Acting Chairman.

Maskogee, Indian Territory, January 27, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

In your letter of January 11, 1902 affirming the decision of the Commission in the matter of the application for enrollment of Joseph H. Vaughan as a citizen of the Choctaw Nation, the attention of the Commission was called to the fact that in our letter of December 30, 1901, it was stated that there was enclosed therewith the decision of the Commission in the above and other cases but that said decision was not received by the Department and the Commission was instructed to forward the same and a copy thereof for the use of the Department and the Indian Office.

In response to such request there is enclosed herewith two copies of the decision of the Commission to the Five Civilized Tribes of December 18, 1901, refusing the applications of certain parties for enrollment as citizens by blood of the Choctaw Nation under the provisions of the act of Congress of May 31, 1900, being Choctaw memorandum cases Nos. 71 to 97 inclusive.

Respectfully,

Enc Y 50
T E 76

Through the Commissioner.

Acting Chairman.

Copy.

EK
CSE-vq.

Department of Justice,
Washington, D.C.

EKL-CSE
142897-16.

December 16, 1910.

The Secretary of the Interior.

Sir:

Referring to your inquiry of the 28th ultimo (Land Sales 89754-1910, JED), as to the present status of the case of T. H. Vaughn et al. v. Silas Holteyabi et al., you are advised that the appeal to the Supreme Court of Oklahoma was filed on June 25, 1910, and is docketed in that Court as Case No. 1802.

Very respectfully,

J. A. Fowler,
Acting Attorney-General.

Choc memo 77

Choc memo 77

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, April 24, 1901.

In the matter of the application of William G. Vaughan for enrollment as a citizen by blood of the Choctaw Nation. William G. Vaughan, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A William G. Vaughan.
Q What is your age? A I will be 46 the 17th of this coming December.
Q What is your postoffice address? A Manor, Texas.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear on the tribal rolls of the Choctaw Nation?
A No sir.

The tribal rolls of the Choctaw Nation examined and the name of William G. Vaughan is not found thereon.

- Q Were you ever admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.
Q Did you ever make an application before this time to the Commission to the Five Civilized Tribes for enrollment as a citizen by blood of the Choctaw Nation? A I never made an application.

Citizenship record of the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, examined, and the name of William G. Vaughan is not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the name of William G. Vaughan not found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement?

By J. H. Gordon, attorney for applicant:

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship, in the Choctaw Nation, D. Baron Vernon and others, and also proof to show that he is descended from the same common ancestor, D. Baron Vernon. Applicant offers proof to show that he is one-eighth Choctaw Indian blood.

By the Commission:-


The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

William G. Vaughan----2

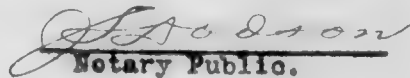
Your application for enrollment as a citizen of the Choctaw Nation is refused for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 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 this 24th day of April, A.D.1901.



Notary Public.

MEMORANDUM.

CHOCTAW.

Case No. 77

Date APR 24 1901

Name William G. Vaughan

Age 46.

Post-Office: Manor Tex

Children:

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer J. S. Niles.

COPY

Muskogee, Indian Territory, December 18, 1901.

William G. Vaughan,
Manor, Texas,

Dear Sir:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as

W.G.V. 2

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

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By —

T. P. Needles,

Commissioner in Charge.

Register.
7 M 77

William G. Vaughan

vs.

Choctaw Nation

Case No. 77

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, Jan. 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded herewith, for Departmental consideration memorandum of the Commission to the Five Civilized Tribes in the matter of the application of William G. Vaughan for enrollment as a Choctaw citizen by blood. The application was refused by the Commission.

It appears from the records that the applicant herein has never been recognized, enrolled or admitted as a citizen of the Choctaw Nation, and, therefore, under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221) the Commission had no authority to enroll said applicant.

The office concurs in the decision of the Commission in refusing enrollment, and respectfully recommends that said decision be approved.

Very respectfully,

Your obedient servant,

(Signed) A. C. Tonner,

Actg. Commissioner.

E. S. S.

L.

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

FILED
JAN 25 1902

[Handwritten signature]

NG - HARMAN

D. C. No. 840-1902.

Copy.

B R S.

F.

2673
DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.187-1902.

January 11, 1902.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of William G. Vaughan for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

EMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

William G. Vaughan,
Manor, Texas.

Dear Sir:

On April 24, 1901, you made application to this Commission for your enrollment as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

Tamc Dixey

Acting Chairman.

Choc memo 78

Choc memo 78

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, Indian Territory, April 24, 1901.

In the matter of the application of James T. Vaughan for enrollment as a citizen by blood of the Choctaw Nation.
James T. Vaughan, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A James T. Vaughan.
Q What is your age? A I am 37.
Q What is your postoffice address? A Manor, Texas.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear on the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the name of James T. Vaughan is not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation, under the Act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, examined, and the name of James T. Vaughan is not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory on an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the name of James T. Vaughan not found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement?

By J. H. Gerdon, attorney for applicant:

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship, in the Choctaw Nation, D. Baron Vernon and others, and also proof to show that he is descended from the same common ancestor, D. Baron Vernon.

By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

Your application for enrollment, as a citizen of the Choctaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, the Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any Tribe in Indian Territory, as a citizen thereof, who has not

been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Miles, 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 24th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Ira S. Miles

Subscribed and sworn to before me this 24th day of April, A.D.1901.

J. Bodson
Notary Public.

MEMORANDUM.

CHOCATAW, Case No. 78

Date

APR 24 1901

Name *James J. Vaughan*

Age *37*

Post-Office: *Manor Texas*

Children:

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

Stenographer *J. J. Niles.*

(COPY)

Muskogee, Indian Territory, December 18, 1901.

James T. Vaughan,
Menor, Texas.

Dear Sir:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes, and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

*That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enroll-

J. T. V., 2.

ment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith enclosed.

The Commission to the Five Civilized Tribes.

By E. B. Needles,

Commissioner in Charge.

Register.

7-2-78.

1

James T. Vaughan

vs.

Choctaw Nation

Case No. 78

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 9, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of James T. Vaughan for enrollment as a citizen by blood of the Choctaw Nation. The application was refused by the Commission.

It appears from the records transmitted, that the applicant herein has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation, and, therefore, under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221) the Commission has no authority to enroll said applicant.

The decision of the Commission refusing enrollment is concurred in and it is respectfully recommended that said decision be approved.

Very respectfully,

Your obedient servant,

(Signed) A. C. Tenner,

Actg Commissioner.

E.S.S.

L.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE SEVERAL INDIAN TRIBES.

FILED
JUN 23 1902

BY RYAN

D. C. No. 832-1902.

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F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.188-1902.

January 11, 1902.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of James T. Vaughan for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

You refused the application December 18, 1901, in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

RMD

1 inclosure.

COPY

Muskogee, Indian Territory, January 23, 1903.

James T. Vaughan,
Manor, Texas.

Dear Sir:

On April 24, 1901, you made application to this Commission for your enrollment as a citizen of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1903, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

Tamie Dixby

Acting Chairman.

7-K 78

Choc memo 79

Choc memo 79

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, April 24, 1901.

In the matter of the application of Samuel W. Vaughan for enrollment as a citizen by blood of the Choctaw Nation.

Samuel W. Vaughan, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Samuel W. Vaughan.
Q What is your age? A 37.
Q What is your postoffice address? A Maner, Texas.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear on the tribal rolls of the Choctaw Nation?
A No sir.

The tribal rolls of the Choctaw Nation examined and the name of Samuel W. Vaughan does not appear thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, examined, and the name of Samuel W. Vaughan is not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of June 10, 1896? A No sir.

The court records examined and the name of Samuel W. Vaughan not found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to offer any further evidence?

By J. H. Gordon, attorney for applicant:-

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship, in the Choctaw Nation, D. Baren Vernon and others, and also proof to show that he is descended from the same common ancestor, D. Baren Vernon.

By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

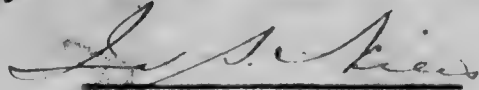
Your application for enrollment, as a citizen of the Choctaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any Tribe in Indian Territory, as a citizen thereof, who has not been recognized

Samuel W. Vaughan---2

as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 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 this 24th day of April, A.D.1901.


Notary Public.

MEMORANDUM.

CHOCTAW. Case No. 79.

Date **APR 24 1901**

Name *Daniel W Vaughan*

Age *37.*

Post-Office: *Manor Texas.*

Children :

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM,

Stenographer *I. S. Niles*

COPY

Muskogee, Indian Territory, December 18, 1901.

Samuel W. Vaughan,
Manor, Texas.

Dear Sir:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes, and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 221).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enroll-

S. V. V., 2.

ment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith enclosed.

The Commission to the Five Civilized Tribes.

By T. B. Haddles,

Commissioner in Charge.

Register.

2-10-72

Samuel W. Vaughan

vs.

Choctaw Nation

Case No. 79

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Refer in reply
to the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, Jan. 9, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

Herewith is transmitted for the consideration of the Department, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Samuel W. Vaughan for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the record transmitted that the applicant herein has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation, and, therefore, under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), the Commission had no authority to enroll said applicant.

The decision of the Commission refusing enrollment is concurred in by this office and it is respectfully recommended that said decision be approved.

Very respectfully,
Your obedient servant,
(Signed) A. C. Tenner,
Actg Commissioner.

E.S.S.

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D. C. No. 830 -1902

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P.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.189-1902.

January 11, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of Samuel W. Vaughan for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application in accordance with the act of May 31, 1900.

The Department affirms your decision as to this case, and you will so advise the applicant. Copy of the Acting Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary.

EMD

1 inclosure.

COPY

Muskogee, Indian Territory, January 23, 1902.

Samuel W. Vaughan,
Manor, Texas.

Dear Sir:

On April 24, 1901, you made application to this Commission for your enrollment as a citizen by blood of the Choctaw Nation.

On December 13, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *James Dixby*

Acting Chairman.

7 M 79

Choc memo 80

Choc memo 80

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, April 24, 1901.

In the matter of the application of George William Howse
for enrollment as a citizen by blood of the Choctaw Nation.

George William Howse, being first duly sworn, testified
as follows:-

Examination by the Commission.

- Q What is your name? A George William Howse.
Q What is your age? A 22.
Q What is your postoffice address? A Manor, Texas.
Q Have you ever been recognized by the tribal authorities of the
Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the
Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear on the tribal rolls of the Choctaw Nation?
A No sir.

The tribal rolls of the Choctaw Nation examined and
the name of George William Howse is not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes
as a citizen of the Choctaw Nation under the Act of Congress
approved June 10, 1896? A No sir.

The citizenship records of the Commission to the Five
Civilized Tribes, under the Act of Congress of June
10, 1896, examined, and the name of George William
Howse is not found thereon.

- Q Were you admitted by the United States Court for the Indian
Territory upon an appeal from the Commission to the Five Civil-
ized Tribes as a citizen of the Choctaw Nation, under the Act
of June 10, 1896? A No sir.

The court records examined and the name of George
William Howse not found to have been admitted by a
judgment of the United States Court for the Indian
Territory.

- Q Do you desire to make any further statement?

By J. H. Gordon, attorney for applicant:

The applicant offers in proof judgment of the United States
Court at South McAlester, Indian Territory, admitting to citizenship
in the Choctaw Nation, D. Baron Vernon and others, and also proof
to show that he is descended from the same common ancestor, D. Baron
Vernon.

By the Commission:-

The offer of counsel for the applicant, to introduce evi-
dence in support of the application for enrollment, is denied.

Your application for enrollment, as a citizen of the Choctaw
Nation, is refused, for the reason that, under the Act of Con-
gress, approved May 31, 1900, The Indian Appropriation Bill, this
Commission has no authority to receive, consider or make any record
of the application of any person for enrollment in any Tribe in

George William News---2

Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Hiles, 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 24th day of April, 1901, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Ira S. Hiles

Subscribed and sworn to before me this 24th day of April, A.D.1901.

H. Dodson
Notary Public.

MEMORANDUM.

CHOCTAW. Case No. 80.

Date APR 24 1901

Name George William House.

Age 22.

Post-Office: Manor Texas.

Children:

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer J. S. Niles

COPY

Muskogee, Indian Territory, December 18, 1901.

George William Howse,
Manor, Texas.

Dear Sir:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes, and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1898, (30 Stats., 121).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enroll-

G. V. H., 2.

ment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith enclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles,
Commissioner in Charge.

Register.

7-M-80.

George William Howe

vs.

Choctaw Nation

Case No. 80

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Refer in reply to the
following:
Land
349-1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, January 10, 1902.

The Honorable,
The Secretary of the Interior.

Sir:-

I have the honor to forward herewith for Departmental consideration memorandum of the Commission to the Five Civilized Tribes in the matter of the application of George William Howse for enrollment as a citizen by blood of the Choctaw Nation.

From the record transmitted it appears that the applicant herein has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation, and, therefore, under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221), the Commission had no authority to enroll said applicant.

The decision of the Commission refusing enrollment is concurred in by this office and it is respectfully recommended that the said decision be approved.

Very respectfully,

Your obedient servant,

W. A. Jones,
Commissioner.

E.E.S.

C

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

FILED
JAN 2 1902

C. H. MAN

D. C. No. 838-1902.

COPY

L R S

2944

F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.208-1 902.

January 13, 1902.

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

Gentlemen:

January 10, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of George William Howse for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicant. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

EMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 25, 1902.

George William Howe,
Manor, Texas.

Dear Sir:

On April 24, 1901, you made application to this Commission for your enrollment as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 13, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED: *Tamo Dixey*

Acting Chairman.

Choc memo 81

Choc memo 81

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, Indian Territory, April 24, 1901.

In the matter of the application of Ophelia A. Howse for the enrollment of herself and her six minor children, Susan I., James S., Joseph B., Annie C., Charlie D., and Ophelia Adelle Howse, as citizens by blood of the Choctaw Nation.

Ophelia A. Howse, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Ophelia A. Howse.
Q How old are you? A 47 years old.
Q What is your postoffice address? A Manor, Texas.
Q You make application for the enrollment of yourself as a citizen by blood of the Choctaw Nation and of your children as citizens by blood of the Choctaw Nation? A Yes sir.
Q What are the names and ages of the children for whom you make application? A Susan I., 20 years old, James S., 18 years old, Joseph B., 15 years old, Annie C., 13 years old, Charlie D. 12 years old and Ophelia Adelle Howse, 9 years old.
Q Have you or have your children ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Have you or have your children ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the names of your children appear upon the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the names of the said applicants are not found thereon.

- Q Were you or your children admitted by the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

The citizenship records of the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, examined, and the names of the said applicants are not found thereon.

- Q Were you or your children admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the names of the said applicants not found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement?

By J. H. Gordon, attorney for applicant:

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship in the Choctaw Nation, D. Baren Vernon and others, and also proof to show that she is descended from the same common ancestor, D. Baren Vernon.

By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

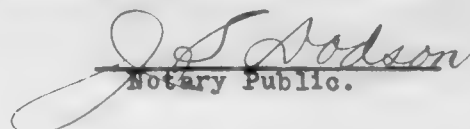
Your application for enrollment of yourself and your minor children, hereinbefore named, as citizens of the Choctaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 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 this 25th day of April, A.D.1901.


Notary Public.

MEMORANDUM.

CHOCTAW, Case No. 81

Date APR 24 1901

Name Ophelia A. Howse.

Age 47

Post-Office: Manor Texas

for herself and

her minor children as
Children: follows.

Susan J. Howse	20
James S. ..	18
Joseph B ..	15
Annie C ..	13
Charlie D ..	12
Ophelia Adelle ..	9.

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

Stenographer

COPY

Muskogee, Indian Territory, December 18, 1901.

Ophelia A. Howse,
Manor, Texas.

Dear Madam:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your six minor children, Susan I., James S., Joseph B., Annie C., Charlie D., and Ophelia Adelle Howse, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

O. A. N., 2.

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

The Commission has, therefore, on this date, decided that yourself and your six minor children above named are not citizens of the Cheetaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith enclosed.

The Commission to the Five Civilized Tribes.

T. B. Heedles,

By _____
Commissioner in Charge.

Register.

M-7-81.

1

Ophelia A. Howse et al.

vs.

Choctaw Nation.

Case No. 81

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Refer in reply to
the following:
Land
349-1902

DEPARTMENT OF THE INTERIOR?
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 10, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

Herewith is forwarded for the consideration of the Department memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Ophelia A. Howse for the enrollment of herself and her minor children Susan I., James S., Joseph B., Annie C., Charlie D. and Ophelia Adelle Howse. The application was disapproved by the Commission.

It appears from the testimony that none of the applicants herein, have ever been enrolled, admitted, or recognized as citizens of the Choctaw Nation.

The statement of the Commission is to the effect that pursuant to the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), it had no authority to enroll said applicants.

The decision of the Commission in disapproving the application is concurred in by this office and it is respectfully recommended that said decision be approved.

Very respectfully,
Your obedient servant,
W. A. Jones,
Commissioner.

E.S.S.

C

COMMISSIONER OF THE GENERAL LAND OFFICE
WASHINGTON, D. C.
1915

D. C. No. 837-1902.

COPY

2946

F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.206-1902.

January 13, 1902.

L.R.S.

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

Gentlemen:

January 10, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Ophelia A. Howse for enrollment of herself and minor children, Susan I., James S., Joseph B., Annie C., Charlie D. and Ophelia Adelle Howse, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in the case, and you will so inform the applicants. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.
KMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Ophelia A. Newsome,
Manor, Texas.

Dear Madam:

On April 24, 1901, you made application to this Commission for your enrollment and the enrollment of your six minor children as citizens by blood of the Choctaw Nation.

On December 16, 1901, after a consideration of said application, the Commission refused your enrollment and the enrollment of your six minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 13, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment and the enrollment of your six minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

SIGNED

Tamc Dixey

Acting Chairman.

Choc memo 82

Choc memo 82

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, April 24, 1901.

In the matter of the application of Susan A. Thies for the enrollment of herself and her five minor children, Amy I., William E., Thomas W., Isabelle I., and Conrad A. Thies, as citizens by blood of the Choctaw Nation.

Susan A. Thies, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Susan A. Thies.
Q What is your age? A 42.
Q What is your postoffice address? A Manor, Texas.
Q What is the name and age of your oldest child? A Amy I., Thies, 20 years old.
Q What is the name of your second child? A William E. Thies.
Q What is his age? A 19.
Q What is the name and age of your third child? A Thomas W. Thies.
Q What is his age? A 17.
Q What is the name and age of your fourth child? A Isabelle I. Thies.
Q What is her age? A 14.
Q What is the name and age of your youngest child? A Conrad A. Thies.
Q What is his age? A 8.
Q Is your name or the names of your five minor children upon any of the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation now in the possession of the Commission examined and the names of none of the applicants are found thereon.

- Q ~~Have~~ you or any of your children ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the names of any of your children appear upon the tribal rolls of the Choctaw Nation? A No sir.
Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

The citizenship record of the Commission to the Five Civilized Tribes, under the Act of June 10, 1896, examined, and the names of the applicants are not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the decision of the Commission to the Five Civilized Tribes, as a citizen of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the names of the said applicants not found to have been admitted by a judgment of the United States Court, for the Indian Territory.

- Q Do you desire to offer further evidence?

Susan A. Thies et al.---2

By J. H. Gordon, attorney for applicant:-

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship in the Choctaw Nation, D. Baron Vernon, and others, and also proof to show that she is descended from the same common ancestor, D. Baron Vernon.

By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

Your application for the enrollment of yourself and your minor children, hereinbefore named, as citizens of the Choctaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April 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 this 25th day of April, A.D. 1901.


Notary Public.

Susan A. Thies, et al.

vs.

Choctaw Nation.

Case No. 82

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

COPY

Muskegee, Indian Territory, December 19, 1901.

Susan A. Thies,
Mauzer, Texas.

Dear Madam:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your five minor children, Amy I., William E., Thomas W., Isabelle I., and Conrad A. Thies, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall

S. A. T.--2.

not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your five minor children above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider, or make any record of the application for enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles,
Commissioner in Charge.

Register.
7 M 88

MEMORANDUM.

CHOCTAW.

Case No. _____

Date APR 24 1901

Name Susan A Thies

Age 42.

Post-Office: Manor, Texas

for herself and her
prie num children
as follows.

Children:

Amy J. Thies	20
William E "	19
Thomas W "	17
Isabelle I "	14
Conrad A "	8.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer

J. S. [Signature]

COPY

Refer in reply
to the following:
Land
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 10, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

There is forwarded with this letter memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Susan A. Thies for the enrollment of herself and her minor children Amy I., William E., Thomas W., Isabelle I. and Conrad A. Thies, as citizens by blood of the Choctaw Nation.

It appears from the evidence submitted that the applicants herein have never been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The Commission states that it is without authority to enroll said applicants, the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), acting as a bar.

The decision of the Commission in disapproving said application is concurred in and the office respectfully recommends that the said decision be approved .

Very respectfully,
Your obedient servant,
W. A. Jones,
Commissioner.

E.S.S.

C

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE UN-CIVILIZED TRIBES.
FILED
JAN 28 1902

U. S. DEPARTMENT OF THE INTERIOR

D. C. No. 834-1902.

COPY

DEPARTMENT OF THE INTERIOR.

F.

WASHINGTON.

I.T.D.209-1902.

January 13, 1902.

L.R.S.

2943

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

Gentlemen :

January 10, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Susan A., Amy I., William E., Thomas W., Isabelle I. and Conrad I. Thies as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicants. Copy of the Commissioner's letter is inclosed.

Respectfully,

Thos Ryan

Acting Secretary.

RMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Susan A. Thies,
Manor, Texas.

Dear Madam:

On April 24, 1901, you made application to this Commission for the enrollment of yourself and your five minor children, Amy I., William R., Thomas W., Isabelle I. and Conrad A. Thies as citizens by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused the enrollment of yourself and your five minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 13, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of yourself and of your five minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

James Dixby

Acting Chairman.

Choc memo 83

Choc memo 83

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, Indian Territory, April 24, 1901.

In the matter of the application of Ida M. Parsley for the enrollment of herself and her three minor children, Mabel, Vernen M. and Walter J. Parsley, as citizens by blood of the Choctaw Nation. Mrs. Ida M. Parsley, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Ida M. Parsley.
Q How old are you? A 39 years old.
Q What is your postoffice address? A Maner, Texas.
Q You are making application for the enrollment of yourself and your children as citizens by blood of the Choctaw Nation?
A Yes sir.
Q What is the name and age of your oldest child? A Mabel Parsley, 14 years old.
Q What is the name and age of your second child? A Vernen M. Parsley, 13 years old.
Q What is the name and age of your youngest child? A Walter J. Parsley, 11 years old.
Q Have you or your children ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Have you or have your children ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the names of your children appear upon any of the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the names of the applicants do not appear thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

The citizenship record of the Commission to the Five Civilized Tribes, under the Act of June 10, 1896, examined, and the names of none of the said applicants are found thereon.

- Q Were you admitted by the United States Court for Indian Territory upon an appeal from the decision of the Commission to the Five Civilized Tribes, as a citizen of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the names of none of the applicants are found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement?

By J. H. Gordon, attorney for applicant:

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship in the Choctaw Nation, D. Baren Vernen and others, and also proof to shew that she is descended from the same common ancestor, D. Baren Vernen.

Ida M. Parsley et al.---2


By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

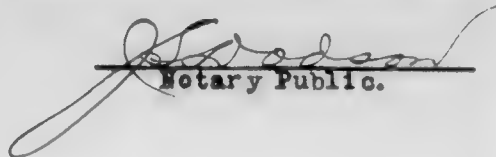
Your application for the enrollment of yourself and your minor children, hereinbefore named, as citizens of the Chectaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 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 this 25th day of April, A.D.1901.


Notary Public.

MEMORANDUM.

CHOCTAW, Case No. 83

Date APR 24 1901

Name Ida M. Parsley.

Age

Post-Office: Manor Texas.

for herself and her
minor children
as follows.

Children:

Mabel Parsley	14
Vernon M "	13
Walter J "	11

REFUSED.

ACT OF MAY 31, 1900.

MEMORANDUM.

Stenographer J. L. Niles

COPY

Muskogee, Indian Territory, December 18, 1901.

Ida M. Parsley,
Manor, Texas.

Dear Madam:

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your three minor children, Mabel, Vernon M., and Walter J. Parsley, as citizens by blood of the Choctaw Nation

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation; or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The Act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore

I. M. P., 3.

conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your three minor children above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith enclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles,
Commissioner in Charge.

Register.

7-M-83.

Ida M. Parsley et al.

vs.

Choctaw Nation.

Case No. 83

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

COPY

Refer in reply to
the following:
Land.
349-1902

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON; Jan. 10, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to transmit, herewith, for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Ida M. Parsley, for the enrollment of herself and her three minor children, Mabel, Vernon M., and Walter J. Parsley as citizens by blood of the Choctaw Nation.

From the testimony it appears that none of the applicants herein have ever been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The Commission state that under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), it has no authority to enroll said applicants.

The office concurs in the decision of the Commission and respectfully recommends the approval of said decision.

Very respectfully,
Your obedient servant,

W. A. Jones,
Commissioner.

E.S.S.
L.

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

FIELD
JUL 9 1902

CHAS. RYAN.

D. C. No. 835-1902.

COPY

2945

F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.207-1902.

January 13, 1902.

L. R. S.

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

gentlemen:

January 10, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Ida M., Mabel, Vernon M. and Walter J. Parsley as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicants. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

KMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Ida M. Parsley,
Manor, Texas.

Dear Madam:

On April 24, 1901, you made application to this Commission for the enrollment of yourself and your three minor children, Mabel, Vernon M. and Walter J. Parsley, as citizens by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused the enrollment of yourself and your three minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 13, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of yourself and your three minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

Jame D. Droy

Acting Chairman

Choc memo 84

Choc memo 84

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, Indian Territory, April 24, 1901.

In the matter of the application of Mary E. Meredith for the enrollment of herself and her two minor children, Eva D., and Clarence L. Meredith, as citizens by blood of the Choctaw Nation. Mary E. Meredith, being first duly sworn, testified as follows:-

Examination by the Commission.

- Q What is your name? A Mary E. Meredith.
Q What is your age? A 26.
Q What is your postoffice address? A Manor, Texas.
Q You are making application for the enrollment of yourself and two minor children as citizens by blood of the Choctaw Nation?
A Yes sir.
Q What is the name and age of your oldest child? A Eva D. Meredith, 4 years old.
Q What is the name and age of your second child? A Clarence L. Meredith, 16 months old.
Q Have you or have your children ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Have you or have either of your children ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the names of either of your children appear upon the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and none of the names of the applicants are found thereon.

- Q Were you or were either of your children admitted by the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of Congress approved June 10, 1896?
A No sir.

The citizenship record of the Commission to the Five Civilized Tribes, under the Act of June 10, 1896, examined, and the names of none of the applicants are found thereon.

- Q Were you or were either of your children admitted by the United States Court for the Indian Territory upon an appeal from the decision of the Commission to the Five Civilized Tribes, as citizens of the Choctaw Nation, acting under the act of June 10, 1896?
A No sir.

The court records examined and the names of none of the applicants are found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement?

By J. H. Gordon, attorney for applicant:-

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship in the Choctaw Nation, D. Baron Vernon and others, and also proof to show that she is descended from the same common ancestor, D. Baron Vernon.

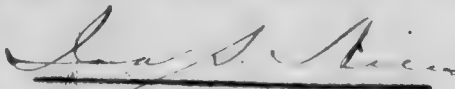
By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

Your application for enrollment of yourself and your minor children, hereinbefore named, as citizens of the Choctaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any Tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 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 this 25th day of April, A.D. 1901.


Notary Public.

MEMORANDUM.

CHOCTAW, Case No. 84

Date APR 24 1901

Name Mary E Meredith

Age 25

Post-Office: Manor Texas
for herself and two
minor children as
follows.

Children:

Eva D. Meredith. 4.

Clarence L .. 16mo.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer J. W. Niles.

COPY

Muskogee, Indian Territory, December 18, 1901.

Mary B. Meredith,

Manor, Texas.

Dear Madam-

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your two minor children, Eva D., and Clarence L. Meredith, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats. 321).

The act of Congress of May 31, 1900, (31 Stats. 231), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it

Mary E. Meredith-----2.

shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such application shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your two minor children above named are not citizens of the Chectaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes

By T. B. Needles,

Commissioner in Charge.

Register 7284

Mary E . Meredith, et al.
vs.
Choctaw Nation.

Case No. 84

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

1

COPY

Refer in reply to
the following:
Land
349-1902.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Mary E. Meredith for the enrollment of herself and her two minor children Eva D. and Clarence L. Meredith as citizens by blood of the Choctaw Nation. The application was rejected by the Commission after hearing and this memorandum comes up for Departmental review.

It appears from the testimony of Mary E. Meredith that none of the applicants herein have ever been recognized as citizens of the Choctaw Nation or enrolled or admitted as such.

The statement of the Commission is to the effect that it has no authority to enroll the applicants herein as the Act of Congress of May 31, 1900 (31 Stats., 221) acts as a bar and the application is therefore refused.

The office respectfully concurs in the decision of the Commission and recommends its approval.

Very respectfully,

Your obedient servant,
(Signed) A. C. Tonner,
Actg. Commissioner.

E.S .S.

C

REPORT OF THE COMMISSIONER,
COMMISSION TO THE UNDEVELOPED TRIBES.
FIELD
JUNE 1902

D. C. No. 828-1902.

COPY

2670

F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D.190-1902.

January 11, 1902.

L R S.

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

Gentlemen:

January 9, 1902, the Acting Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Mary E., Eva D., and Clarence L. Meredith as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicants. Copy of the Acting Commissioner's letter is inclosed herewith.

Respectfully,

Thos Ryan

Acting Secretary.

EMD

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Mary B. Meredith,
Menor, Texas.

Dear Madam:

On April 24, 1901, you made application to this Commission for your enrollment and the enrollment of your two minor children, Eva D. and Clarence L. Meredith, as citizens by blood of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused your enrollment and the enrollment of your two minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 11, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment and the enrollment of your two minor children as citizens of the Choctaw Nation.

The action of the Commission and of the secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tams Dixby*

Acting Chairman.

Choc memo 85

Choc memo 85

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskegee, Indian Territory, April 24, 1901.

In the matter of the application of Louella Carter for the enrollment of herself and her minor child, Frankie Carter, as citizens by blood of the Choctaw Nation.

Louella Carter, being first duly sworn, testified as follows:-

Examination of the Commission.

- Q What is your name? A Louella Carter.
Q How old are you? A 23, I will be 24 in May.
Q What is your postoffice address? A Manor, Texas.
Q You are making application for the enrollment of yourself and your minor child as citizens by blood of the Choctaw Nation?
A Yes sir.
Q What is the name and age of your child? A Frankie Carter, two years old.
Q Have you or your child ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Have you or your child ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or that of your child appear on any of the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the names of ~~neither~~ neither of the applicants are found thereon.

- Q Were you or your child admitted by the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

The citizenship records of the Commission to the Five Civilized Tribes, acting under the Act of Congress of June 10, 1896, examined, and the names of neither of the applicants are found thereon.

- Q Were you or your child admitted by the United States Court for the Indian Territory upon an appeal from the decision of the Commission to the Five Civilized Tribes, as citizens of the Choctaw Nation, under the Act of June 10, 1896? A No sir.

The court records examined and the names of neither of the applicants are found to have been admitted by a judgment of the United States Court for the Indian Territory.

- Q Do you desire to make any further statement?

By J. H. Gordon, attorney for applicant:-

The applicant offers in proof judgment of the United States Court at South McAlester, Indian Territory, admitting to citizenship in the Choctaw Nation, D. Baron Vernon and others, and also proof to show that she is descended from the same common ancestor, D. Baron Vernon.

By the Commission:-

The offer of counsel for the applicant, to introduce evidence in support of the application for enrollment, is denied.

Your application for the enrollment of yourself and your minor child, hereinbefore named, as citizens of the Chectaw Nation, is refused, for the reason that, under the Act of Congress, approved May 31, 1900, The Indian Appropriation Bill, this Commission has no authority to receive, consider or make any record of the application of any person for enrollment in any Tribe in Indian Territory, as a citizen thereof, who has not been recognized as a citizen thereof, and duly enrolled or admitted as such. Said law further provides that the refusal of this Commission to entertain your application, shall be final, when approved by the Secretary of the Interior.

In the event that you should desire to appeal from this decision to the Secretary of the Interior, you are at liberty to do so, and this Commission will transmit this decision refusing your application, together with any argument in support of such appeal as you may desire to transmit, to the Hon. Secretary of the Interior.

Ira S. Niles, 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 24th day of April, 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 this 25th day of April A.D. 1901.


Notary Public.

COPY

Muskogee, Indian Territory, December 18, 1901.

Emelia Carter,

Manor, Texas.

Dear Madam, -

On the 24th day of April, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your minor child, Frankie Carter, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 16, 1896, (29 Stats. 321).

The act of Congress of May 31, 1900, (31 Stats. 321), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any

MEMORANDUM.

CHOCTAW, Case No. 85

Date APR 24 1901

Name Louella Carter

Age 24.

Post-Office: Manor, Texas.
for herself and one
minor child as
follows.

Children:

Frankie Carter, 3.

REFUSED.
ACT OF MAY 31, 1900.
MEMORANDUM.

Stenographer J. D. Miles,

Louella Carter-----2.

application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your minor child above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said child as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes,

By _____

I. B. Needles,

Commissioner in Charge.

Register 7288

Louella Carter, et al.

vs.

Choctaw Nation.

Case No. 85

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

- Copy -

4302

LRS

F

I.T.D. 270-1902. DEPARTMENT OF THE INTERIOR.

Washington, January 16, 1902.

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

Gentlemen:

January 13, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Louella and Frankie Carter as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application under the provisions of the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicants. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,
(Signed)

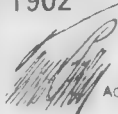
THOS. RYAN,

Acting Secretary.

1 inclosure.

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

FILED
JAN 28 1902



ACTING CHAIRMAN.

- Copy -

Refer in reply to the following:

Land.

349-1902

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, January 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

Herewith is forwarded for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Louella Carter for the enrollment of herself and her minor child Frankie Carter, as citizens by blood of the Choctaw Nation.

From the evidence transmitted it appears that not one of the applicants herein have ever been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The Commission state that it has no authority to enroll said applicants for the reason that the provisions of the Act of Congress approved May 31, 1900, (31 Stats. 221) act as a bar.

The office concurs in the decision of the Commission refusing enrollment to the applicants herein, and respectfully recommends that said decision be approved.

Very respectfully,

Your obedient servant,

W. A. JONES,

Commissioner.

E. S. S.

L.

COPY

Muskogee, Indian Territory, January 28, 1902.

Louella Carter,
Manor, Texas.

Dear Madam:

On April 24, 1901, you made application to this Commission for the enrollment of yourself and your minor child, Frankie Carter, as citizens by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused the enrollment of yourself and your minor child as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of your application, and the action of the Commission thereon, and on January 16, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of yourself and your minor child as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

Tamc Dixby

Acting Chairman.

7 M 85

Choc memo 86

Choc memo 86

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE I. T. JUNE 23, 1901.

In the matter of the application for enrollment as a citizen by blood of the Chectaw Nation, of Mary Brooks. Mary Brooks, being first duly sworn by Mr. C. R. Breckinridge, testified as follows:

Examination by the Commission:

- Q What is your name? A Mary Brooks.
- Q What is your age? A Well, as near as I can come at it, I reckon about 58 years old; long in there.
- Q What is your post office address? A Wynnewood.
- Q Chickasaw Nation? A Yes sir.
- Q Have you ever been recognized by the tribal authorities of the Chectaw Nation as a citizen of the Chectaw Nation?
- A Yes sir.
- Q In what manner have you ever been recognized as a citizen of the Chectaw Nation? A Just been recognized as another injun when I was with them.
- Q What was the name of your father? A Henry Holbrooks.
- Q Is he living or dead? A He is dead.
- Q Was he a Chectaw Indian by blood? A Not exact, my mother was.
- Q I was asking about your father? A I could not tell you what his blood was.
- Q What is the name of your mother? A Phoebe Holbrooks.
- Q Was your mother a full blood Chectaw Indian? A Yes sir.
- Q Is she living or dead? A Dead.
- Q When did she die? A Well sir, I couldn't tell.
- Q About how many years ago? A She has been dead, oh, for about ever since I was about 9 years old.
- Q Was your mother a citizen of the Chectaw Nation by blood?
- A Yes sir, she was.
- Q Was your mother a resident of the Chectaw Nation at the time you were born? A Yes sir.
- Q Where were you born? A Born in Doaksville.
- Q That is in the Chectaw Nation? A Yes sir.
- Q Was your mother a recognized citizen of the Chectaw Nation?
- A Yes sir.
- Q Can you tell in what manner your mother was recognized as a citizen by blood of the Chectaw Nation? A I could not, for I was not large enough to know.
- Q Do you know whether or not she owned land in the Chectaw Nation? A Yes sir, she owned land.
- Q Did your mother own more than one farm in the Chectaw Nation?
- A No sir, we just had one farm, I think, from what people say, you know, said it was 100 acres. I was small.
- Q Have you always lived in the Chectaw Nation?
- A No sir, not always.
- Q When did you first leave the Chectaw Nation? A After my mother was dead, I reckon from what the old white lady told me I was about four or five years old-- she took me and she raised me, the white woman-- and she took me and she carried me up here to Missouri, and when I was grown I came right back to Doaksville. But I was born in Doaksville in the beginning.
- Q How long did you live in the state of Missouri?
- A I couldn't exactly tell you.
- Q Whereabouts did you come to from the state of Missouri?
- A Came back to this territory, you know, down here to Doaksville.

Mary Brooks---2---

- Q When did you return to Doaksville? A I could not tell you the year at all.
- Q Can you tell about how long it was? A It has been a long time.
- Q Ten years? A Yes sir, more than that.
- Q More than 20 years? A No, not more than 18 or 19 years.
- Q You think you came back to Doaksville, Indian Territory, about 18 or 19 years ago? A Yes sir.
- Q And you have resided in the Choctaw Nation ever since then? A Yes sir, though I didn't abide in that place, I was in the Chickasaw and I live in the Chickasaw Nation now.
- Q Did you ever make application to the tribal authorities for enrollment as a citizen of the Choctaw Nation? A Yes sir, I did.
- Q When? A It has been about four years ago.
- Q Where did you make this application. A Down here at Tuskahoma. You recollect at the time the big roll was on? I was in that crowd.
- Q You made application before the Choctaw Commission? A I went there to do these things, and there was so many people there they never did get to me.
- Q Then you never made any application to the tribal authorities? A No sir.
- Q You have never been enrolled as a citizen of the Choctaw Nation by the Choctaw tribal authorities? A No sir, I have not.
- Q Did you ever make application for enrollment as a citizen by blood of the Choctaw Nation to the Dawes Commission? A No sir, I did go to the Dawes Commission, and there were so many people he got through before I got to him.
- Q It was for the purpose of appearing before the Dawes Commission that you went to Tuskahoma. A yes sir.
- Q It was not the tribal authorities, but the Dawes Commission that you went to see? A I did go to Tuskahoma, before the authorities of the Indians, you know?
- Q When was that? A About four years ago.
- Q When was it that you went to make your appearance before the Dawes Commission? A Do you know what Pauls Valley is?
- Q Yes. A And the time they was enrolling there?
- Q Yes. A That is the time. I can't recollect the year.
- Q Why didn't you make an application at that time? A I couldn't get to them-- I reckon four thousand people there.
- Q Now, ever since you came back to the Territory, 18 or 19 years ago, you claim to have been recognized by the Choctaw and Chickasaw Nations, as a citizen of the Choctaw Nation by blood? A Yes sir.
- Q State how you have been recognized. A They recognized me just like they do white people.
- Q Have you ever occupied land--- held land? A They gave me permission to go and take up anywhere I wanted to.
- Q Have you ever held any land? A No sir.
- Q Have you ever had any property in the Choctaw and Chickasaw Nation? A Oh, yes sir, I have had houses at Wynnewood.
- Q You have had houses at Wynnewood? A yes sir.
- Q Have you a house now? A No sir.
- Q Did you receive rent from your house? A Yes sir.
- Q Does your name appear upon the rolls of the Choctaw Nation? A Yes sir, on the old roll, before ever they started-- before ever this business was got up-- my name was on the old roll.
- Q Then you claim that your name appears upon the roll as Holbrooks? A yes sir.

The tribal rolls of the Choctaw Nation examined, and the name of Mary Brooks is not found thereon.

Mary Brooks----3----

Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation, acting under the Act of Congress of June 10, 1896? A No sir.

The citizenship records of the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, examined and the name of Mary Brooks is not found thereon.

J
Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes, as a citizen of the Choctaw Nation, under the act of June 10, 1896? A No sir.

The Court Records examined and the name of Mary Brooks is not found to have been admitted by a judgment of the United States Court for the Indian Territory.

Q Are you married? No sir, my husband is dead.

Q You have been married? A Yes sir.

Q What was the name of your husband? A Ralph Brooks.

Q When did he die? A He died, about, I reckon it has been about 12 years ago.

Q Was he a citizen of the Choctaw Nation by blood? A No sir, he was not a citizen.

Q Was he a white man? A He was between a white man and a Darkey, you can tell pretty well what that is.

Q Where were you married? A We were married in this nation.

Q In the Choctaw Nation? A Yes sir.

Q At what place? A Down here at Deaksville, I tell you I was raised there:

Q When were you married to Ralph Brooks? A When was I married?

Q Was it after you returned to the Territory? A Yes sir, he was living in the territory.

Q Was it after you came back from Missouri? A Yes sir.

Q Did you ever draw any money in the Choctaw Nation?

A No sir.

Q Did you ever make application for it? A Yes sir.

Q That is, you asked to have it paid to you? A Yes sir, no sir I never did.

Q You never drew any money or made any application for it?

A No, the Indians told me I was entitled to it, but I never asked for it.

Q You claim your right to enrollment simply because your mother was an Indian and a citizen of the Choctaw Nation? A Yes sir.

W. E. Taylor, attorney for applicant:

Q Aunt Mary, during the time that you have lived in the Indian Territory, have you lived among the Indians and have you been recognized by them as one of them? A Yes sir, yes sir.

Q They have never questioned your right? A No sir.

Q You have been allowed to use their land and exercise control over it? A Yes sir, that is what they gave me.

Q None of these Indians ever, directly or indirectly denied that you had any right. A No sir.

Q Your mother was a full blood Choctaw Indian? A Yes sir.

Q You never claimed anything else? A Never was nothing else.

Q And during your widowhood-- since you managed your own affairs, nobody has ever questioned your rights, you have been regarded as a citizen with the privileges of a citizen? A Yes sir.

Q You have stock? A Yes sir.

Q Cattle and horses, A Yes sir.

By the Commission:

Q You have other property in the nation than houses?

A Yes sir, I have stock and a house.

Mary Brooks, -----4-----

- Q You have cattle and horses? A Yes sir, I have cattle and horses, plenty of them.
- Q Where are they? A Down here in the Chickasaw Nation.
- Q On land that you occupy? A No sir, where we rent, I have never taken up no land at all.
- Q You rent land for pasture purposes? A Yes sir, and for working purposes too.
- Q You carry on a farm in the Chickasaw Nation? A Yes sir, my son-in-law does.
- Q I don't care what he does, I want to know what you do.
- A I do, he and I live on it, and that is sufficient.
- Q To whom do you pay rent? A Mr. Allen.
- Q Is he a citizen of the Choctaw or Chickasaw Nation?
- A He is a citizen of the Chickasaw Nation.
- Q Have you ever held land that you rented to other parties?
- A Yes sir, a small piece, though, I never have took up what I had to take up.
- Q You have the land that you rented to other parties, and received payment for the rent? A Yes sir.
- Q Is there any other statement that you desire to make at this time? A No sir, I don't believe there is. I like to state I have got two children-- I like to state I would like to have them on.
- Q What are their names? A One named Henry Brooks, and one Frances Brooks, she is married now and is Frances Spencer.
- Q How old is Henry Brooks? A 29.
- Q Are your two children residents of the Chickasaw Nation?
- Q They are residents of the Choctaw Nation, they live in the Chickasaw and are going back to the Choctaw Nation.
- Q Do they live in the Chickasaw Nation? A Yes sir, that is it.
- Q And are recognized as citizens by blood of the Choctaw Nation?
- A You know about that. (speaking to Mr. Taylor)
- Q What do you know? A A Yes sir, they are recognized pretty highly.

There is offered in evidence, filed and made a part of the records of this case, the affidavit of Cassie Franklin, dated June 19, 1901, marked Exhibit A.

The decision of the Commission with reference to your application for enrollment as a citizen by blood of the Choctaw Nation will be mailed to you at your present post office address.

-----000-----

Kate DeBord, being first duly affirmed, states that as stenographer to the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 22nd day of June, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes of all proceedings had in said cause on said date.

Kate DeBord

Subscribed and affirmed to before me this 22nd of June, 1901.

C. K. McKinstry

Commissioner.

MEMORANDUM.

CHOCTAW.

Case No.

M. H.

Date JUN 22 1901

Name *Mary Brooks.*

Age *58 years.*

Post-Office: *Wynnewood D. T.*

Father *Henry Holbrooks. dead*

Mother *Phoebe Holbrooks dead.*

Children:

Stenographer *Kate De Boid.*

COPY

Muskogee, Indian Territory, December 18, 1901.

Mary Brooks,
Wynnewood, Indian Territory.

Dear Madam:

On the 22nd day of June, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 381).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and

M. B.--2.

duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider, or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of your application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles,
Commissioner in Charge.

Register.
7 M 86

Mary Brooks,

vs.

Choctaw Nation.

Case No. 86

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

-Copy-

Refer in reply to the following:
Land.
349-1902.

Department of the Interior,

Office of Indian Affairs,

Washington, January 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

Herewith is forwarded memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Mary Brooks for enrollment as a citizen by blood of the Choctaw Nation.

On hearing the application was disapproved by the Commission and this memorandum comes up for Departmental review.

It appears from the the testimony transmitted that the applicant has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation.

The statement of the Commission is to the effect that under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221) it was without authority to enroll said applicants.

The office concurs in the decision of the Commission refusing enrollment and respectfully recommends the approval of said decision.

Very respectfully,

Your obedient servant,

W. A. Jones,

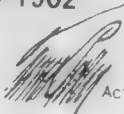
Commissioner.

E. S. S.
L.

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

FILED

JAN 28 1902



ACTING CHAIRMAN.

L.R.S.

4301

F.

Department of the Interior.

I.T.D. 271-1902.

Washington. January 16, 1902.

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

Gentlemen:

January 13, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Mary Brooks as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, the Commission refused the application under the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicant. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

Thomas Ryan
Acting Secretary.
E.M.D.

1 inclosure.

COPY.

Muskogee, Indian Territory, January 28, 1908.

Mary Brooks,
Wynnewood, Indian Territory.

Dear Madam:

On June 22, 1901, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 20, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 16, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED).

Tamie Dixby

Acting Chairman.

Muskogee, Indian Territory, October 31, 1901.

M. G. Gillett,

Post Office Box 106,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th instant, enclosing the certificate of J. L. Rapellee of October 28, 1901, the petition of Frances Spencer for enrollment as a citizen of the Choctaw Nation and the petition of Mary Brooks for enrollment as a citizen of the Choctaw Nation.

It appears from the records of the Commission that at Muskogee, Indian Territory, on June 22, 1901, Mary Brooks, 58 years of age, of Wynnewood, Indian Territory, made personal application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. From an examination of the records of the Commission, it does not appear that Mary Brooks has ever been enrolled by the tribal authorities of the Choctaw Nation; that her name is not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission; that she has not been legally admitted to citizenship in the Choctaw Nation by this Commission or by a legally constituted court or Committee of the Choctaw Nation or by

M C G S

the United States Court in Indian Territory in accordance with the provisions of the Act of Congress approved June 10, 1896.

It further appears that at Muskogee, Indian Territory, on August, 19, 1901, Frances Spencer, 37 years of age, of Wynnewood, Indian Territory, made application to this Commission for the enrollment of herself and her minor child, Jimmie Spencer, as citizens by blood of the Choctaw Nation. It does not appear that either of these applicants are now or have they ever been enrolled by the tribal authorities of the Choctaw Nation. Neither does it appear that they have been admitted to citizenship in such nation by this Commission or by a legally constituted court or committee of the Choctaw Nation or by the United States Court for the Indian Territory on appeal, as provided in the Act of Congress approved June 10, 1896.

Your attention is invited to the following provision of the Act of Congress of May 31, 1900:

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

Under this legislation it is not believed the Commission has any authority to receive, consider or make any further record of the applications of these persons for enrollment as citizens of the Choctaw Nation, than those made on June 22, and August 19, 1901. For this reason the papers submitted by you are returned herewith.

K U 6 3

When the decision of the Commission relative to the enrollment of these persons is reached, the applicants will be notified and such action transmitted to the secretary of the Interior for his approval.

Yours truly,

Acting Chairman.

7-12-20

7-12-20

Enc Y - 20

-7-Memo.86

Muskogee, Indian Territory, June 30, 1906.

Jeff Brooks,

Wynnewood, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of June 5, 1906, enclosing postoffice money order for fifty cents asking the status of your Choctaw citizenship case. You state that you and your mother, Mary Brooks, appeared before the Commission to the Five Civilized Tribes in March, 1901, and made application for enrollment as Choctaws by blood.

In reply you are advised that it appears from the records of this office that Mary Brooks made application for enrollment as a citizen by blood of the Choctaw Nation, and on December 18, 1901, a decision was rendered refusing her application. On December 30, 1901, the record was forwarded to the Secretary of the Interior, and this action was approved by him on January 16, 1902.

It does not appear that application has been made by you or on your behalf for enrollment as a citizen of the Choctaw Nation, and in this connection your attention is invited to the following provision of the Act of Congress, approved April 25,

J. B. - - - (2)

1906:

"That after the approval of this Act no person shall be enrolled as a citizen or freedman of the Choctaw, Chickasaw, Cherokee, Creek, or Seminole tribes of Indians in the Indian Territory, except as herein otherwise provided, unless application for enrollment was made prior to December first, nineteen hundred and five, and the records in charge of the Commissioner to the Five Civilized Tribes shall be conclusive evidence as to the fact of such application."

The money order for fifty cents, enclosed with your letter, is returned you herewith.

Respectfully,

WM. 30/9

Commissioner.

Choc memo 87

Choc memo 87

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, taken August 15, 1901.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Flerine McIntosh.

Flerine McIntosh being duly sworn by Commissioner Needles testified as follows:

- Q What is your name? A Flerine McIntosh.
Q What is your age? A 28.
Q What is your post office address? A Muskogee/
Q Indian Territory? A Yes sir.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir I have'nt.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation? A No sir.
Q Does your name appear upon the tribal rolls of the Choctaw Nation? A I dont know whether my father put them down or not.
Q How do you think your name would appear upon the tribal rolls of the Choctaw Nation? A If my name appears upon the rolls at all it appears as Flerine Nethery ; it might be possible that my step father might have put it down as Flerine Butler.

The tribal rolls of the Choctaw Nation examined and the name of Flerine Nethery or Flerine Butler are not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the Five Civilized Tribes under the Act of June 10 1896 examined and the name of Flerine Nethery or Flerine Butler are not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of June 10, 1896? A No sir.

The court records examined and the name of Flerine Nethery or Flerine Butler are not found thereon as having been admitted by any judgment of the United States Courts for the Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application

Florine McIntosh-3.

made by you at this time which will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Weed being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 15th day of August 1901 and that the above and foregoing is a full, true and correct transcript of her stenographic notes taken in said cause on said date.

Clara Mitchell Weed

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

[Signature]

MEMORANDUM.

CHOCTAW.

Memorandum Case No. 87

Date AUG 15 1901

Name *Flornie Mc Intosh*

Age 28.

Post-Office: *Muskogee Indian Ter*

Children:

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

FILED

AUG 15 1901



ACTING CHAIRMAN

01

Stenographer *Clara M Wood.*

COPY

Muskogee, Indian Territory, December 18, 1901.

Flerine McIntosh,

Muskogee, Indian Territory.

Dear Madam-

On the 15th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats.321).

The act of Congress of May 31, 1900, (31 Stats.321), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully

Flerine McIntosh-----2.

enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Cheotaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

the Commission to the Five Civilized Tribes

By T. B. Needles,
Commissioner in Charge.

Register 7887

Florine McIntosh,
Choctaw Nation⁴⁸

Case No. 87

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

-Copy-

L.R.S.

4299

F.

DEPARTMENT OF THE INTERIOR,

I.T.D. 275-1902.

Washington, January 16, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 13, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Florine McIntosh as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicant. Copy of the Commissioner's letter is inclosed herewith.

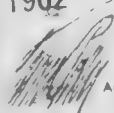
Respectfully,

THOS. RYAN,

Acting Secretary

1 inclosure.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 28 1902



ACTING CHAIRMAN.

C O P Y .

Refer in reply to the following:

Land
349 - 1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, January 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to forward herewith for the consideration of the Department memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Florine McIntosh for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the testimony transmitted that the applicant herein has never been admitted, enrolled or recognized as a citizen of the Choctaw Nation.

The Commission states that by the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221) it had no authority to enroll said applicant.

The office concurs in the decision of the Commission disapproving said application and respectfully recommends the approval of the decision.

Very respectfully,
Your obedient servant,

W. A. JONES,

Commissioner.

F. E. S.

C

COPY.

Muskogee, Indian Territory, January 28, 1902.

Florine McIntosh,

Muskogee, Indian Territory.

Dear Madam:

On August 15, 1901, you made application to this Commission for the enrollment of yourself as a citizen of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused to enroll you as a citizen of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 16, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED)

Tamo Bixby

Acting Chairman.

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

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

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 18, 1901.

Florine McIntosh,

Muskogee, Indian Territory.

Dear Madam-

On the 15th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats.321).

The act of Congress of May 31, 1900, (31 Stats.221), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully

Florine McIntosh-----2.

enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes

By 

Commissioner in Charge.

Register 7M87

Choc memo 88

1

Choc memo 88

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Ind. August 16, 1901.

In the matter of the application of James Simons for enrollment as a citizen by blood of the Choctaw Nation.

James Simons being duly sworn by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A James Simons.
Q What is your age? A Well about 34 I guess; a nigh as I know; I dont know exactly.
Q What is your post of fice address? A Keokuk Falls.
Q Is that in the Indian Territory? A No sir; its in Oklahoma.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation Nation as a citizen of the Choctaw Nation? A Yes sir.
Q Does your name appear upon the tribal rolls of the Choctaw Nation? A I dont know.
Q Have you ever made application to the tribal authorities of the Choctaw Nation for enrollment? ANo sir.

The tribal rolls of the Choctaw Nation examined and the name of James Simons is not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896 examined and the name of James Simons is not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an aped from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of June 10, 1896? A No sir.

The court records examined and the name of James Simons is not found to have been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at

your present post office address as given by
you in your testimony.

Clara Mitchell Wood being duly sworn states that as
stenographer for the Commission to the Five Civilized Tribes
she reported in full all proceedings had in the above entitled
cause on the 16th day of August 1901 and that the above and
foregoing is a full, true and correct transcript of her sten-
ographic notes taken in said cause on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 16th day of August
1901.

J. B. [Signature]
Commissioner.

MEMORANDUM.

CHOCTAW.

Memorandum Case No. 88

Date AUG 16 1901

Name *James Simons.*

Age *34.*

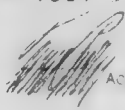
Post-Office: *Keokuk Falls. Ok Ter.*

~~*Children.*~~

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 16 1901

 ACT'G CHAIRMAN

Stenographer *Clara M. Wood.*

COPY

Muskogee, Indian Territory, December 18, 1901.

James Simons,

Keokuk Falls, Oklahoma Territory.

Dear Sir:

On the 16th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of your application that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof,

J. B.--2.

and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provisions of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles

Commissioner in Charge.

Register.
7 M 88

James Simons,
vs.
Choctaw Nation.

Case No. 88

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

L.R.S.

-Copy-

4294

F.

I.T.D. 274-1902.

DEPARTMENT OF THE INTERIOR,

Washington, January 16, 1902.

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

Gentlemen:

January 13, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of James Simons for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18 , 1901, you refused the application under the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicant. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

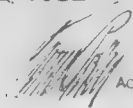
THOS. RYAN,

Acting Secretary.

1 inclosure.

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

FILED
JAN 28 1902



ACTING CHAIRMAN.

- Copy -

Refer in reply to the following:

Land
349- - -1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, January 13, 1902.

The Honorable ,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith for Departmental consideration memorandum of the Commission to the Five Civilized Tribes in the matter of the application of James Simons for enrollment as a citizen by blood of the Choctaw Nation.

From the evidence transmitted it appears that the applicant herein has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation.

The statement of the Commission is to the effect that by the provisions of the Act of Congress approved May 31, 1900 (31 Stats. 221) it had no authority to enroll said applicant and therefore the application was disapproved.

The office respectfully recommends that the decision of the Commission be approved.

Very respectfully,

Your obedient servant,

W. A. JONES,

Commissioner.

E. E. S.

C

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COPY.

Muskogee, Indian Territory, January 28, 1902.

James Simons,

Beekuk Falls, Oklahoma Territory.

Dear Sir:

On August 16, 1901, you made application to this Commission for enrollment as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused your enrollment as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 20, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 15, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for your enrollment as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *James Dwyer*

Acting Chairman.

7 M 88

Muskegee, Indian Territory, November 1, 1901.

James Simons,

Keokuk Falls, Oklahoma.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 28, 1901, in which you desire to be informed if any action had been taken by this Commission and the Secretary of the Interior relative to your enrollment as a citizen by blood of the Choctaw Nation.

You are informed that it appears from the records of the Commission that at Muskegee, Indian Territory, on August 16, 1900, James Simons, 34 years of age, of Keokuk Falls, Oklahoma, made personal application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. From an examination of the record made at that time it does not appear that your name was found upon the tribal rolls of the Choctaw Nation in the possession of the Commission, nor had you ever been admitted to citizenship in that nation by the Commission to the Five Civilized Tribes as authorized thereunto by Act of Congress of June 10, 1896, by a legally constituted court or committee of the Choctaw Nation or by a United States Court in Indian Territory.

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

This legislation would seem to apply to your application. No decision has yet been rendered by the Commission relative to your application but when such is reached, you will be notified and the action of the Commission transmitted to the Secretary of the Interior for his approval.

Yours truly,

Acting Chairman.

7-M-88

Choc memo 98

Choc memo 90

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 19, 1901.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Ada Walls and her three minor children Fred, Mary and Clancy Walls.

Ada Walls being duly sworn by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A Ada Walls.
Q What is your age? A 20 years old.
Q What is your post office address? A Wynnewood.
Q Indian Territory? A Yes sir
Q What is the name of your oldest child? A Fred Walls.
Q How old is he? A Six years old.
Q What is the name of your next child? A Mary Walls.
Q How old is she? A Four years old.
Q What is the name of your next child? A Clancy Walls.
Q How old is she? A Two years old.
Q Have you or your children for whom you now make application ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Have you or either of your children ever been enrolled by the Choctaw tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the names of any of your children appear upon any of the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the names of Ada Walls and her three minor children, Fred Mary and Clancy walls are not found thereon.

- Q Were you or either of your children admitted by the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the Five Civilized Tribes under the Act of Congress of June 10, 1896 examined and the names of Ada Walls and of her minor children Fred, Mary and Clancy Walls are not found thereon.

- Q Were you or either of your children admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes as citizens of the Choctaw nation under the Act of June 10, 1896? A No sir.

Court records examined and neither the name of Ada Walls or her children Fred Mary and Clancy Walls are found to have been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision of

Ada Va 12-2.

the Commission with reference to the application made by you at this time which will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Wood being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 19th day of August 1901 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 20th day of August 1901.

[Signature]

Commissioner.

MEMORANDUM.

CHOCTAW

Case No. *M 90*

Date AUG 19 1901

Name *Ada Walls.*

Age *20.*

Post-Office: *Wynnewood Ind. Ter.*

Children:

Fred Walls. Son. 6 years

Mary Walls. Daughter. 4 years

Clancy Walls. Son. 2 years

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

FILED

AUG 19 1901



ACTING CHAIRMAN.

Stenographer *Clara M Wood*

COPY

Snakeegee, Indian Territory, December 18, 1901.

Ada Walls,

Wynnewood, Indian Territory.

Dear Madam:

On the 19th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your three minor children, Fred, Mary and Clancy Walls, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application

A. V.--2.

of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your three minor children above named are not citizens of the Choctaw nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider, or make any record of the application for enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of your application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By T. B. Needles,
Commissioner in Charge.

Register.
7 m 90

Ada Walls, et al.

vs.

Choctaw Nation

Case No. 90

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

C O P Y .

Refer in reply to the following:

Land
349-1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, January 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to forward herewith for Departmental approval memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Ada Walls for the enrollment of herself and her three minor children as citizens by blood of the Choctaw Nation.

From the evidence transmitted it appears that not one of said applicants have ever been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The Commission states that by the provisions of the Act of Congress approved May 31, 1900, (Stats., 441), it had no authority to enroll said applicants.

The office respectfully recommends that the decision of the Commission disapproving this application be approved.

Very respectfully,

Your obedient servant,

W. A. JONES,

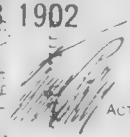
Commissioner.

E. S. S.

C

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

FILED
JAN 28 1902



ACTING CHAIRMAN.

C O P Y .

L.R.S.

4297

F.

DEPARTMENT OF THE INTERIOR,

I.T.D. 273-1902.

Washington, January 16, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 13, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Ada, Fred, Mary and Clancy Wall, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application under the act of May 31, 1900.

The Department affirms your decision, and you will so inform the applicants. Copy of the Commissioner's letter is inclosed.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, January 28, 1902.

Ada Walls,

Wynnewood, Indian Territory.

Dear Madam:

On August 19, 1901, you made application to this Commission for the enrollment of yourself and your three minor children, Fred, Mary, and Clancy Walls, as citizens of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused to enroll you and your minor children as citizens of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 16, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself and your minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamr Bisby.*

Acting Chairman.

Choc memo 91

Choc memo 91

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 19, 1901.

In the matter of the application of Mollie Bigger for enrollment of herself and four minor children Willie, Martha Radie, Dora and Neel Bigger, as citizens by blood of the Choctaw Nation.

Mollie Bigger being first duly sworn by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A Mollie Bigger.
Q How old are you? A I am 45 years old.
Q What is your post-office address? A Wynnewood.
Q Wynnewood, Chickasaw Nation, Indian Territory? A Yes sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Mack Bigger.
Q He is the father of the children named in this application? A Yes sir.
Q Is he a citizen by blood of the Choctaw Nation? A No sir.
Q Have you or either of your children ever been recognized by the tribal authorities of the Choctaw Nation as citizens by blood of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear upon the tribal rolls of the Choctaw Nation? A No sir.
Q What is the name of your oldest minor child? A Willie Bigger.
Q How old is he? A He's going on 20 years old.
Q What's the name of your next child? A Martha Radie Bigger.
Q How old is she? A She's 17 years old going on 18.
Q What's the name of the next child? A Dora Bigger.
Q How old is Dora? A She's 15 years old.
Q What is your next child's name? A Neel Bigger.
Q How old is she? A 13.

The tribal rolls of the Choctaw Nation examined and the names of Mollie Bigger, Willie, Martha Radie, Dora and Neel Bigger are not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

The citizenship record of the Commission to the Five Civilized Tribes under the Act of June 10, 1896 examined and the names of Mollie Bigger, Willie, Martha Radie, Dora and Neel Bigger are not found thereon.

- Q Were you admitted by the United States Court for the Indian Ter-

Mellie Bigger-2.

upon an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of June 10, 1896?
A No sir.

The court records examined and the names of Mellie Bigger, Willie Bigger Martha Radie Bigger Dora Bigger and Neel Bigger are not found to have been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time which will be mailed to you at your present post-office address as given in your testimony.

Clara Mitchell Wood being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on the 19th day of August, A. D. 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes taken in said cause on said date.

Clara Mitchell Wood.

Subscribed and sworn to before me this the 20th day of August 1901.

[Signature]
_____ Commissioner.

MEMORANDUM.

CHOCTAW Case No. M 91

Date AUG 19 1901

Name Mollie Bigger.

Age 45.

Post-Office: Wynnewood D.T.

Children:

Laura Bigger.	
Willie Bigger	20
Martha Eadie Bigger	17
Dora Bigger	15
Neel Bigger	13

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

FILED

AUG 19 1901



ACTING CHAIRMAN.

Stenographer Clara M Wood

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 18, 1901.

Mollie Bigger,

Wynnewood, Indian Territory.

Dear Madam-

On the 19th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your four minor children, Willie, Martha Radie, Dora and Neel Bigger, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats. 321).

The act of Congress of May 31, 1900, (31 Stats. 221), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any

Mollie Bigger-----2.

application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the secretary of the Interior."

The Commission has, therefore, on this date decided that yourself and your four minor children abovenamed are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said children as citizens of said Nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

By


Commissioner in Charge.

Register 7M91

Mollie Bigger, et al.

vs.

Choctaw Nation.

Case No. 91

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

Copy

Refer in reply to the following:
349-1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, January 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded with this letter for Departmental consideration memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Mollie Bigger for the enrollment of herself and her four minor children, Willie, Martha, Eadie, Dora, and Ned Bigger, as citizens by blood of the Choctaw Nation.

From the testimony transmitted it appears that said applicants have never been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The Commission by its decision disapproved the application on the ground that under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221) it had no authority to enroll said applicants.

The office respectfully recommends that the decision of the Commission be approved.

Very respectfully,
Your obedient servant,

E. S. S.

W. A. JONES,

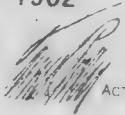
C

Commissioner.

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

FILED

JAN 28 1902



ACTING CHAIRMAN.

-Copy-

L.R.S.

4298

F.

I.T.D. 276-1902

DEPARTMENT OF THE INTERIOR,

Washington, January 16, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 13, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Mollie, Willie, Martha Eadie, Dora and Neel Bigger as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused this application under the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicants. A copy of the Commissioner's letter is inclosed herewith.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Washoges, Indian Territory, January 28, 1902.

Mollie Bigger,

Wynnewood, Indian Territory.

Dear Madam:

On August 19, 1901, you made application to this Commission for the enrollment of yourself and your four minor children, Willie, Martha Nadie, Dora and Neal Bigger, as citizens by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application the Commission refused your enrollment and the enrollment of your four minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon. And on January 16, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of yourself and your four minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamc Dixby.*

Acting Chairman.

Choc memo 92

Choc memo 92

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 19, 1901.

In the matter of the application for enrollment as citizens by blood of the Choctaw Nation of Laura Griffin and her five minor children, Ida, Claudie, Rosa Belle, Willie Mack and Cora Leona Griffin.

Laura Griffin being duly sworn by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A Laura Griffin.
Q How old are you? A I am 28.
Q What is your post office address? A Wynnewood.
Q Indian Territory? A Yes sir.
Q What is the name of your eldest child? A Ida.
Q How old is Ida? A Ten years old.
Q What is the name of your next child? A Claudie.
Q How old is Claudie? A Six years old.
Q What is the name of your next child? A Rosa Belle.
Q How old is Rosa Belle? A She's four years old.
Q What's the name of your next child? A Willie Mack.
Q How old is he? A He's three years old.
Q What's the name of your next child? A Cora Leona.
Q How old is she? A She's eight months old.
Q You are married? A Yes sir.
Q What's the name of your husband? A Allen Griffin.
Q Is he the father of these children? A Yes sir.
Q Have you or either of your children named in this application ever been recognized by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Have you or either of your children ever been enrolled by the tribal authorities of the Choctaw Nation as citizens of the Choctaw Nation? A No sir.
Q Does your name or the names of any of your children appear upon the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the names of Laura Griffin and her minor children Ida, Claudie, Rosa Belle, Willie Mack and Cora Leona Griffin are not found thereon.

- Q Were you or either of your children admitted by the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the act of Congress approved June 10, 1896? A No sir.

Citizenship record of the Commission to the Five Civilized Tribes under the Act of June 10, 1896 examined and the names of Laura Griffin and her minor children Ida, Claudie, Rosa Belle, Willie Mack and Cora Leona Griffin are not found thereon.

- Q Were you or either of your children admitted by the United States Court for the Indian Territory upon appeal from the Commission to the

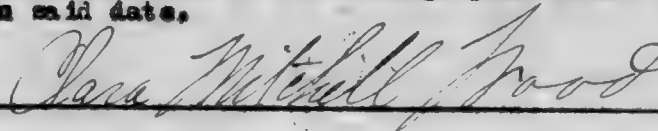
Laura Griffin-2.

Five civilized tribes as citizens of the Choctaw nation under the Act of Congress of June 10, 1896? A No sir.


Court records examined and the name of Laura Griffin and her minor children, Ida, Claudie, Rosa Belle, Willie Mack and Cora Ysoma Griffin are not found to have been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time which will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Wood being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause and that on the 19th day of August 1901 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings had on said date.



Subscribed and sworn to before me this 20th day of August 1901.



Commissioner.

MEMORANDUM.

CHOCTAW

Case No. M 92

Date AUG 19 1901

Name Laura Griffin

Age 28

Post-Office: Wynnewood Ind Tex

Children:

- Ida Griffin dan 10 yrs
- Claudia Griffin 6 "
- Rosa Belle Griffin 4 "
- Willie Macks Griffin 3 "
- Cora Leona Griffin 8

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

FILED

AUG 19 1901


ACTING CHAIRMAN.

Stenographer Clara M Wood



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 5 1902

A handwritten signature in dark ink, appearing to read "T. J. [unclear]", positioned above the typed title "ACTING CHAIRMAN".

ACTING CHAIRMAN.

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

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

ALLISON L. AVLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 18, 1901.

Laura Griffin,

Wynnewood, Indian Territory.

Dear Madam-

On the 19th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your five minor children, Ida, claudie, Rosa Belle, Willie Mack, and Cora Leona Griffin, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats.321).

The act of Congress of May 31, 1900, (31 Stats.221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member

Laura Griffin-----2.

of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your five minor children above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes

By 
Commissioner in Charge.

Register 7M92

Laura Griffin et al

vs.

Choctaw nation.

Case No. 92

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

-Copy-

Refer in reply to the following:

Land
349-1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, Jan. 18, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

Herewith is transmitted for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Laura Griffin for the enrollment of herself and her minor children, Ida, Claudie, Rosa Belle, Willie Mack, and Cora Leona Griffin, as citizens by blood of the Choctaw Nation.

From the testimony transmitted it appears that the applicants herein have never been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The decision of the Commission is to the effect that it has no authority to enroll said applicants under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221).

The office concurs in the decision of the Commission and respectfully recommends its approval.

Very respectfully,

Your obedient servant,

W. A. JONES,

Commissioner.

E. S. S.

L.

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

FILED

JAN 20 1902



ACTING CHAIRMAN.

C O P Y .

4800

L.R.S.

F.

DEPARTMENT OF THE INTERIOR,

I.T.D. 380-1902.

Washington, January 21, 1902.

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

Gentlemen:

January 18, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Laura Griffin and her minor children, Ida, Claudie, Rosa Belle, Willie Mack, and Cora Leona Griffin, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application, in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicants. A copy of the Commissioner's letter is inclosed herewith.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

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.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 29, 1902.

Laura Griffin,
Wynnewood, Indian Territory.

Dear Madam:

On August 19, 1901, you made application to this Commission for enrollment of yourself and your minor children, Ida, Claudie, Rosa Belle, Willie Mack, and Cora Leona Griffin, as citizens of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused to enroll you and your minor children as citizens of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 21, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of you and your minor children as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,



Acting Chairman.

7 M 92

Choc memo 93

Choc memo 93

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 19, 1901

In the matter of the application for enrollment as citizens of the Choctaw Nation of James Bigger and his minor child Mack Arthur Bigger.

James Bigger being duly sworn by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A James Bigger.
Q What is your age? A My age is 26 years old.
Q What is your past office address? A Wynnswood.
Q Indian Territory? A Yes sir.
Q Are you married? A Yes sir.
Q How many children have you got? A One.
Q What is the name of that child? A Mack Arthur Bigger.
Q How old is he? A He is two years old.
Q Is the mother of this child an Indian? A No sir.
Q Is she a citizen of the Choctaw Nation? A No sir. I think not.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear upon the tribal rolls of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation examined and the name of James Bigger and his minor son Mack Arthur are not found thereon

- Q Were you or your child admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896? A No sir.

Citizenship records of the Commission to the Five Civilized Tribes under the act of June 10, 1896 examined and the name of James Bigger and his minor son Mack Arthur Bigger is not found thereon.

- Q Were you or your minor child admitted by the United States Court for the Indian Territory upon a appeal from the Commission to the Five Civilized Tribes as citizens of the Choctaw Nation under the Act of June 10, 1896? A No sir.

The court records examined and the name of James Bigger nor that of his minor son Mack Arthur Bigger is not found thereon as having been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision

James Higger-2.

of the Commission with reference to the application made by you at this time which will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Wood being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 19th day of August 1901 and that the above and foregoing is a full, true and correct transcript of her stenographic notes of said proceedings had on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 20th day of August 1901.

[Signature]
Commissioner.

MEMORANDUM.

CHOCTAW

Case No. M 93

Date

AUG 19 1901

Name

James Bigger.

Age

26

Post-Office:

Wynnewood Ind Ter

Children:

Mack Arthur Bigger 2 yrs

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

FILED

AUG 19 1901



ACTING CHAIRMAN.

Stenographer

Clara M Wood

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.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, December 18, 1901.

James Bigger,

Wynnewood, Indian Territory.

Dear Sir-

On the 19th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your minor child, Mack Arthur Bigger, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats 321).

The act of Congress of May 31, 1900, (31 Stats.221), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member

James Bigger----2.

of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and if a refusal of such application shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your minor child above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said child as citizens of said Nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes,

By 

Commissioner in Charge.

Register 7M93

James Bigger, et al

vs.

Choctaw Nation.

Case No. 93

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

- Copy -

Refer in reply to the following:

Land
349-1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, Jan. 7, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

Herewith is transmitted, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of James Bigger, for the enrollment of himself, and his minor child, Mack Arthur Bigger, as citizens by blood of the Choctaw Nation. The application was rejected by the Commission and this memorandum comes up for Departmental review.

From the testimony it appears that the applicants herein have never been admitted, enrolled or recognized as citizens of the Choctaw Nation.

The decision of the Commission is to the effect that it has no authority to enroll the applicants herein under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221).

The office respectfully recommends that the decision of the Commission be approved.

E. S. S.

L.

Very respectfully,
Your obedient servant,

W. A. JONES,
Commissioner.

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

FILED

JAN 28 1902



ACTING CHAIRMAN

COPY

L.R.S.

4547

F.

DEPARTMENT OF THE INTERIOR,

I.T.D. 371-1902.

Washington, January 20, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 7, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of James and Mack Arthur Bigger as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application under the act of May 31, 1900.

The Department affirms your decision in this case, and you will so advise the applicants. A copy of the Commissioner's letter is inclosed.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, January 28, 1902.

James Bigger,

Wynnewood, Indian Territory.

Dear Sir:

On August 19, 1901, you made application to this Commission for the enrollment of yourself and your minor child, Mack Arthur Bigger, as citizens of the Choctaw Nation. On December 18, 1901, after a consideration of the application, the Commission refused to enroll you and your minor child as citizens of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 20, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself and your minor child as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamie Dixby.*

Acting Chairman.

Choc memo 94

Choc memo 94

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 19, 1901.

In the matter of the application of Frances Spencer for the enrollment of herself and her minor child, Jimmie Spencer, as citizens by blood of the Choctaw Nation.

Frances Spencer being duly sworn, by Commissioner Needles testified as follows:

Examination by the Commission:

- Q What is your name? A Frances Spencer.
Q What is your age? A 37.
Q What is your post-office address? A Wynnewood.
Q Where is Wynnewood? A In the Chickasaw Nation.
Q Indian Territory? A Yes sir.
Q Are you married? A Yes sir.
Q What's the name of your husband? A Louis Spencer.
Q Is he a citizen by blood of the Choctaw Nation? A No sir.
Q Is he the father of the child named in your application? A Yes sir.
Q Have you any children? A I have not but the one I palled ever just now.
Q What's its name? A Jimmie Spencer.
Q How old is he? A 16 years old.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A Yes sir.
Q How? A I been living amongst them now for 15 or 20 years.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q Does your name appear upon the tribal rolls of the Choctaw Nation? A No sir.
Q Has your minor child, Jimmie Spencer ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir; no further than by me.
Q Has he ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No sir.
Q Does his name appear upon the tribal rolls of the Choctaw Nation? A No sir.

Tribal rolls of the Choctaw Nation examined and the names of Frances Spencer and Jimmie Spencer are not found thereon.

- Q Were you or your child Jimmie Spencer admitted by the Commission to the Five Civilized tribes as citizens of the Choctaw Nation under the act of Congress approved June 10, 1896. A No sir.

Citizenship record of the Commission to the Five Civilized Tribes under the Act of June 10, 1896 examined and the names of Frances Spencer and Jimmie Spencer are not found thereon.

- Q Were you admitted by the United States Court for the ~~Chickasaw~~ Territory upon an appeal from the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of June 10, 1896? A No sir.

Frances Spencer -2.

The court records examined and the names of Frances Spencer and Jimmie Spencer are not found to have been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time which will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Wood being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 19th day of August A. D. 1901 and that the above ad foregoing is a full, true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 20th day of August 1901.

W. H. C.
Commissioner

MEMORANDUM.

CHOCTAW

Case No. M 94

Date AUG 19 1901

Name Frances Spencer

Age 37.

Post-Office: Wynnewood Ind Ter

Children:

Jimmie Spencer 16

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

FILED

AUG 19 1901



A. F. N. CHAIRMAN.

Stenographer Clara M. Wood

COPY

Muskogee, Indian Territory, December 18, 1901.

Frances Spencer,
Wynnewood, Indian Territory.

Dear Madam:

On the 19th day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your minor child, Jimmie Spencer, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321).

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application

P. S.--2.

of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that yourself and your minor child above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provisions of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said child as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By _____
T. E. Needles,

Commissioner in Charge.

Register.
7 M 94

2"
Frances Spencer, et al.

vs.

Choctaw Nation

Case No. 94

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,*

December 30, 1901.

C O P Y .

Refer in reply to the following:

Land
349-1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, January 17, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith, for Departmental consideration memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Francis Spencer, for the enrollment of herself and her minor child Jimmie Spencer, as citizens by blood of the Choctaw Nation. The applicants were refused enrollment by the Commission.

From the evidence it appears that the applicants herein have never been enrolled, admitted or recognized as citizens of the Choctaw Nation.

The decision of the Commission is to the effect that under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221) it has no authority to enroll said applicants.

The office respectfully recommends that the decision be approved.

Very respectfully,
Your obedient servant,

W. A. JONES,

Commissioner.

E.S.S.
L.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 28 1902

[Handwritten signature]
ACTING CHIEF-MEN.

C O P Y .

L.R.S.

4797

F.

DEPARTMENT OF THE INTERIOR,

I.T.D. 379-1902.

Washington, January 21, 1902.

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

Gentlemen:

January 17, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Frances and Jimmie Spencer as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision, and you will so inform the applicants. Copy of the Commissioner's letter is inclosed herewith.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, January 23, 1902.

Frances Spencer,
Wynnewood, Indian Territory.

Dear Madam:

On August 19, 1901, you made application to this Commission for the enrollment of yourself and your minor child, Jimmie Spencer, as citizens of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused to enroll you and your minor child as citizens of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 21, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself and your minor child as citizens of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *James Dixby*

Acting Chairman.

7 M 94

Muskegee, Indian Territory, October 31, 1901.

M. G. Gillett,

Post Office Box 106,

Wynnewood, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 28th instant, enclosing the certificate of J. L. Rapollee of October 28, 1901, the petition of Frances Spencer for enrollment as a citizen of the Choctaw Nation and the petition of Mary Brooks for enrollment as a citizen of the Choctaw Nation.

It appears from the records of the Commission that at Muskegee, Indian Territory, on June 22, 1901, Mary Brooks, 68 years of age, of Wynnewood, Indian Territory, made personal application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. From an examination of the records of the Commission, it does not appear that Mary Brooks has ever been enrolled by the tribal authorities of the Choctaw Nation; that her name is not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission; that she has not been legally admitted to citizenship in the Choctaw Nation by this Commission or by a legally constituted court or Committee of the Choctaw Nation or by

M 5 0 2

the United States Court in Indian Territory in accordance with the provisions of the Act of Congress approved June 10, 1896.

It further appears that at Muskogee, Indian Territory, on August, 19, 1901, Frances Spencer, 37 years of age, of Wynnewood, Indian Territory, made application to this Commission for the enrollment of herself and her minor child, Jimmie Spencer, as citizens by blood of the Choctaw Nation. It does not appear that either of these applicants are now or have they ever been enrolled by the tribal authorities of the Choctaw Nation. Neither does it appear that they have been admitted to citizenship in such nation by this Commission or by a legally constituted court or committee of the Choctaw Nation or by the United States Court for the Indian Territory on appeal, as provided in the Act of Congress approved June 10, 1896.

Your attention is invited to the following provision of the Act of Congress of May 31, 1900:

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

Under this legislation it is not believed the Commission has any authority to receive, consider or make any further record of the applications of these persons for enrollment as citizens of the Choctaw Nation, than those made on June 22, and August 19, 1901. For this reason the papers submitted by you are returned herewith.

M 5 0 3

When the decision of the Commission relative to the enrollment of these persons is reached, the applicants will be notified and such action transmitted to the secretary of the Interior for his approval.

Yours truly,

Acting Chairman.

7-M-88

7-M-94

Enc Y - 20

choc memo 95

choc memo 95

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. August 22, 1901.

In the matter of the application of Bettie Ross for the enrollment as citizens by blood of the Choctaw Nation of herself and her minor children, Martha, Jane, Jimmie, Mary and Tayler Ross.

Bettie Ross being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Bettie Ross is my name.
Q What is your age? A I dont know exactly my age; I am about 40
- some odd.
Q What is your present post office address? A Wynnewood.
Q Is that in the Indian Territory? A Yes sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Archer Ross.
Q Is he a citizen by blood of the Choctaw Nation? A He aint a citizen
by blood of the Choctaw Nation.
Q You want to make application for enrollment as a citizen by blood
of the Choctaw Nation? A Yes sir.
Q Have you or your children named in this application ever been
recognized by the tribal authorities of the Choctaw Nation as citi-
zens of the Choctaw Nation? A No sir.
Q Have you or either of your children named in this application
ever been enrolled by the tribal authorities of the Choctaw Nation
as citizens of the Choctaw Nation? A No sir we never have.
Q Does your name or the names of either of your children named in
this application appear upon the tribal rolls of the Choctaw Nation?
A I dont know.

The tribal rolls of the Choctaw Nation examined
and the name of Bettie Ross and her five minor
children Martha, Jane, Jimmie, Mary and Tayler
Ross are not found thereon.

- Q Were you or either of your children named in this application
admitted by the Commission to the Five Civilized Tribes as citizens
of the Choctaw Nation under the Act of Congress approved June 10,
1896? A No sir.

Citizenship record of the Commission to the Five
Civilized Tribes under the act of June 10, 1896
examined and the name of Bettie Ross and her
five minor children, Martha, Jane, Jimmie, Mary
and Tayler Ross are not found thereon.

- Q Were you or either of your children named in this application
admitted by the United States Court for the Indian Territory upon
an appeal from the Commission to the Five Civilized Tribes as citi-
zens of the Choctaw Nation under the Act of Congress of June 10, 1896?
A No sir.
Q This is the first time you ever made application for citizenship

Hettie Ross-2.

is the Choctaw nation anywhere? A Yes sir.

The court records examined and the name of Hettie Ross and her minor children, Martha, Jane, Jimmie Mary and Taylor Ross are not found to have been admitted by a judgment of the United States Court for the Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of yourself and your minor children, which will be mailed to you at your present post office address as given in your testimony.

Clara Mitchell Wood being duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 22nd day of August 1901 and that the above and foregoing is a full true and correct transcripts of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 26th day of August 1901.

[Signature]

Commissioner.

MEMORANDUM.

CHOCTAW . Case No M _____

Date AUG 22 1901

Name *Bettie Ross.*

Age *40.*

Post-Office: *Wynnewood. D. T.*

Makes application for enrollment as
citizens by blood of the Choctaw nation of
herself and her 4 minor children

Children:

<i>Martha Jane Ross</i>	<i>17</i>
<i>Jimmie Ross</i>	<i>16</i>
<i>Mary Ross</i>	<i>14</i>
<i>Taylor Ross</i>	<i>12</i>

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

F I L E D

AUG 22 1901



Stenographer *Olivia M Wood.*

COPY

Muskogee, Indian Territory, December 18, 1901.

Bettie Ross,

Wynnewood, Indian Territory.

Dear Madam-

On the 22nd day of August, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of yourself and your five minor children, Martha, Jane, Jimmie, Mary and Taylor Ross, as citizens by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicants above named have never been enrolled by the tribal authorities of the Choctaw Nation, and that their names do not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that they have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats. 321).

The act of Congress of May 31, 1900, (31 Stats. 221), provides:

"That said commission shall continue to exercise all

Bettie Ross-----R.

authority heretofore conferred on it by law. But it shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the secretary of the Interior.*

The Commission, has, therefore, on this date, decided that yourself and your five minor children above named are not citizens of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for the enrollment of yourself and said children as citizens of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes,

By T. B. Needles,

Commissioner in Charge.

Register 7295

Bettie Ross, et al.

vs.

Choctaw Nation.

Case No. 95

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

- Copy -

Refer in reply to the following:

Land
349 - 1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, Jan. 17, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to forward herewith, for Departmental consideration, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Bettie Ross for the enrollment of herself and her minor children, Martha, Jane, Jimmie, Mary and Taylor Ross, as citizens by blood of the Choctaw Nation. The application was refused by the Commission.

It appears from the evidence transmitted, that the applicants herein have never been enrolled, admitted or recognized as Choctaw citizens.

The decision of the Commission is that under the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221) it had no authority to enroll said applicants.

The office respectfully recommends that this decision be approved.

Very respectfully,

Your obedient servant,

W. A. JONES,

Commissioner.

E. S. S.

L.

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

FILED
JAN 28 1902



ACTING CHAIRMAN.

C O P Y .
4799

L.R.S.

F.

DEPARTMENT OF THE INTERIOR,
I.T.D. 378-1902. Washington, January 21, 1902.

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

Gentlemen:

January 17, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application for enrollment of Bettie Ross and her minor children, Martha, Jane, Jimmie, Mary and Taylor Ross, as citizens of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicants. Copy of the Commissioner's report is inclosed herewith.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, January 28, 1902.

Bettie Ross,

Wynnewood, Indian Territory.

Dear Madam:

On August 22, 1901, you made application to this Commission for the enrollment of yourself and your minor children, Martha, Jane, Jinnie, Mary, and Taylor Ross, as citizens of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused to enroll you and your minor children as citizens of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 21, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamm Dwyer*

Acting Chairman.

Muskogee, Indian Territory, January 11, 1902.

Bettie Ross,

Wynnewood, Indian Territory,

Dear Madam:

Receipt is hereby acknowledged of your letter of the seventh instant in which you state that you did not make application for enrollment as a citizen by blood of the Choctaw Nation, but that you applied for the identification of yourself and your children as Mississippi Choctaws under the treaty of 1830.

In reply to your letter you are advised that it appears from our records that on August 22, 1901, you appeared before the Commission at Muskogee, Indian Territory, and applied for the enrollment of yourself and your minor children as citizens by blood of the Choctaw Nation, which application was by the Commission refused on December 18, 1901, and copy of the decision mailed to you at Wynnewood, Indian Territory. It further appears that on September 10, 1901, you appeared before the Commission at Atoka, Indian Territory and applied for the enrollment of yourself and your four minor children as Mississippi Choctaws. No decision has yet been reached or opinion rendered relative to your rights as such Mississippi Choctaws. As soon as a decision is reached, you will be notified.

B. A. R.

of the action taken by the Commission.

Yours truly,

Commissioner in Charge.

MC 3501
9 M 95

Choc memo 96

Denied cccc #13

Choc memo 96

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, I. T. September 6, 1901.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of John Monroe Biddie.

John Monroe Biddie being first duly sworn by testified as follows:

Examination by the Commission:

- Q What is your name? A John Monroe Biddie.
Q What is your age? A My age is -- I will soon be 39, the 15th of this month.
Q What is your post office address? A Now it is Hartshorne, I. T.
Q What is the name of your father? A Daniel Biddie.
Q Is he living or dead? A He's dead.
Q What is the name of your mother? A Lucy Biddie.
Q Is she living or dead? A She's dead.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A Not that I know of.
Q Do you know whether you have or not? A No sir; if I have I dont know anything about it.
Q Have you ever been enrolled by the tribal authorities of the Choctaw Nation? A No sir; not without my folks had this done., while I was away.
Q Does your name appear on the tribal rolls of the Choctaw Nation?
A I dont know if it does.

The tribal rolls of the Choctaw Nation examined and the name of John Monroe Biddie is not found thereon.

- Q Were you admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the act of Congress approved June 10, 1896? A Not then; no sir.

The citizenship record of the Commission to the Five Civilized Tribes under the act of June 10, 1896 examined and the name of John Monroe Biddie is not found thereon.

- Q Were you admitted by the United States Court for the Indian Territory upon an appeal from the Commission to the Five Civilized Tribes under the act of June 10, 1896? A No sir; at that time I was 'nt down here in the Choctaw Nation; at that time I was up in the Chickasaw Nation and my folks never let me know anything about it; I was writing to them but they never let me know anything at all about that they was trying for their rights or anything at all about it any more than if they had 'nt been trying for anything of the kind; I did 'nt know anything about it until in '97.

The court records examined and the name of John Monroe Biddie is not found to have been admitted by a judgment of the United States Court for the

Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time which will be mailed to your present post office address as given in your testimony.

Clara Mitchell Wood being first duly sworn states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 6th day of September 1901 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

Subscribed and sworn to before me this the 6th day of September 1901.

John E. Sieber

Notary public.

MEMORANDUM.

CHOCTAW.

Case No. *M. 96*

Date

SEP 3 1901

Name *John Monroe Biddie*

Age *39.*

Post-Office: *Hartshorne D. T.*

Father *Daniel Biddie dead*

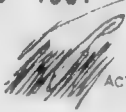
Mother *Luey Biddie dead*

~~Children.~~

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

FILED

SEP 6 1901



ACTING CHAIRMAN.

Stenographer *Clara A. Wood*

COPY

Muskogee, Indian Territory, December 18, 1901.

John Monroe Biddie,

Hartshorne, Indian Territory.

Dear Sir-

On the 6th day of September, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application, that you have never been enrolled by the tribal authorities of the Choctaw Nation, and that your name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that you have not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats. 321).

The act of Congress of May 31, 1900, (31 Stats. 221), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully

John Monroe Biddie---2.

enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior."

The Commission has, therefore, on this date, decided that you are not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of your application for enrollment as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith enclosed.

The Commission to the Five Civilized Tribes,

BY T. B. Needles,

Commissioner in Charge.

Register 7496

John Monroe Biddie,

vs.
Choctaw Nation.

Case No. 96

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

C O P Y .

Refer in reply to the following:
Land
349-1902.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, January 14, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded herewith for the consideration of the Department memorandum of the Commission to the Five Civilized Tribes in the matter of the application of John Monroe Biddle for enrollment as a citizen by blood of the Choctaw Nation. The application was refused by the Commission.

It appears from the evidence that the applicant herein has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation.

The decision of the Commission is to the effect that by the provisions of the Act of Congress of May 31, 1900, (31 Stats., 221) it has no authority to enroll said applicant.

The office respectfully recommends that the decision of the Commission be approved.

Very respectfully,
Your obedient servant,

E. S. S.

W. A. JONES,
Commissioner.

C

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 28 1902

[Handwritten signature]

A. T. HAYMAN

-Copy-

L. R. S.

4296

F.

DEPARTMENT OF THE INTERIOR,

I.T.D. 322-1902.

Washington, January 17, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

January 15, 1902, the Commissioner of Indian Affairs transmitted your memorandum in the matter of the application of John Monroe Biddie for enrollment as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused the application in accordance with the act of May 31, 1900.

The Department affirms your decision in this case, and you will so inform the applicant. A copy of the Commissioner's letter is inclosed.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskegee, Indian Territory, January 28, 1902.

John Monroe Biddie,

Hartshorne, Indian Territory.

Dear Sir:

On September 6, 1901, you made application to this Commission for the enrollment of yourself as a citizen of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused to enroll you as a citizen of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 15, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamm Luby.*

Acting Chairman.

7 M 96

Muskogee, Indian Territory, November 7, 1901.

J. M. Biddie,

Hartshorne, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of October 31, 1901, requesting that you be informed what has been done relative to your citizenship.

You are informed that it appears from the records of the Commission that at Muskogee, Indian Territory, on September 6, 1901, John Monroe Biddie, 39 years of age, of Hartshorne, Indian Territory, made personal application to this Commission for enrollment as a citizen by blood of the Choctaw Nation. From an examination of the record made at that time it does not appear that your name was found upon the tribal rolls of the Choctaw Nation in the possession of the Commission or that you had ever been admitted to citizenship in that nation by the Commission to the Five Civilized Tribes, or a ~~legally~~ constituted court or committee of the Choctaw Nation, or by the United States Court on appeal in accordance with the provisions of the act of Congress of June 10, 1896.

Your attention is invited to the following provision of the act of Congress of May 31, 1900:

J M B 2

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

This legislation would seem to apply to your application. No decision has yet been rendered by the Commission relative to your application but when such is rendered you will be notified and the action of the Commission transmitted to the Secretary of the Interior for his approval.

Yours truly,

Reported

Acting Chairman.

7-11-96

Muskogee, Indian Territory, January 3, 1902.

R. W. Higgins,

Attorney at Law,

Hartshorne, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 2nd instant, referring to the rights to enrollment of John Monroe Biddie as a citizen of the Choctaw Nation.

You state in your letter that Mr. Biddie is not satisfied with the testimony taken September 6, 1901 and that he has informed you that he produced in evidence affidavits showing that his brother had been admitted to citizenship in the Choctaw Nation and that the testimony does not show that any record was made of such affidavits.

You desire to be informed if the Commission will permit you to show that the testimony is incorrect in not showing all that was presented and that before sending the record in this case to Washington, you desire to attach to the evidence, affidavits showing that his brother has been admitted to citizenship and enrolled as a citizen of the Choctaw Nation.

Replying to your letter the Commission has to inform you that at the time of the personal application of John Monroe Biddie for enrollment as a citizen by blood of the Choctaw Nation, at

R W H 2

Muskogee, Indian Territory, on September 6, 1901, the Commission only examined this applicant to the extent to determine whether or not his name was on the tribal rolls of the Choctaw Nation in the possession of this Commission or whether he had ever been duly and lawfully admitted to citizenship in the Choctaw Nation by the tribal authorities thereof, the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory, the act of Congress of May 31, 1900, as follows,

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

clearly limiting the jurisdiction of this Commission in cases of this character.

The Commission has further to inform you that it cannot receive or consider any further evidence in this case and has already submitted to the secretary of the Interior for his approval of the Commission's action, the memorandum heretofore made in his case.

Yours truly,

Commissioner in Charge.

7 M 96

Muskogee, Indian Territory, January 22, 1902.

R. W. Higgins,

Hartshorne, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, addressed to the Secretary of the Interior, Washington, D. C. and which has by him been referred to this Commission for consideration and appropriate action.

Therein you enclose a letter from the Commission under date of January 3, 1902, addressed to you, relative to the rights to enrollment of John Monroe Biddle as a citizen of the Choctaw Nation.

As the Commission informed you on January 3, 1902, the enrollment of this applicant as a citizen of the Choctaw Nation had been refused under the provisions of the act of Congress of May 31, 1900 for the reason that it did not appear that John Monroe Biddle had ever been enrolled as a member of the Choctaw Tribe of Indians in Indian Territory, was not a recognized citizen thereof and had not been duly and lawfully enrolled or admitted as such.

On December 30, 1901, the Commission forwarded the memorandum heretofore made in this case to the Secretary of the Interior for his approval of the Commission's action and cannot

R W H 2

receive or consider any further evidence in this case, and believes
that it has fully carried out the letter of the law as defined
in the act of Congress of May 31, 1906.

Our letter of January 3, 1902 is enclosed you herewith.

Yours truly,

Acting Chairman.

V K 90

Enc V 152

Muskogee, Indian Territory, January 28, 1902.

John Monroe Biddle,

Hartshorne, Indian Territory.

Dear Sir:

On September 6, 1901, you made application to this Commission for the enrollment of yourself as a citizen of the Choctaw Nation. On December 18, 1901, after a consideration of said application, the Commission refused to enroll you as a citizen of the Choctaw Nation, and a copy of such decision was mailed to your post office address December 18, 1901.

On December 30, 1901, there was forwarded to the Secretary of the Interior the memorandum made at the time of your application, and the action of the Commission thereon, and on January 17, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing your application for the enrollment of yourself as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

Acting Chairman.

Choc memo 97

Choc memo 97

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, November 9, 1901.

In the matter of the application for enrollment as a citizen by blood of the Choctaw Nation of Joe Camp, by his next friend Calvin Standifer.

Calvin Standifer having been first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Calvin Standifer.
Q What is your age? A 52.
Q What is your post office address? A Kullituklo.
Q Your purpose in appearing before the Commission at this time is to make application for the enrollment as a citizen by blood of the Choctaw Nation of Joe Camp? A Yes sir.
Q How old is Joe Camp? A As near as I can get at him he's eight or nine years old; along there somewhere.
Q Where does he live? A He lives in Red River County, Choctaw Nation.
Q With whom does he live? A He lives with Calvin Standifer.
Q How long has the child lived with you? A I think it's three years; the best that I recollect about it; a little over I think, but we will say about three.
Q Do you know the parents of Joe Camp? A To say that I really know, I don't know but what I have been told by people that knowed the man; he is said to be by people that know him that he was Dickson Camp's son.
Q Is Dickson Camp dead? A Yes sir; they tell me he is dead.
Q What is the name of the child's mother? A Well now for me to tell you that I could'n't do it- just what the mother's name was.
Q Is the mother of Joe Camp dead? A Yes they tell me she is; he tells me so; so does others.
Q Do you know when she died? A No sir; he recollects enough to tell that she is dead.
Q Has Joe Camp ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A No t that I know of.
Q Has he ever been enrolled by the tribal authorities of the Choctaw Nation as a citizen of the Choctaw Nation? A If he has I don't know it.
Q Do you know whether or not his name appears upon the tribal rolls of the Choctaw Nation? A No sir; I do not know.

The tribal rolls of the Choctaw Nation examined and the name of Joe Camp is not found thereon.

- Q Do you know whether he was admitted by the Commission to the Five Civilized Tribes as a citizen of the Choctaw Nation under the Act of Congress approved June 10, 1896 to citizenship in the Choctaw Nation? A No sir I don't.

The citizenship record of the Commission to the Five Civilized Tribes under the Act of Congress approved June 10, 1896 examined and the name of Joe Camp is not found thereon.

- Q Do you know whether or not he was admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for the Indian Territory upon an appeal from the decision of the Commission under the Act of Congress of June 10, 1896? A No sir.

The court records in the possession of the Commission examined and the name of Joe Camp is not found thereon as having been admitted to citizenship in the Choctaw Nation by a judgment of the United States Court for Indian Territory.

You will be furnished at a later date with a copy of the decision of the Commission with reference to the application made by you at this time for the enrollment of Joe Camp as a citizen by blood of the Choctaw Nation, which will be mailed to you at the post office address given in your testimony.

Clara Mitchell Wood being first duly sworn on her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported in full all proceedings had in the above entitled cause on the 9th day of November 1901 and that the above and foregoing is a full true and correct transcript of her stenographic notes of said proceedings on said date.

Clara Mitchell Wood

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

J. J. Jackson

Notary Public.

COPY

Muskogee, Indian Territory, December 18, 1901.

Calvin Standifer,

Kullituklo, Indian Territory,

Dear Sir:

On the 9th day of November, 1901, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of Joe Camp as a citizen by blood of the Choctaw Nation.

It appears from the evidence offered in support of said application that the applicant above named has never been enrolled by the tribal authorities of the Choctaw Nation, and that his name does not appear upon the tribal rolls of the Choctaw Nation, now in possession of this Commission; that he has not been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Choctaw Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats., 321.)

The act of Congress of May 31, 1900, (31 Stats., 221) provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as

C.B. 2

such, and its refusal of such applications shall be final when approved by the Secretary of the Interior. *

The Commission, has, therefore, on this date, decided that Joe Camp is not a citizen of the Choctaw Nation, and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of the application for enrollment of Joe Camp as a citizen of said nation.

You are also informed that the Commission has on this date forwarded a memorandum of its action to the Secretary of the Interior for consideration. A copy of the testimony taken in support of said application is herewith inclosed.

The Commission to the Five Civilized Tribes.

By ————— T. B. Needles,
Commissioner in Charge.

Register
7X 97

COPY.

Muskogee, Indian Territory, May 23, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

On December 18, 1901, the Commission to the Five Civilized Tribes rendered its decision refusing the application of Joe Camp for enrollment as a citizen of the Choctaw Nation under the act of May 31, 1900 and on December 30, 1901, the record was forwarded the Secretary of the Interior for review. January 16, 1902, this action was approved by the Department.

I now have the honor to transmit herewith for consideration in connection with this case petition of Apple & Franklin for the reopening of this case for the purpose of introducing additional testimony in support thereof.

Respectfully,

SIGNED

Wm. O. Doali.

Acting Commissioner.

Through the Commissioner
of Indian Affairs.

Choctaw # Mem. 97.

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

In the matter of the application for the
enrollment of Joe Camp as a citizen by
blood of the Choctaw Nation.

TO THE HONORABLE

THE SECRETARY OF THE INTERIOR.

Sir:

Your petitioner, Joe Camp, has the honor to appeal to and petition the Secretary of the Interior in behalf of his right to enrollment as a citizen by blood of the Choctaw Nation in Indian Territory and in support of his claim respectfully submits the following statement of facts:

Your petitioner Joe Camp is a full blood Choctaw Indian the son of Dickson (or Dixon) Camp, deceased, and _____, deceased, both of whom were Choctaw Indians of the full blood and prior to their death residents of the Choctaw-Chickasaw country in Indian Territory and was born about the year 1889. At about the age of five years your petitioner was taken into the family of C. J. Standifer and from that time until now has been raised by and been a member of the family of the said C. J. Standifer.

On November 9, 1901 an application was made to the Commission to the Five Civilized Tribes for the enrollment of your petitioner as a citizen by blood of the Choctaw Nation (Memo. 97). Subsequently on December 18, 1901, under the following provision of the Act of Congress approved May 31, 1900

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

the Commission refused to consider the application for the enrollment of

your petitioner which decision was affirmed by the Secretary of the Interior January 16, 1902.

Your petitioner further states that he was born to the allegiance of the Choctaw Nation, has resided in the Choctaw-Chickasaw country from the date of his birth and has at all times been entitled to all the rights of citizenship in the Choctaw Nation; that the name of his father, Dickson (or Dixon) Camp, appears upon the 1885 Choctaw Census Roll and the 1893 Choctaw Leased District Payment Roll, Red River County, enrolled on said rolls as a citizen by blood of said Nation.

Your petitioner would therefore show that the refusal of said Commission to consider his application was unwarranted, erroneous and unjust and had said Commission been more diligent in its inquiry into this matter and its examination of the tribal rolls of the Choctaw Nation there is no doubt that said Commission would have identified the name of the said Dickson (or Dixon) Camp upon the rolls of citizenship of the Choctaw Nation and would have identified your petitioner as the son of said Dickson (or Dixon) Camp.

The Act of June 28, 1898 (30 Stat., 495) among other things provides:

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

Your petitioner does not believe that the Act of May 31, 1900 in any way bars or prohibits his enrollment for the reason that he is a descendant of a recognized and enrolled citizen by blood of the Choctaw Nation whose name appears as aforesaid upon the 1885 and 1893 Choctaw rolls and was born since the preparation of said 1885 roll. The name of your petitioner should appear upon the 1893 and the 1896 Choctaw rolls and he hereby respectfully requests that said rolls be duly examined to ascertain whether his name appears thereon. However should the name of your petitioner not

be found on said 1893 and 1896 rolls he believes that he is one of those persons whom the Act of Congress approved June 23, 1898 directed and authorized the Commission to the Five Civilized Tribes to enroll and that the name of your petitioner should be placed upon the final roll of citizens by blood of the Choctaw Nation, in accordance with the provisions of said Act.

Section thirty-four of the Act of July 1, 1902 (32 Stat., 641) provides that:

"During the ninety days first following the date of the final ratification of this agreement the Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as 'delinquents' ----- and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement; but the application of no person whomsoever shall be received after the expiration of said ninety days."

There are distinct classes of persons provided for by the provision of law above quoted, the last of which are "infant children born to recognized and enrolled citizens", which would include your petitioner who is an infant and was born to Dickson (or Dixon) Camp who during his lifetime was a recognized and enrolled citizen by blood of the Choctaw Nation. It therefore appears that, even if said Commission was justified in refusing the application of your petitioner on December 18, 1901 (which is not admitted), your petitioner should have been enrolled by said Commission as a citizen by blood of the Choctaw Nation under said Act of July 1, 1902.

WHEREFORE, your petitioner respectfully prays that his application for enrollment as a citizen by blood of the Choctaw Nation be reopened by the Commissioner to the Five Civilized Tribes; that he be permitted to introduce the testimony of J. W. Moore, C. J. Standifer and other witnesses to substantiate the allegations herein made and that his application for enrollment as a citizen by blood of the Choctaw Nation be readjudicated on the record as made up at this future hearing and that should the record in the case at that time establish the truth of the statements herein made the Honorable Secretary of the Interior enroll

your petitioner as a citizen by blood of the Choctaw Nation, under the Acts of Congress approved June 28, 1898 (30 Stat., 495) and July 1, 1902 (32 Stat., 641).

his
Joe X Camp
mark
Petitioner.

Witnesses to mark:

W. H. Isherwood
H. L. Hendrick

Apple & Franklin,
Muskogee, Indian Territory,
Attorneys for applicant.

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

We, Joe Camp and C. J. Standifer, on oath state that we have heard read the foregoing petition and that the same is true to the best of our knowledge and belief.

his
Joe X Camp
mark.

Witnesses to mark

W. H. Isherwood

C. J. Standifer

H. L. Hendrick

Subscribed and sworn to before me this 11 day of May 1906.

(SEAL)

My Com. Expires 12/29/1910.

P. W. Hudson
Notary Public.

(Registry Receipt from P. O.)

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

I, Wirt Franklin, one of the attorneys for applicant on oath state that the above and foregoing petition is a full, true and correct copy of a petition forwarded to Mansfield, McMurray & Cornish on the 12th day of May 1906 by registered mail, as shown by the receipt of postmaster therefor which is hereto attached the same being number -----

Seal

Wirt Franklin

Subscribed and sworn to before me this 12th day of May 1906

Chas. ...

COPY.
DEPARTMENT OF THE INTERIOR,
WASHINGTON?

J.F.Jr.

LLB

I.T.D. 10682-1906.
D.C. 25603

June 18, 1906.

L.R.S.

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

Sir:

On May 23, 1906, you transmitted a petition for the reopening and reconsideration of the application of Joe Camp for enrollment as a citizen of the Choctaw Nation.

It appears from the record that on December 18, 1901, the Commission to the Five Civilized Tribes rendered its decision refusing the application of said Joe Camp, and that on January 16, 1902, its action was approved by the Department.

The act of June 28, 1898 (30 Stat., 495), provides:

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

Your attention is also called to section 34 of the act of July 1, 1902 (32 Stat., 641).

It is considered that under the above provisions this ap-

plication for enrollment should be reconsidered. You are therefore directed to reopen said case and to permit the introduction of such proper evidence as may be offered in behalf of the applicant or by the attorney for the nation, relative to the parentage of said applicant and the appearance of the names of the applicant's parents upon the tribal rolls of the Choctaw Nation.

The record and petition are inclosed.

Respectfully,

Jesse E. Wilson

Assistant Secretary.

Through the Commissioner
of Indian Affairs.

2 inclosures.

REFER IN REPLY TO THE FOLLOWING:

Memo.-97.

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

Muskogee, Indian Territory, June 30, 1906.

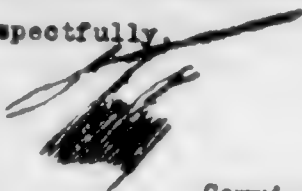
Joe Camp,
c/r Calvin Standifers,
Kullituklo, Indian Territory.

Dear Sir:

The Department in its letter of June 18, 1906 (I. T. D. 10682-1903), granted your petition for rehearing and reconsideration of your application for enrollment as a citizen of the Choctaw Nation, and directed this office to permit the introduction of such proper evidence as may be offered in behalf of your application, or by the attorney for the nation, relative to your parents, and the appearance of their names upon the tribal rolls of the Choctaw Nation."

In accordance therewith, you are advised that testimony touching the matters outlined herein will be received at the office of the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, on Saturday, July 14, 1906, at nine o'clock A. M.

Respectfully,



Commissioner.

COPY.

Muskogee, Indian Territory, June 30, 1906.

Apple & Franklin,
Attorneys at Law,
Ardmore, Indian Territory.

Gentlemen:

The Department in its letter of June 18, 1906 (I.T.D. 10682-1903), granted the petition of Joe Camp for rehearing and reconsideration of the application for his enrollment as a citizen of the Choctaw Nation, and directed this office to permit the introduction of such proper evidence as may be offered in behalf of the applicant, or by the attorney for the nation, relative to the parentage of said applicant, and the appearance of the names of the applicant's parents upon the tribal rolls of the Choctaw Nation.

In accordance therewith, you are advised that testimony touching the matters outlined herein will be received at the office of the commission to the Five Civilized Tribes at Muskogee, Indian Territory, on Saturday, July 14, 1906, at nine o'clock A. M.

Similar notice has this day been forwarded to Joe Camp, care of Calvin Standifers, Kullituklo, Indian Territory.

Respectfully,

SIGNED *Tam Birby.*

Commissioner.

Memo. 97.

COPY.

Muskogee, Indian Territory, June 30, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations.

South McAlester, Indian Territory.

Gentlemen:

The Department in its letter of June 18, 1906 (I.T.D. 10682-1903), granted the petition of Joe Camp for rehearing and reconsideration of the application for his enrollment as a citizen of the Choctaw Nation, and directed this office to permit the introduction of such proper evidence as may be offered in behalf of the applicant, or by the attorney for the nation, relative to the parentage of said applicant, and the appearance of the names of the applicant's parents upon the tribal rolls of the Choctaw Nation.

In accordance therewith, you are advised that testimony touching the matters outlined herein will be received at the office of the Commissioner to the Five Civilized Tribes at Muskogee, Indian Territory, on Saturday, July 14, 1906, at nine o'clock A. M.

Respectfully,

SIGNED *Tame Bixby.*

Commissioner.

Memo.-97.

COPY.

Muskogee, Indian Territory, July 14, 1906.

Joe Camp,

Care of Calvin Standifers,

Tuskahoma, Indian Territory.

Dear Sir:

You are hereby notified that upon motion of your attorney, S. A. Apple, the hearing in the matter of your application for enrollment as a citizen of the Choctaw Nation has been continued until Tuesday, July 24, 1906, at nine o'clock A. M.

Respectfully,

SIGNED *Tamc Bixby.*

Commissioner.

Memo.-97.

COPY.

Muskogee, Indian Territory, July 14, 1906.

S. A. Apple,
Attorney at Law,
Ardmore, Indian Territory.

Dear Sir:

You are hereby advised that in accordance with your verbal request, the hearing in the matter of the application for the enrollment of Joe Camp as a citizen of the Choctaw Nation will be continued until Tuesday, July 24, 1906, at nine o'clock A. M.

Respectfully,

SIGNED *Tame Bixby.*
Commissioner.

Memo.-97.

COPY.

Muskogee, Indian Territory, July 14, 1906.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the hearing in the matter of the application for the enrollment of Joe Camp as a citizen of the Choctaw Nation, has, upon motion of S. A. Apple, attorney for the applicant, been continued until Tuesday, July 24, 1906, at nine o'clock A. M.

Respectfully,

SIGNED *Tams Bixby.*

Commissioner.

COPY.

Muskogee, Indian Territory, August 1, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Under date of May 23, 1906, I transmitted for Departmental consideration a petition filed by Apple & Franklin on behalf of Joe Camp, praying for the reopening and reconsideration of his application for enrollment as a citizen by blood of the Choctaw Nation.

The Department on June 18, 1906 (I.T.D. 10682-1906), returned to this office the petition referred to and specifically invited attention to a certain provision in the Act of Congress approved June 28, 1898 (30 Stats., 495), and to section 34 of the Act of Congress approved July 1, 1902 (32 Stats., 641), and directed the reopening of the case and that the introduction of such proper evidence as might be offered on behalf of the applicant or the attorneys for the Nations relative to the parentage of said applicant and the appearance of the names of the applicant's parents upon the tribal rolls of the Choctaw Nation, be permitted.

June 30, 1906, Joe Camp, Kullituklo, Indian Territory, Apple & Franklin, his attorneys of record and by whom the petition referred to was filed, and Messrs. Mansfield, McMurray & Cornish,

(2)

the attorneys for the Choctaw and Chickasaw Nations, South McAlester, Indian Territory, were notified of the instructions contained in Departmental letter of June 18, 1906 (I.T.D. 10682-1906), and that the Commissioner would, at his office at Muskogee, Indian Territory, on Saturday, July 14, 1906, at 9 o'clock A. M., hear such testimony as might be submitted in reference to the right of the applicant to enrollment as a citizen of the Choctaw Nation. On the date set for the hearing in this case, S. A. Apple, one of the attorneys for the petitioner, was personally present at the office of the Commissioner at Muskogee, Indian Territory, and advised this office that the applicant and his witnesses could not be present on said date and requested a continuance until July 24, 1906.

This request was complied with and on July 14, 1906, Mr. Apple, Joe Camp and the attorneys for the Choctaw and Chickasaw Nations were notified of the continuance of the hearing until Tuesday, July 24, 1906, at 9 o'clock A. M.

Upon the date set for the hearing in this case no appearance was entered either by the applicant or any person in his behalf, nor was any appearance entered by the attorneys for the Choctaw and Chickasaw Nations.

I therefore have the honor to return herewith the original record in the matter of the application for the enrollment of Joe Camp as a citizen of the Choctaw Nation, with the petition filed

(3)

by Messrs. Apple & Franklin and transmitted with Departmental letter of June 18, 1906.

In submitting these papers to the Department I desire to report that the name of Joe Camp is not identified upon any of the tribal rolls in the possession of this office, made since the date of his birth, which occurred about the year 1891 or 1892.

Mr. Standifer apparently had but little knowledge of the parentage of this boy when he originally made application for his enrollment to the Commission to the Five Civilized Tribes on November 9, 1901. There is nothing in the record to substantiate the allegation that the boy is the son of Dickson (or Dixon) Camp, a citizen of the Choctaw Nation, and Mr. Standifer, in his testimony of November 9, 1901, and the petition submitted, displays ignorance as to who was the mother of the boy.

The applicant from the record would now appear to be about 14 years of age and is probably unqualified to testify as to his parentage. The allegation that the applicant is a son of Dickson Camp is unsupported by any evidence.

The parties apparently interested in procuring the enrollment of the child, Calvin Standifer and Messrs. Apple & Franklin, have taken no steps to introduce the testimony of any persons having knowledge of the child or his parentage, although opportunity was granted for this purpose on two occasions.

by Messrs. Apple & Franklin and transmitted with Departmental letter of June 18, 1906.

In submitting these papers to the Department I desire to report that the name of Joe Camp is not identified upon any of the tribal rolls in the possession of this office, made since the date of his birth, which occurred about the year 1891 or 1892.

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The applicant from the record would now appear to be about 14 years of age and is probably unqualified to testify as to his parentage. The allegation that the applicant is a son of Dickson Camp is unsupported by any evidence.

The parties apparently interested in procuring the enrollment of the child, Calvin Standifer and Messrs. Apple & Franklin, have taken no steps to introduce the testimony of any persons having knowledge of the child or his parentage, although opportunity was granted for this purpose on two occasions.

(4)

Apparently there is no inclination on the part of the interested parties to take any further steps in the matter and I therefore have the honor to respectfully recommend that the original decision of the Commission to the Five Civilized Tribes of December 18, 1901, refusing the application of Joe Camp for enrollment as a citizen of the Choctaw Nation, and which was affirmed by the Department January 16, 1902, be adhered to.

Respectfully,

SIGNED *Tame Dixby.*

Commissioner.

Through the Commissioner
of Indian Affairs.

OP 1-5

Joe Camp,

vs.

Choctaw Nation.

Case No. ⁹⁷

*Original testimony and all papers filed in
this case forwarded Secretary of Interior,
December 30, 1901.*

- Copy -

Refer in reply to the following:

Land
349 - 1902

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, January 14, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith for Departmental consideration memorandum of the Commission to the Five Civilized Tribes in the matter of the application of Joe Camp for enrollment as a citizen by blood of the Choctaw Nation. The application was rejected by the Commission.

The applicant herein is a minor and appears by his next friend Calvin Standifer, who gives testimony in his behalf. It appears from the testimony and record transmitted that the applicant herein has never been enrolled, admitted or recognized as a citizen of the Choctaw Nation.

The statement of the Commission is to the effect that by the provisions of the Act of Congress approved May 31, 1900, (31 Stats., 221), it had no authority to enroll said applicant.

The attention of the Department is respectfully called to the letter of transmittal from the Commission, under date December 30, 1901, wherein it states "There is inclosed herewith for De-

partmental consideration the decision of the Commission to the Five Civilized Tribes of December 18, 1901, in the following cases of applicants for enrollment as citizens of the Choctaw Nation." The only decision forwarded by the Commission in this list of Choctaw cases, being No. 71, Janie Landram, et al, to No. 97, Joe Camp, both inclusive, is the copy of the letter attached to the testimony and which contains the decision in each case.

The office respectfully recommends that the decision of the Commission in this case be approved.

Very respectfully,

Your obedient servant,

W. A. JONES,


Commissioner.

E. S. S.

C

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

FILED
JAN 28 1902.



ACTING CHAIRMAN.

C O P Y ,

4295

F.

L. R. S.

DEPARTMENT OF THE INTERIOR.

I. T. D. 323-1902.

Washington, January 17, 1902.

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

Gentlemen:

January 15, 1902, the Commissioner of Indian Affairs transmitted the memorandum in the matter of the application for enrollment of Joe Camp as a citizen of the Choctaw Nation, and recommended that your decision in the case be approved.

December 18, 1901, you refused said application in accordance with the act of May 31, 1900.

The Department affirms your decision, and you will so advise the applicant. A copy of the Commissioner's letter is inclosed herewith.

Respectfully,

THOS. RYAN,

Acting Secretary.

1 inclosure.

COPY.

Muskogee, Indian Territory, January 27, 1902.

Calvin Standifer,

Kallitukko, Indian Territory.

Dear Sir:

On November 9, 1901, you made application to this Commission for the enrollment of Joe Camp as a citizen by blood of the Choctaw Nation.

On December 18, 1901, after a consideration of said application, the Commission refused the enrollment of Joe Camp as a citizen of the Choctaw Nation, of which refusal you were duly notified on the same date.

On December 30, 1901, there was forwarded to the Secretary of the Interior, the memorandum made at the time of such application, and the action of the Commission thereon, and on January 16, 1902, the Secretary of the Interior concurred in the decision of the Commission refusing the application for the enrollment of Joe Camp as a citizen of the Choctaw Nation.

The action of the Commission and of the Secretary of the Interior as to such application is final.

Yours truly,

(SIGNED) *Tamo Dixby.*

ACTING CHAIRMAN.

7 M 97

Muskogee, Indian Territory, June 27, 1901.

E. F. Rains,

Spencerville, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 20th in behalf of Joe Camp, age 13 years, son of Dixon Camp, who was a citizen by blood of the Choctaw Nation. You state that the said Joe Camp has never been enrolled, his parents having died and leaving no one to act in his behalf; you therefore ask what course to pursue in his case.

In reply to your letter, you are informed that it appears from our records that on November 9, 1901 application was made for the enrollment of Joe Camp as a citizen by blood of the Choctaw nation. It does not appear from our records that Joe Camp had been enrolled by the Choctaw tribal authorities as a citizen of that tribe and on December 18, 1901 the Commission rendered its decision refusing his application. On January 16, 1902 the Secretary of the Interior approved the decision of the Commission refusing this application and the Commission therefore considers this case closed. It would be necessary that any motion to re-open the same be presented the Secretary of the Interior.

Respectfully,

Commissioner in Charge.

Tuskahoma, Indian Territory

May 11th 1906

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

Dear Sir:

You are requested to enter Apple & Franklin, of Muskogee,
Indian Territory, as my attorneys representing me in the matter of
my application for enrollment as a citizen by blood of the Choctaw
Nation.

Respectfully,

Witness to mark
W W Johnson
A L Hendrick

Joe ^{*Five*} *×* *Camp*
mark

7-Mem 97

Muskogee, Indian Territory, May 22, 1906.

Apple & Franklin,

Attorneys at Law,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of your letter of May 12, 1906, transmitting petition to the Secretary of the Interior for the reopening of the application of Joe Camp for enrollment as a citizen of the Choctaw Nation and in compliance with your request the same has this day been transmitted to the Secretary of the Interior.

Respectfully,

Acting CommissionerL

Choc memo 98

Choc memo 98

MEMORANDUM.

CHOCTAW Case No. 98

Date APR 22 1902

Name Lee Nichols.

Age 30.

Post-Office: Bokelito, Ind. Ter.

REFUSED.
ACT OF MAY 3, 1902.
MEMORANDUM

Children:

Cy Nichols	10.
Ollie "	7.
Odie "	2.

WIFE:

Annie Nichols.

Stenographer

(A. I. McMillan.)

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., April 22, 1902.

-----oOo-----

In the matter of the application of Lee Nichols for the enrollment of himself and his three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and an application made by him on behalf of his wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation.

Applicants represented by M. M. Lindley, attorney.

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

Examination by the Commission:

- Q What is your name? A Lee Nichols.
Q What is your age? A Thirty; will be 18th of October.
Q What is your post office address? A Bokchito.
Q Are you married? A Yes sir.
Q What is the name of your wife? A Annie.
Q She a white woman? A Yes sir.
Q Claim her to be an intermarried citizen? A Yes sir.
Q Have you any children? A Three.
Q What are their names and ages? A Well, the oldest one is Ozy---Ozy May Nichols, she will be ten years old in October, but I cant tell you the day.
Q All right, the next one? A Ollie Willer, she will be seven years old in September sometime.
Q The next one? A Odie Lawson, he will be two years old in November.
Q Have you or your wife or your three minor children ever been enrolled as citizens of the Choctaw Nation by the Choctaw tribal authorities? A Been enrolled?
Q Yes sir? A No.

The tribal rolls of the Choctaw Nation in the possession of the Commission have been carefully examined and the names of none of the applicants appear thereon.

- Q Have you or your wife and your three minor children ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities? A Have we ever been tried?
Q Ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities, the National Council at Tuskhahoma?
A I haint.
Q Have your wife and children? No answer.

Lee Nichols et al.,--2.

Record of persons admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities now in the possession of the Commission have been examined, and none of these applicants appear thereon.

- Q Have you or your wife and three minor children ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A Well, I don't understand it
- Q Have you or your wife and three minor children ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A Have I ever went before them before?
- Q No sir, were you ever admitted? A Well, I don't know.

Record of persons admitted to citizenship in the Choctaw Nation under the provisions of the act of Congress of June 10, 1896, by the Commission to the Five Civilized Tribes, have been carefully examined and none of these applicants appear thereon.

- Q Have you, your wife or three minor children ever been admitted to citizenship in the Choctaw Nation by decree of the United States Court in Indian Territory, under the provisions of the act of Congress of June 10, 1896? A I don't understand it.
- Q Have you ever been admitted to citizenship by judgment of the Court? Ever get any decree of the Court saying you was a citizen? A Of the Court? I never was on the stand before in my life.
- Q Did you ever get a judgment or decree from the Court saying you was a citizen of the Choctaw Nation? A No sir.

Records of persons admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory have been carefully examined, and the names of none of these applicants appear thereon.

- Q You claim for yourself and your three children as citizens by blood and for your wife as a citizen by intermarriage of the Choctaw Nation? A Yes sir.
- Q Has your wife at any time ever been married to any recognized and enrolled citizen of the Choctaw Nation? A No sir.
- Q Do you make any claim for yourself and your three children and your wife as Mississippi Choctaws claiming rights under the provisions of article fourteen of the treaty of 1830 between the United States and the Choctaw Nation? A I don't know anything about that.
- Q Well, do you or do you not? A I do not.
-

Lee Nichols et al.,--3.

Albert G. McMillan, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 22nd day of April, 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 24th day of April, 1902.

Clara Mitchell Wood

Notary Public.

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

In the matter of the application of Lee Nichols for the enrollment of himself and his three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and an application made by him on behalf of his wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation.

D E C I S I O N .

The applicant in this case, Lee Nichols, on April 22, 1902, appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself and his three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Annie Nichols as a citizen by intermarriage of the Choctaw Nation.

It appears that the applicants are not now and have never been enrolled by the tribal authorities of the Choctaw Nation; that their names do not appear upon any of the rolls of the Choctaw Nation in the possession of the Commission; that they were never admitted to citizenship in the Choctaw Nation by this Commission or by the legally constituted authorities of the Choctaw Nation, under the act of Congress approved June 10, 1896, or by a judgment of the United States Court in Indian Territory on appeal. Neither does it appear that Annie Nichols for whom application is made for enrollment as an intermarried citizen of the Choctaw Nation, has ever been married to a recognized and enrolled citizen by blood of the Choctaw Nation.

The act of Congress of May 31, 1900, provides:

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

Under the provision of law quoted the Commission is without jurisdiction to consider this application.

It is therefore the opinion of this Commission that the application of Lee Nichols for the enrollment of himself and his three minor children, Oay, Ollie and Odie Nichols as citizens by blood of the Choctaw Nation and of his wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation, should be refused, and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.


Acting Chairman.


Commissioner.


Commissioner.

Dated at Munkogee, Indian Territory,
this 22nd day of May, 1902 .

COPY.

7 - M - 98.

Yukagee, Indian Territory, May 27, 1902.

Lee Nichols,

Hokohito, Indian Territory.

Dear Sir:

There is enclosed you herewith a copy of the decision of the Commission of May 22, 1902, refusing the application made by you for the enrollment of yourself and your three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and for the enrollment of your wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation.

You are further advised that the memorandum made at the time of your application, together with the decision of the Commission, have on this date been forwarded to the Secretary of the Interior for his review, and you will be advised of such action as may be taken by him.

Yours truly,

(SIGNED)

Tame Dixby.

Acting Chairman.

1 inclosure.

Registered.

COPY.

Wuskogee, Indian Territory, May 27, 1902.

M. W. Lindley,

South McAlester, Indian Territory.

Dear Sir:

There is enclosed you herewith a copy of the decision of the Commission of May 22, 1902, refusing the application of Lee Nichols for the enrollment of himself and his three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation.

You are further advised that the memorandum made at the time of the application of Lee Nichols for the enrollment of himself and his three minor children as citizens by blood of the Choctaw Nation, and for the enrollment of his wife as an intermarried citizen of the Choctaw Nation, together with the decision of the Commission, have on this date been forwarded to the Secretary of the Interior for his review and you will be advised of such action as may be taken by him.

Yours truly,

(SIGNED)

W. C. C. C.

Acting Chairman.

Registered.

COPY.

7-1-98.

Muskogee, Indian Territory, May 27, 1902.

Messrs Mansfield, Mc Murray & Cornish,

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

Gentlemen:

There is enclosed you herewith a copy of the decision of the Commission to the Five Civilized Tribes of May 22, 1902, refusing the application of Lee Nichols for the enrollment of himself and his three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation.

You are further advised that the memorandum made at the time of the application of Lee Nichols for the enrollment of himself and his three minor children as citizens by blood, and for the enrollment of his wife as a citizen by intermarriage, of the Choctaw Nation, together with the decision of the Commission, have on this date been forwarded to the Secretary of the Interior for his review, and you will be notified of such action as may be taken by him.

Yours truly,

(SIGNED)

John H. ...

Acting Chairman.

1 inclosure.

7 - M - 98.

COPY.

Muskogee, Indian Territory, May 27, 1902.

The Honorable,
The Secretary of the Interior.

Sir:

There is transmitted herewith the memorandum in the matter of the application of Lee Nichols for the enrollment of himself and his three minor children, Oay, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Annie Nichols, as a citizen by intermarriage of the Choctaw Nation, together with the decision of the Commission of May 22, 1902, refusing said application under the provisions of the act of Congress of May 31, 1900.

Respectfully,


Acting Chairman.

1 inclosure.

Through the Commissioner
of Indian Affairs.

Land
31847-1902.

(COPY)

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, June 7, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report dated May 27, 1902, from T. B. Needles, Esq., Commissioner in charge of the work of the Commission to the Five Civilized Tribes, transmitting memorandum relative to the application of Lee Nichols for the enrollment of himself and his three minor children, Ozy, Ollie and Odie Nichols, as citizens by blood of the Choctaw Nation, and for the enrollment of his wife, Annie Nichols, as a citizen by intermarriage of said nation.

The memorandum transmitted by the Commission shows that none of the applicants have ever been recognized as citizens of the Choctaw Nation; that their names do not appear upon any of the rolls in the possession of the Commission; that they have not been admitted to citizenship by the legally constituted authorities of the Choctaw Nation, by the Commission to the Five Civilized Tribes, or by the court on appeal from the decision of the Commission under and in accordance with the provisions of the Act of June 10, 1896.

-2-

The memorandum does not show that Annie Nichols, for whom application is made for enrollment as a citizen by intermarriage, is married to a recognized citizen of the Choctaw Nation in accordance with the laws of said nation.

May 22, 1902, the Commission decided that the applicants in this case were not entitled to enrollment.

The office agrees with the decision of the Commission and respectfully recommends that it be approved.

Very respectfully,

Your obedient servant,

A. C. Tonner,

Acting Commission r.

GAW
D

3 inclosures.

D.C. 10948-1902.

DEPARTMENT OF THE INTERIOR.

Washington.

F

I.T.D.3583-1902.
L.R.S.

June 27, 1902.

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

Gentlemen:

May 27, 1902, you transmitted the record in the matter of the application for enrollment of Lee Nichols and his children, Ozie, Ollie and Odie Nichols, as citizens by blood, and his wife Annie Nichols as a citizen by intermarriage of the Choctaw Nation.

You state that none of the applicants has ever been enrolled or admitted to citizenship in the Choctaw Nation, and that it does not appear that Annie Nichols has ever been married to a recognized and enrolled citizen by blood of said nation. You refused the application.

The Acting Commissioner of Indian Affairs in letter of June 7, 1902, recommends the approval of your decision.

The Department affirms said decision. Copy of the Acting Commissioner's letter is inclosed.

Respectfully,

F. L. Campbell
Acting Secretary.
E. M. D.

1 inclosure.

COPY.

Choctaw M-98

Muskogee, Indian Territory, July 8, 1902.

Lee Nichols,

Bokchito, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior, under date of June 27, 1902, affirmed the decision of the Commission, dated May 27, 1902, refusing the application made by you for the enrollment of yourself and three minor children, Osie, Ollie and Odie Nichols, as citizens of the Choctaw Nation.

Yours truly,
(SIGNED)

Wm. D. Dwyer.

Acting Chairman.

COPY.

Chectaw L-98

Muskogee, Indian Territory, July 8, 1902.

Messrs. Mansfield, McMurray & Cornish,
Attorneys for the Chectaw and Chickasaw Nation,
South McAlester, Indian Territory.

Gentlemen:

You are hereby advised that the Secretary of the Interior, under date of June 27, 1902, affirmed the decision of the Commission, dated May 27, 1902, refusing the application made by Lee Nichols for the enrollment of himself and his three minor children, Ozie, Ollie and Odie Nichols, as citizens of the Chectaw Nation.

Yours truly,

(SIGNED).

Wm. Kirby.

Acting Chairman.

Choc memo 99

Choc memo 99

MEMORANDUM.

Choctaw

Case No

99

June 23 1902

Date

Name Benjamin T. Holson

Age 26

Post-Office: Wilburton, I.T.

Children: Self only.

Stenographer

W. H. Martin.

COPY.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., June 23rd, 1902.

Choc. Memo. 99.

In the matter of the application of Ben T. Holson for enrollment as a citizen by blood of the Choctaw Nation.

Ben T. Holson after having been first duly sworn testifies as follows:

Examination by the Commission.

- Q What is your name? A Ben T. Holson.
Q How old are you? A Soon be twenty-seven.
Q What is your post office address? A Wilburton, Choctaw Nation, Indian Territory.
Q Are you married? A No sir.
Q Have you ever been married? A No sir.
Q This application then is solely in your own behalf? A Yes sir.
Q Have you ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir, I have not.

The tribal rolls of the Choctaw Nation in possession of the Commission have been carefully examined, and the name of the applicant, Ben T. Holson, is not found thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities? A No sir.
Q You never have made such an application to the Choctaw tribal authorities? A No sir.

The records of persons admitted to citizenship in the Choctaw Nation by the Choctaw tribal authorities now in possession of the Commission have been carefully examined, and the name of the applicant does not appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.

The record of persons admitted to citizenship in the Choctaw Nation under the provisions of the act of Congress of June 10, 1896, by the Commission to the Five Civilized Tribes, have been examined, and the name of the applicant is not found thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Na-

-3-

tion by a decree of the United States court in the Indian Territory under the provisions of the act of Congress of June 10, 1896? A No sir.

The record of persons admitted to citizenship in the Chee-taw Nation by the United States court in the Indian Territory now in possession of the Commission have been examined and the name of the applicant does not appear thereon.

W. H. Martin being first duly sworn on oath states that as stenographer to the Commission to the Five Civilized Tribes he recorded in full the above proceedings on the 23rd day of June, 1902, and that the within and foregoing is a full, true and correct transcript of his stenographic notes in the same.

W. H. Martin

Subscribed and sworn to before me this 28th day of June, 1902.

Charmita Wilson
Notary Public.

Muskegee, Indian Territory, January 7, 1903.

In the matter of the application of
Ben T. Helson for enrollment as a
citizen by blood of the Choctaw
Nation.

Ben T. Helson,
Wilburton, Indian Territory,

Dear Sir:

You are hereby notified that you will be allowed thirty days from this date within which to submit to this Commission your affidavit, corroborated by two witnesses, setting forth the fact that you claim the right to identification as a Mississippi Choctaw, under the act of Congress of June 28, 1898, which provides 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."

Such affidavit must be sworn to by yourself and the corroborating witnesses and should set forth the fact that you are a descendant of Choctaw Indians who resided in the state of Mississippi in eighteen hundred and thirty, and that your ancestors, such Choctaw Indians, complied or attempted to comply with the provisions

Ben T. Nelson-2

of the fourteenth article of the treaty of eighteen hundred and thirty, between the United States and the Choctaw Nation, and further, that it is your intention to make personal application to this Commission for identification as a Mississippi Choctaw.

The affidavit to be submitted will not be considered by the Commission in support of your right to identification as a Mississippi Choctaw, but it will be received as evidencing the fact that you claim the right to such identification, and that you will make personal application within the near future.

Respectfully,

Acting Chairman.

Register.

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

Choc. Memo. 99

Muskogee, Indian Territory, February 20, 1903

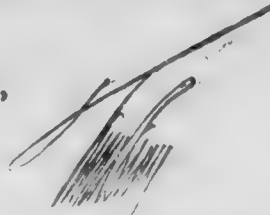
Ben T. Holson,
Wilburton, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application made by you for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,



Acting Chairman.

Registered.

Enc. I- B- S- 1

7-M-99

L. J. D.
L. J. D.

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

In the matter of the application for the enrollment of
Ben T. Holson as a citizen by blood of the Choctaw Nation.

- D E C I S I O N -

The record in this case shows that on June 23, 1902, Ben T. Holson appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a citizen by blood of the Choctaw Nation.

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

For the purpose of protecting any rights the applicant herein might have as a Mississippi Choctaw under the following provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), viz:

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

the applicant herein was notified on January 7, 1903, by registered mail, that he would be allowed thirty days from that date within which to set forth that he claimed for himself the right to identification as a Mississippi Choctaw. A copy of said notice is attached hereto and made a part of the record in this case. No response to said notice has been made by or on behalf of the applicant.

The Act of Congress approved May 31, 1900 (31 Stats., 221) provides:


"....That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not


Ben T. Holson-2

receive, consider or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of the Interior...."

It is, therefore, the opinion of this Commission that Ben T. Holson is not a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of his application for enrollment as a citizen of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Acting Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

FEB 20 1903

OPY.

Choc. Memo. 99

Muskogee, Indian Territory, February 20, 1903

Ben T. Holson,

Wilburton, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application made by you for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,

Registered.

Enc. 1- B- 8- 1

Acting Chairman.

COPY.

Choc. Memo. 99

Muskogee, Indian Territory, February 20, 1903.

Mansfield, McMurray & Cornish,

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

Gentlemen:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application for the enrollment of Ben T. Holson as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

W. D. Pixby

Acting Chairman.

Enc. I- B- S- 2

COPY.

Muskogee, Indian Territory, February 20, 1903.

The Honorable,
The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application made by Ben T. Holson for enrollment as a citizen of the Choctaw Nation, including the decision of the Commission dated February 20, 1903, denying said application.

Respectfully,

(SIGNED)

2 inclosures:

Choc. Memo. 99

Through the

Commissioner of Indian Affairs.

Tame Bixby

Acting Chairman.

D.C. 15083

Copy
DEPARTMENT OF THE INTERIOR.
WASHINGTON.

W C.F
FHE.

I.T.D. 4346-1903.
LRS.

May 18, 1903.

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

Gentlemen:

February 20, 1903, you transmitted the record in the case involving the application for enrollment of Ben T. Holson as a citizen by blood of the Choctaw Nation.

You refused said application, stating that the testimony as furnished by the record fails to show that the applicant has ever been enrolled or admitted to citizenship in the Choctaw Nation by the tribal authorities thereof, or admitted to such citizenship by the Commission to the Five Civilized Tribes or the United States Court in the Indian Territory.

Reporting in the matter May 8, 1903, the Acting Commissioner of Indian Affairs recommends that your decision be approved.

A copy of his letter is inclosed. The Department has carefully reviewed the record in the case and your decision is hereby affirmed.

Respectfully,

THOS. RYAN.

Acting Secretary.

1 inclosure.

Land.
12835--1903.

Copy
Department of the Interior,
Office of Indian Affairs,
Washington, May 8, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of the proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Ben T. Holson for the enrollment of himself as a citizen by blood of the Choctaw Nation.

On February 20, 1903, the Commission rendered a decision in this case finding that the applicant herein appeared before the Commission on June 23, 1902. The Commission further finds from the evidence submitted that the applicant has never been enrolled by the tribal authorities of said nation, nor admitted to citizenship therein by the legally constituted authorities thereof; not admitted to citizenship thereon by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory; and that under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221), the Commission has no authority to receive, consider, or make any record of said application.

The office has examined the evidence submitted by the applicant in behalf of his claim and considers that said decision of the Commission is inconformity to the facts therein stated, and recommends that the same be approved by the Department.

Very respectfully,
A.C. Tonner,
Acting Commissioner.

W.C.B. (S)

COPY.

Choctaw-M-99

Muskogee, Indian Territory, June 3, 1903.

Ben T. Holson,

Wilburton, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of May 18, 1903, affirmed the decision of this Commission dated, February 20, 1903, refusing your application for enrollment as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED)

J. H. Breckinridge

Commissioner in Charge.

OPY.

Choctaw -M-99

Muskogee, Indian Territory, June 3, 1903.

Mansfield, McMurray & Cornish,

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

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of May 18, 1903, affirmed the decision of this Commission dated February 20, 1903, refusing the application of Ben T. Holson for enrollment as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED).

C. R. Breckinridge

Commissioner in Charge.

Muskogee, Indian Territory, February 14, 1903.

Ben T. Holsen,

Oologah, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of the fourth instant, in which you state that you have previously submitted affidavits to this Commission relative to your right to citizenship in the Choctaw Nation and that you supposed your name had been placed upon the roll, and now desire to be informed what further it is necessary for you to do in order to procure your final enrollment as a citizen of the Choctaw Nation.

In replying to your letter you are advised that it does not appear from your testimony and the record in the matter of your application for enrollment as a citizen by blood of the Choctaw Nation that you have ever in any manner been enrolled by the tribal authorities of the Choctaw Nation; neither does it appear that you have ever been admitted to citizenship in that nation by the legally constituted authorities thereof nor by the Commission to the Five Civilized Tribes nor by a decree of the United States Court in Indian Territory, under the provisions of the act of Congress approved June 10, 1896.

B T H 2

An act of Congress approved May 31, 1900, provides:

"That said Commission . . . shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such. . . ."

Under this provision of law the Commission is without authority to enroll you as a citizen of the Choctaw Nation or make any further record of your application as such, but it was for the purpose of protecting any rights which you might have as a Mississippi Choctaw that the notice of January 7, 1903, was addressed to you at Wilburton, Indian Territory.

As you have not conformed to the instructions contained therein and the thirty days allowed you within which to submit affidavits having expired, the Commission will now dispose of your application for enrollment as a citizen by blood of the Choctaw Nation.

If you are desirous of submitting an application for identification as a Mississippi Choctaw under the provisions of the act of Congress of June 28, 1898, referred to in our letter of January 7, you will be heard upon your personal appearance at Muskogee, Indian Territory, at the office of the Commission, until March 25, 1903.

Respectfully,

Acting Chairman.

Indian Territory.
Central District.

Mary D. Baird, being duly sworn and
oath states, That she is a resident of the
Choctaw Nation, Indian Territory, that she
resides in the town of Wilburton, Ok., and that
she is 59 years of age.

That she was acquainted with Maggie
Garler, and knew her when she went to
live with Stephen Holson, who was
a neighbor of hers, That after the said
Maggie Garler had been at Stephen Holson's for
about one year she, Maggie Garler had a
child, Sam Holson, a son of Stephen Holson,
was reputed to be the father of the child,
as Maggie Garler was ~~never~~^{not} married. The
child was a boy and was named Benjamin
Theodora Holson. That she saw the child
frequently for two years, when the child
was taken away by its mother.

Mary D. Baird

Subscribed and sworn to before me this
the 4th day of June 1902.

C. W. Young

Notary Public,
My Commission expires June 12th 1903.

Indian Territory
Central District.

W.^m Baird being duly sworn in oath states that he is a resident of the Central District, Choctaw Nation, Indian Territory, that he resides in the town of Wilburton, that he is sixty years old.

He was acquainted with one Maggie Garler, who was a white woman ^{and unmarried,} and about the year 1875 she was staying with Stephen Holson, in Sugar Loaf County, Choctaw Nation. That he was a neighbor of Stephen Holson. That after she, Maggie Garler, had been at Stephen Holson's for about one year, she had a child, and said child was reputed to be the child of Sam Holson. Saw the child frequently until it was two years old, at which time she left with the child. The child was a boy and was named Benjamin, Theodora Holson,

Wm. Baird

Subscribed and sworn to before me this
the 4th day, June 1902.

C. P. Young,
Notary Public,
My Com. exp. Mar. 12th 1906

To the Honorable Lower Commission
for five civilized tribes

The undersigned
Petitioner a citizen of the Cherokee
Nation, and resident of Gaines
most respectfully represents to
your honorable body, that he
was not lawfully married to one
Miss Maggie Garner a non-citizen
white woman, and she gave
birth to a Boy child.

Said Boy is now twenty
three years old and as the birth
occurred to us not being lawfully
married

Therefore, your
petitioner most respectfully
asks your honorable body
to grant said Boy be adopted
as a citizen of the Cherokee Nation
with all the rights, privileges
and immunities of citizens
and be known and called

Benjamin Theodore Holson

Respectfully
Samson Holson

Choc memo 100

Choc memo 100

MEMORANDUM.

Choctaw Case No. 77-100

Date AUG 29 1902

Name Davis Pierce ✓

Age 39

Post-Office: Pettway, Texas.

Children:	Lillie ✓	20
	Essie ✓	18
	Pearl ✓	15
	Lee ✓	2
	Claude ✓	6

Pettway

Stenographer Hal Bigford

7-M-100.

Department of the Interior.
Commission to the Five Civilized Tribes.
Muskegee, Indian Territory, August 29, 1902.

-----!-----

In the matter of the application of Davis Pierce for the enrollment of himself and his five minor children, Lillie, Gus-sie, Pearl, Dee and Claude Pierce, as citizens by blood of the Choctaw Nation.

Applicant not represented by Attorney.

Davis Pierce, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A Davis Pierce. D. Pierce is the way I sign my name, but Davis Pierce is the full name.
- Q What is your age? A Thirty-nine. Born in '63.
- Q What is your post office address? A Pettieway.
- Q Pettieway? A Yes sir.
- Q Indian Territory? A No sir, Robinson County.
- Q Texas? A Yes sir.
- Q Spell that Pettieway, will you please? A P-e-t-t-i-e-w-a-y.
- Q How long have you been a resident of Texas? A All my life.
- Q You have never been a resident of the Indian Territory? A I lived here one year, that's all.
- Q What year was that? A I be dogged if I can tell you now.
- Q About how many years ago was it? A About ten years, I reckon, ten or eleven.
- Q Never lived in the Territory since that time, have you? A No sir.
- Q What is the name of your father? A Copeland.
- Q Was he a citizen of the Choctaw Nation? A My father?
- Q Yes. Oh! My father was Pierce.
- Q What was the full name of your father? A My father's name?
- Q Yes. A Davis Pierce.
- Q Was he a Choctaw Indian? A No sir, I am getting this under my mother.
- Q Your father was a white man? A Yes sir.
- Q Citizen of the United States? A Yes sir.
- Q What was the name of your mother? A Copeland.
- Q Give her full name, please? A Jancy.
- Q Was she a Choctaw Indian? A Yes sir.

Davis Pierce, 2.

- Q How much Choctaw blood did she claim? A One quarter.
- Q Are you now applying for enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
- Q Are you applying for anyone else besides yourself? A No one only me and my family, but I don't know how you would-----there's some more of the kin folks, but I don't know what to do with them no more than nothing.
- Q Mr. Pierce, you can only apply for yourself and your minor children. A Well, that's all then.
- Q Do you want to apply for any minor children? A Yes sir, I have got five.
- Q State their names and ages? A I be dogged if I can. I know their ages but I can't tell what year unless I count back.
- Q Well, if you can, give their ages? A Well, one of them will be--
- Q Give their names and ages in order. A Lillie.
- Q Lillie, her age? A She'll be twenty years old next March, the 23rd.
- Q The next one? A Gussie.
- Q Age? A Eighteen the 7th of March.
- Q The next one? A Pearl, be fifteen the 18th of March.
- Q The next one? A Dee.
- Q Just D.? A Yes.
- Q Capital "D", or Dee? A D-ee.
- Q Age? A Eight in July, next July. Claude, be six the 4th of July. Let's see, I believe I told you wrong. That Dee will be eight the 1st day of December.
- Q What is the next one after Claude? A That's all. I hain't got but five.
- Q Have you and your children ever been recognized or enrolled by the tribal authorities of the Choctaw Nation as citizens of that tribe? A Not that I know of.
- Q Have you been admitted to citizenship by the tribal authorities of the Choctaw Nation? A No sir.

The tribal rolls of the Choctaw Nation in the possession of the Commission have been carefully examined and the names of the applicants herein not found thereon.

- Q Were you or your children ever admitted to Choctaw citizenship by the Commission to the Five Civilized Tribes, in 1896? A No sir.
- Q Did you make application for admission to citizenship to the Commission in 1896? A No sir, this is the first time I have ever been before any court.

The records of the Commission or persons admitted to citizenship in the Choctaw Nation by the Commission in 1896 have been carefully examined and the names of the applicants herein not found thereon.

Davis Pirce, 3.

Q Were you or your children admitted to citizenship in the Choctaw Nation by a decree of the United States Court in Indian Territory in 1896? A No sir.

The record of persons admitted to citizenship in the Choctaw Nation by decree of the United States Court in Indian Territory has been examined, and the names of the applicants herein do not appear among the names of persons so admitted.

- Q What is the name of the mother of your children? A I have got a second wife now. Three of them was Ida----the three eldest.
Q Ida? A Yes sir.
Q What is the name of your present wife? A Ella.
Q Were both of your wives citizens of the United States? A Yes sir.
Q They were white women, were they? A Yes sir.

-----:-----

Hal Belford, being first duly sworn, upon his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause on August 29, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes in said cause on the said day of August, 1902.

Subscribed and sworn to before me this 30 day of August, 1902.

Hal Belford
J. B. Ruster

Notary Public.

File

7-V-100

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

-----:-----
In the matter of the application for the enrollment of
Davis Pierce and his five minor children, Lillie, Gussie, Pearl,
Dee and Claude Pierce, as citizens by blood of the Choctaw Nation.

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

The record in this case shows that on August 29, 1902,
Davis Pierce appeared before the Commission at Muskogee, Indian
Territory, and made application for the enrollment of himself and
his five minor children, Lillie, Gussie, Pearl, Dee and Claude
Pierce, as citizens by blood of the Choctaw Nation.

It does not appear from the evidence in this case that
the applicants herein, or any of them, have ever been enrolled by
the tribal authorities of the Choctaw Nation; neither does it ap-
pear that they, or any of them, have ever been admitted to citizen-
ship in the Choctaw Nation by the legally constituted authorities
of said Nation; nor does it appear that they, or any of them, have
ever been admitted to citizenship in said Nation by the Commission
to the Five Civilized Tribes, or the United States Court in Indian
Territory, in accordance with the provisions of the act of Congress
approved June 10, 1896 (29 Stat., 321).

The act of Congress approved May 31, 1900 (31 Stat., 221)
provides:

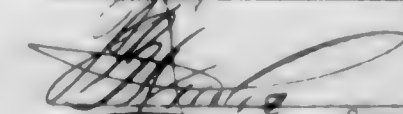
"....That said Commission shall continue to exercise
all authority heretofore conferred on it by law. But it shall
not receive, consider or make any record of any application
of any person for enrollment as a member of any tribe in Indian
Territory who has not been a recognized citizen thereof, and
duly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

It is, therefore, the opinion of this Commission that
Davis Pierce, Lillie Pierce, Gussie Pierce, Pearl Pierce, Dee Pierce
and Claude Pierce are not citizens of the Choctaw Nation and duly
and lawfully enrolled or admitted as such, and that pursuant to the
provision of law above quoted, the Commission is without authority
to receive, consider or make any record of their application for
enrollment as citizens of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, Indian Territory,


Chairman.


Commissioner.


Commissioner.

Choctaw-M-100

COPY.

Muskogee, Indian Territory, June 16, 1904.

Davis Pierce,

Petteway, Texas,

Dear Sir:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application made by you for the enrollment of yourself, your minor children Lillie Pierce, Gussie Pierce, Pearl Pierce, Dee Pierce, and Claude Pierce as citizens of the Choctaw Nation.

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

Respectfully,

(SIGNED)

Chairman.

Registered

M.P.-16-5

Chectaw N.100

COPY:

Muskogee, Indian Territory, June 16, 1904.

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

Gentlemen:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application for the enrollment of Davis Pierce and his minor children Lillie Pierce, Gusie Pierce, Pearl Pierce, Dee Pierce, and Claude Pierce as citizens of the Chectaw Nation.

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

Respectfully,

(SIGNED)

Chairman.

Incl. 7-M-100

COPY.

Muskogee, Indian Territory, June 16, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application made by Davis Pierce for the enrollment of himself and his five minor children, Lillie Pierce, Gussie Pierce, Pearl Pierce, Dee Pierce and Claude Pierce, as citizens of the Choctaw Nation, including the decision of the Commission dated June 16, 1904, denying said application.

Respectfully,

(SIGNED)

Chairman.

Through the
Commissioner of Indian Affairs.

Enc. 7-M-100

Land

40497-1904.

COPY:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

Washington, October 14, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 16, 1904, transmitting the record of the application for enrollment as citizens by blood of the Choctaw Nation by Davis Pierce for himself and his five minor children, Lillie, Gussie, Pearl, Dee and Claude Pierce.

June 16, 1904, the Commission decided adversely to all the applicants.

The record shows that none of the applicants has ever been recognized, enrolled or admitted to citizenship by the Choctaw Nation or by the United States.

In view of the record the approval of the Commission's decision adverse to all applicants is recommended.

Very respectfully,

A. C. Tonner

Acting Commissioner.

M.M.W.

W.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

COPY.

W.C.F.
PHE

D.C. 40420

October 19, 1904.

I.T.D. 10596-1904.

L.R.S.

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

Gentlemen:

June 16, 1904, you transmitted the record in the matter of the application of Davis Pierce for the enrollment of himself and his five minor children, Lillie, Gussie, Pearl, Dee and Claude Pierce, as citizens of the Choctaw Nation, including your decision of the same date denying said application.

Reporting in the matter October 14, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

Thos. Ryan
Acting Secretary.

1 inclosure.

Choctaw M-100

COPY!

Muskogee, Indian Territory, October 31, 1904.

Davis Pierce,
Petteway, Texas,

Dear Sir:

You are hereby notified that on the 19th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying the application made by you for the enrollment of yourself and your minor children, Lillie Pierce, Gussie Pierce, Pearl Pierce, Dee Pierce and Claude Pierce, as citizens of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Choctaw M-100

COPY.

Muskogee, Indian Territory, October 31, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby advised that on the 19th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying the application for the enrollment of Davis Pierce and his minor children Lillie Pierce, Gussie Pierce, Pearl Pierce, Dee Pierce and Claude Pierce, as citizens of the Choctaw Nation.

Respectfully,

(SIGNED)

Chairman.

Choc memo 10/

Choc memo 10/

MEMORANDUM.

Choctaw

Case No. _____

Date

Nov, 18, 1902

Name

P. L. Green.

Age

22

Post-Office:

Caddo, I. T.

Children:

Refuse: Act of May,
31, 1900.

Stenographer

H. B. Pickett.

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

Original
Memorandum
Case.

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

P. L. Green, being first duly sworn, upon his oath testifies as follows:

Examination by the Commission:

- Q What is your name? A P. L. Green.
Q What is your age? A Twenty two.
Q What is your post office address? A Caddo, Indian Territory.
Q How long have you lived in the Choctaw Nation? A I have been living here off and on every since 1897.
Q Have you ever been recognized by the tribal authorities of the Choctaw Nation as a citizen of that tribe. A No sir.
Q Is your name upon any of the tribal rolls of the Choctaw Nation?
A It ought to be.

The tribal rolls of the citizens of the Choctaw Nation in the possession of the Commission have been examined and the name of P. L. Green does not appear thereon.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by judgment of the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A I don't know whether I was or not.

The list of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes and by the United States Court in Indian Territory under the act of Congress of June 10, 1896, have been examined, and the name of P. L. Green does not appear thereon.

- Q When you said that your name ought to be on the tribal rolls of the Choctaw Nation, did you mean that as a matter of right it ought to be there? A Yes sir.
Q You don't think your name is on those rolls? A It ought to be but I don't know whether it is or not.

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

Subscribed and sworn to before me this 19th day of November, 1902.

Harry C Risteen
R. M. Melbauer
Notary Public.

W. O. B.

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

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Choctaw-M-101

WM O BEALL,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, June 16, 1904.

P.L. Green,
Caddo, Indian Territory,

Dear Sir:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying your application for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,

Thomas Bixby
Chairman.

Registered

MP-16-1

860

7-M-101

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

-----:-----

In the matter of the application for the enrollment of
P. I. Green as a citizen by blood of the Choctaw Nation.

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

The record in this case shows that on November 10, 1902,
P. I. Green appeared before the Commission at Atoka, Indian Terri-
tory, and made application for enrollment as a citizen by blood of
the Choctaw Nation.

It does not appear from the evidence in this case that the
applicant herein has ever been enrolled by the tribal authorities
of the Choctaw Nation; neither does it appear that he has ever been
admitted to citizenship in the Choctaw Nation by the legally con-
stituted authorities of said Nation; nor does it appear that he has
ever been admitted to citizenship in said Nation by the Commission
to the Five Civilized Tribes, or the United States Court in Indian
Territory, in accordance with the provisions of the act of Congress
approved June 10, 1896 (29 Stat., 321).

The act of Congress approved May 31, 1900 (31 Stat., 221)
provides:

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

It is, therefore, the opinion of this Commission that
P. I. Green is not a citizen of the Choctaw Nation and duly and
lawfully enrolled or admitted as such, and that pursuant to the
provision of law above quoted, the Commission is without authority
to receive, consider or make any record of his application for
enrollment as a citizen of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

_____.

Commissioner.

Choctaw-M-101

Muskogee, Indian Territory, June 16, 1904.

P.J. Green,

Caddo, Indian Territory,

Dear Sir:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying your application for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,

THNEB

Tammie Cobby
Chairman.

Registered

MP-16-1

Choctaw-M-101

COPY.

Muskogee, Indian Territory, June 16, 1904.

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

Gentlemen:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application for the enrollment of P.L. Green as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

James Bixby.

Chairman.

Incl. 7-M-101

COPY.

Muskogee, Indian Territory, June 16, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application made by P.L. Green for enrollment as a citizen of the Choctaw Nation, including the decision of the Commission dated June 16, 1904, denying said application.

Respectfully,

(SIGNED)

James Bixby.

Chairman.

Through the
Commissioner of Indian Affairs.

Encl. 7-M-101

Land.

40501-1904.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS,

Washington, October 14, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 16, 1904, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by P. L. Green for himself.

June 16, 1904, the Commission decided adversely to the applicant.

The record shows that the applicant has never been recognized, enrolled or admitted to citizenship by the Choctaw Nation or by the United States.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

A. C. Tonner

Acting Commissioner.

M.M.M.

W.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

W.C.P.

PHE

D.C. 40419

October 19, 1904.

I.T.D. 10586-1904.

L.R.S.

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

Gentlemen:

June 16, 1904, you transmitted the record in the matter of the application of P.L.Green for enrollment as a citizen of the Choctaw Nation, including your decision of the same date denying said application.

Reporting in the matter October 14, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

Thos. Ryan

Acting Secretary.

1 inclosure.

COPY. Choctaw M-101

Muskogee, Indian Territory, October 31, 1904.

P. L. Green,

Caddo, Indian Territory,

Dear Sir:

You are hereby notified that on the 19th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying your application for enrollment as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED) *Tamc Bixby*

Chairman.

COPY.

Choctaw M-101

Muskogee, Indian Territory, October 31, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby advised that on the 19th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying the application of P. L. Green for enrollment as a citizen of the Choctaw Nation.

Respectfully,

SIGNATURE

James Dixie
Chairman.

7 Mem 101
7 Mem 102
7 Mem 103

Muskogee, Indian Territory, June 15, 1905.

W. F. Kirby,

Texarkana, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 5, 1905, giving information which has enabled us to identify P. L. Green, Prudence Cox and Bert Green as having made application for enrollment as citizens by blood of the Choctaw Nation under the act of Congress approved May 31, 1900; you state that these persons are descendants of P. P. Pitchlyn and you do not understand why their enrollment has not been approved since Sophia Pitchlyn, whose application is in the same class and was denied on the same grounds, has been admitted and enrolled.

In reply to your letter you are advised that it is true that Sophia Pitchlyn has been enrolled as a citizen by blood of the Choctaw Nation but her name appears upon the rolls of the Choctaw Nation in the possession of the Commission and she was recognized by the Choctaw tribal authorities as a citizen of that tribe.

It does not appear from our records that P. L. Green, Prudence Cox or Bert Green have been recognized and enrolled by the Choctaw tribal authorities as citizens of said tribe and their names are not found upon the Choctaw rolls in the possession of the

W.F.K. #2

Commission.

The Commission therefore rendered its decision on June 16, 1904, holding that these persons were not entitled to enrollment as citizens of the Choctaw Nation and that pursuant to the act of Congress approved May 31, 1900 the Commission was without authority to receive, consider or make any record of their applications for enrollment as citizens of the Choctaw Nation.

On October 19, 1904, the Secretary of the Interior approved this decision, and the Commission therefore considers this case closed.

Respectfully,

Chairman.

Original
MEMORANDUM.
Case.

Choctaw Case No. 102

Date Dec 1912

Name Bert Green

Age 18.

Post-Office: Texarkana, Ark.

Father: Frank Green

Mother: Emma Green (dead)

~~Children:~~

Stenographer

L. W. McMillan

Choctaw Original
MEMORANDUM

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, I. T., December 4th, 1902.

-----oOo-----

In the matter of the application of Bert Green for enrollment as a citizen by blood of the Choctaw Nation.

Bert Green being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Bert Green.
Q How old are you? A Eighteen.
Q What is your post office address? A Texarkanna, Arkansas.
Q How long have you lived in Arkansas? A I have lived there about five years.
Q You have lived there continuously for the past five years?
A Yes sir.
Q Where did you live before that? A Indian Territory, and at Durant, lived there about three years before they had that enrollment there in '96.
Q What is the name of your father? A Frank Green.
Q Is he living or dead? A Living.
Q What is the name of your mother? A Emma Green.
Q Is she living or dead? A Dead.
Q Through which one of your parents do you claim your Indian blood? A Mother.
Q What was her maiden name? A Maiden name--Pitchlynn, before she married.
Q What was her father's name? A Push Pitchlynn.
Q Were you ever recognized or enrolled by the tribal authorities of the Choctaw Nation as a citizen by blood of that Nation?
A No sir, I reckon not.
Q You have never been on their rolls? A No sir.

The records of the Choctaw Nation in the possession of the Commission have been carefully examined, and applicant's name not found on any of the rolls of said Nation.

- Q Were you ever admitted to Choctaw citizenship by a duly constituted court or committee of said Nation? A No sir.
Q Were you ever admitted to Choctaw citizenship by the Commission to the Five Civilized Tribes or by the United States court in Indian Territory, under the act of June 10, 1896? A No sir.

The Commission has no authority at this time to receive your application for enrollment as a citizen by blood of the Choctaw Nation, you never having been duly recognized or enrolled as a citizen by blood of the Choctaw Nation.

#2.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 4th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

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

H. Risteen

Notary Public.

7-M-102

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

In the matter of the application for the enrollment of Bert Green as a citizen by blood of the Choctaw Nation.

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

The record in this case shows that on December 4, 1902, Bert Green appeared before the Commission at Antlers, Indian Territory, and made application for enrollment as a citizen by blood of the Choctaw Nation.

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

The act of Congress approved May 31, 1900 (31 Stat., 221), provides:

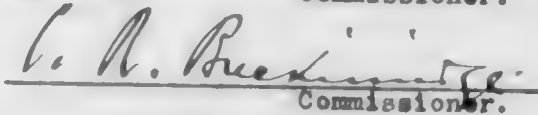
"....That said Commission shall continue to exercise all authority heretofore conferred on it by law. But it shall not receive, consider or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly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

It is, therefore, the opinion of this Commission that Bert Green is not a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of his application for enrollment as a citizen of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.


Commissioner.


Commissioner.

Commissioner.

Muskogee, Indian Territory,

Choctaw M 102

COPY.

Muskogee, Indian Territory, June 16, 1904.

Bert Green,
Texarkana, Arkansas,

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, denying your application for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

Jams Dixby.

Chairman.

Registered.

MP -16-3.

Choctaw M-102

COPY.

Muskogee, Indian Territory, June 16, 1904.

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

Gentlemen:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application for the enrollment of Bert Green as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

Tom M. M. M.

Chairman.

Encl. 7-M-102.

COPY.

Muskogee, Indian Territory, June 16, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of application made by Bert Green for enrollment as a citizen of the Choctaw Nation, including the decision of the Commission dated June 16, 1904, denying said application.

Respectfully,

(SIGNED)

James Dixby.
Chairman.

Through the
Commissioner of Indian Affairs.

Enc. 7-M-102

COPY

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

Land .

40493-1904.

Washington, October 14, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 16, 1904, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by Bert Green.

June 16, 1904, the Commission decided adversely to the applicant.

The evidence does not show that the applicant was ever recognized, enrolled or admitted to citizenship by the tribal authorities of the Choctaw Nation, the Commission or the United States Court.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

A.C. Tonner

Acting Commissioner.

M.M.M.

W.

COPY.

W.C.F.

DEPARTMENT OF THE INTERIOR

FHE

WASHINGTON.

D.C. 40418

October 19, 1904.

I.T.D. 10592-1904.

L.R.S.

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

Gentlemen:

June 16, 1904, you transmitted the record in the matter of the application of Bert Green for enrollment as a citizen of the Choctaw Nation, including your decision of the same date, denying said application.

Reporting in the matter October 14, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

Thos. Ryan.

Acting Secretary.

1 inclosure.

Choctaw M-102

COPY!

Muskogee, Indian Territory, October 31, 1904.

Bert Green,

Texarkana, Arkansas,

Dear Sir:

You are hereby notified that on the 19th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying your application for enrollment as a citizen of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby

Chairman.

Choctaw M-102

COPY.

Muskogee, Indian Territory, October 31, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby advised that on the 19th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying the application for the enrollment of Bert Green as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED)

James B. B. B.

Chairman.

7 Mem 101
7 Mem 102
7 Mem 103

Muskogee, Indian Territory, June 15, 1905.

W. F. Kirby,

Texarkana, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 5, 1905, giving information which has enabled us to identify P. L. Green, Prudence Cox and Bert Green as having made application for enrollment as citizens by blood of the Choctaw Nation under the act of Congress approved May 31, 1900; you state that these persons are descendants of P. P. Pitchlyn and you do not understand why their enrollment has not been approved since Sophia Pitchlyn, whose application is in the same class and was denied on the same grounds, has been admitted and enrolled.

In reply to your letter you are advised that it is true that Sophia Pitchlyn has been enrolled as a citizen by blood of the Choctaw Nation but her name appears upon the rolls of the Choctaw Nation in the possession of the Commission and she was recognized by the Choctaw tribal authorities as a citizen of that tribe.

It does not appear from our records that P. L. Green, Prudence Cox or Bert Green have been recognized and enrolled by the Choctaw tribal authorities as citizens of said tribe and their names are not found upon the Choctaw rolls in the possession of the

W.F.K. #2

Commission.

The Commission therefore rendered its decision on June 16, 1904, holding that these persons were not entitled to enrollment as citizens of the Choctaw Nation and that pursuant to the act of Congress approved May 31, 1900 the Commission was without authority to receive, consider or make any record of their applications for enrollment as citizens of the Choctaw Nation.

On October 19, 1904, the Secretary of the Interior approved this decision, and the Commission therefore considers this case closed.

Respectfully,

Chairman.

Choc memo 103

Choc memo 103

Original
MEMORANDUM.
Case.

Choctaw - Case No. _____

Date DEC 12

Name Prudence Cox

Age 20.

Post-Office: Oldana, La.

Father: Frank Green

Mother: Emma Green (dead)

Children:

stenographer A. S. McMillan.

Choctaw Original
MEMORANDUM

Department of the Interior.
Commission to the Five Civilized Tribes.
Antlers, I. T., December 4th, 1902.

-----oOoo-----

In the matter of the application of Prudence Cox for enrollment as a citizen by blood of the Choctaw Nation.

Prudence Cox being first duly sworn testified as follows:

Examination by the Commission:

- Q What is your name? A Prudence Cox.
Q What is your age? A Twenty.
Q What is your post office address? A Goldona, Louisiana.
Q How long have you lived in Louisiana? A Just a few months.
Q Where did you live before that? A Stayed at Texarkanna and up here in the Territory.
Q What is the name of your father? A Frank Green.
Q Is he living or dead? A Living.
Q What is the name of your mother? A Emma Green.
Q Is she living or dead? A Dead.
Q Through which one of your parents do you claim your Indian blood? A Through my mother.
Q Were you ever recognized or enrolled by the tribal authorities of the Choctaw Nation as a citizen by blood of that tribe?
A Yes sir.
Q When was that recognition or enrollment? A When they was paying off that money why they enrolled us; that's what they told our aunt, and when we come to draw the money our names wasn't on the roll.
Q Did you draw that money in 1893? A No sir.
Q Then your name wasnot actually upon that final roll prepared in 1893? A No sir, it was not.
Q Were you enrolled in 1896 on the Choctaw census roll? A Yes sir.
Q Do you know that? A No, my mother enrolled us and she told us so.
Q Where were you living at that time? A In the Territory.
Q Whereabouts? A Durant.

The records of the Commission have been carefully examined and the name of this applicant does not appear upon any of the rolls of the Choctaw Nation in the possession of this Commission.

- Q Were you ever admitted to Choctaw citizenship by the legally constituted court or committee of that Nation? A I don't know; you see us children came there and was here then before that enrollment at Durant, and then our mother came and she went up and enrolled us.
Q You don't know of your name ever being before any citizenship committee of the Choctaw Nation do you? A No sir.

12.
Q Were you ever admitted to Choctaw citizenship by the Commission to the Five Civilized Tribes under the act of June 10, 1896?

A No sir.

Q Were you ever admitted by the United States Court in Indian Territory to citizenship in the Choctaw Nation? A No sir.

The Commission has no authority at this time to receive your application for enrollment as a citizen by blood of the Choctaw Nation, you not having been a recognized and enrolled citizen of that Nation.

Albert G. McMillan being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported the proceedings had in the above entitled cause on the 4th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Albert G. McMillan

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

H. L. Risteen

Notary Public.

7-M-103

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

In the matter of the application for the enrollment of
Prudence Cox as a citizen by blood of the Choctaw Nation.

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

The record in this case shows that on December 4, 1902,
Prudence Cox appeared before the Commission at Antlers, Indian Terri-
tory, and made application for enrollment as a citizen by blood of
the Choctaw Nation.

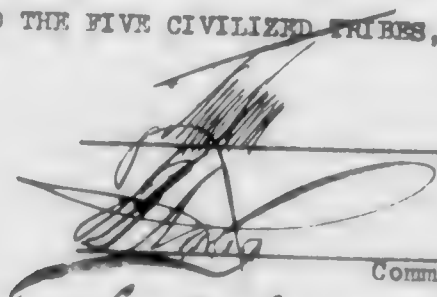
It does not appear from the evidence in this case that the
applicant herein has ever been enrolled by the tribal authorities of
the Choctaw Nation; neither does it appear that she has ever been
admitted to citizenship in the Choctaw Nation by the legally con-
stituted authorities of said Nation, nor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

The act of Congress approved May 31, 1900 (31 Stat., 221),
provides:

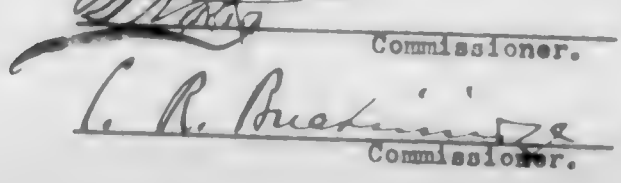
"....That said Commission shall continue to exercise all
authority heretofore conferred on it by law. But it shall not
receive, consider or make any record of any application of any
person for enrollment as a member of any tribe in Indian Terri-
tory who has not been a recognized citizen thereof and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

It is, therefore, the opinion of this Commission that
Prudence Cox is not a citizen of the Choctaw Nation and duly and
lawfully enrolled or admitted as such, and that pursuant to the
provision of law above quoted, the Commission is without authority
to receive, consider or make any record of her application for en-
rollment as a citizen of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



Chairman.



Commissioner.

Muskogee, Indian Territory,

Commissioner.

Choctaw-M-103

COPY.

Muskogee, Indian Territory, June 16, 1904.

Prudence Cox,

Goldona, Louisiana,

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying your application for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

Tame Dixby.

Chairman.

Registered

MP-16-4

Choctaw M-103.

D.F.:

Muskogee, Indian Territory, June 16, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application for the enrollment of Prudence Cox as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

John Bixby.

Chairman.

Incl. 7-M-103.

COPY.

Muskogee, Indian Territory, June 16, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application made by Prudence Cox for enrollment as a citizen of the Choctaw Nation, including the decision of the Commission dated June 16, 1904 denying said application.

Respectfully,

(SIGNED)

James Bixby.

Chairman.

Through the
Commissioner of Indian Affairs.

Enc. 7-M-103.

DEPARTMENT OF THE INTERIOR

Land.

40502-1904.

OFFICE OF INDIAN AFFAIRS,

Washington, October 14, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 16, 1904, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by Prudence Cox.

June 16, 1904, the Commission decided adversely to the applicant.

It does not appear from the record that the applicant has ever been recognized, enrolled or admitted to citizenship by the Choctaw Nation or by the United States.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very respectfully,

A. C. Tonner

Acting Commissioner.

M.M.M.

W.

D.C. 41072.

I.T.D. 10590-1904.
L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

W.C.F.

FHE

October 21, 1904.

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

Gentlemen:

June 16, 1904, you transmitted the record in the matter of the application of Prudence Cox for enrollment as a citizen of the Choctaw Nation, including your decision of the same date, denying said application.

Reporting in the matter October 14, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

M.M. Miller

Acting Secretary.

1 inclosure.

D.C. 41072.

I.T.D. 10590-1904.
L.R.S.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

W.C.F.
FHE

October 21, 1904.

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

Gentlemen:

June 16, 1904, you transmitted the record in the matter of the application of Prudence Cox for enrollment as a citizen of the Choctaw Nation, including your decision of the same date, denying said application.

Reporting in the matter October 14, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

M.M. Miller

Acting Secretary.

1 inclosure.

Choctaw M. 103

COPY:

Muskogee, Indian Territory, October 31, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby advised that on the 21st day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying the application of Prudence Cox for enrollment as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED)

Tamm Dickey

Chairman.

COMMISSIONERS:
TAMM BEKEY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE,
WM. O. BEALL,
Secretary.

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

REFER IN REPLY TO THE FOLLOWING:

Choctaw -W-103.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, October 31, 1904.

Prudence Cox,
Goldona, Louisiana,

Dear Madam:

You are hereby notified that on the 21st day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying your application for enrollment as a citizen of the Choctaw Nation.

Respectfully,



Chairman.

7 Men 101
7 Men 102
7 Men 103

Muskogee, Indian Territory, June 15, 1905.

W. F. Kirby,

Texarkana, Arkansas.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 5, 1905, giving information which has enabled us to identify P. I. Green, Prudence Cox and Bert Green as having made application for enrollment as citizens by blood of the Choctaw Nation under the act of Congress approved May 31, 1900; you state that these persons are descendants of P. P. Pitchlyn and you do not understand why their enrollment has not been approved since Sophia Pitchlyn, whose application is in the same class and was denied on the same grounds, has been admitted and enrolled.

In reply to your letter you are advised that it is true that Sophia Pitchlyn has been enrolled as a citizen by blood of the Choctaw Nation but her name appears upon the rolls of the Choctaw Nation in the possession of the Commission and she was recognized by the Choctaw tribal authorities as a citizen of that tribe.

It does not appear from our records that P. I. Green, Prudence Cox or Bert Green have been recognized and enrolled by the Choctaw tribal authorities as citizens of said tribe and their names are not found upon the Choctaw rolls in the possession of the

W.F.K. #2

Commission.

The Commission therefore rendered its decision on June 16, 1904, holding that these persons were not entitled to enrollment as citizens of the Choctaw Nation and that pursuant to the act of Congress approved May 31, 1900 the Commission was without authority to receive, consider or make any record of their applications for enrollment as citizens of the Choctaw Nation.

On October 19, 1904, the Secretary of the Interior approved this decision, and the Commission therefore considers this case closed.

Respectfully,

Chairman.

Choc memo 104

Choc memo 104

Carroll et al.
MEMORANDUM.

Act of May, 31, 1900.

Ch Oct. 20

Case No. _____

Date _____

Name

Mary Pusley.

Age

57

Post-Office:

Simpson P.O.

(Carbon P. O.)

Children:

Act of May, 31, 1900.

Stenographer

H. J. R. [unclear]

Department of the Interior.
Commission to the Five Civilized Tribes.
South McAlester, Ind. Ter., December 24, 1902.

Original
Choctaw
Memorandum Case
Act May 31, 1900, and
Act July 1, 1902.

In the matter of the original application of Mary Pusley for enrollment as a citizen by blood of the Choctaw Nation.

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

Examination by the Commission:

- Q What is your name? A Mary Pusley.
Q How old are you? A Fifty seven.
Q What is your post office address? A Simpson's post office--
(Should be Carbon, I. T.)
Q Are you married? A Yes sir.
Q Have you any children? A Yes sir.
Q Do you want to make application for your children? A Yes sir.
Q How many have you? A Two.
Q Are they both under twenty one years of age? A Both of them are of age.

They will have to make application for themselves.

- Q Do you claim to be a citizen by blood of the Choctaw Nation? A I claim as far as I know.
Q Have you ever been recognized in any manner or enrolled by the tribal authorities of the Choctaw Nation as a citizen? A I have never been nowhere.
Q Did you ever draw any money as a member of the Choctaw tribe of Indians? A No sir.

The name of this applicant does not appear upon any of the tribal rolls of the Choctaw Nation in the possession of this Commission.

- Q Have you ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory? A I have never been about the Court.

The name of this applicant does not appear upon the lists of persons admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes or by the United States Court in Indian Territory under the provisions of the act of Congress of June 10, 1896.

-----oOo-----

Harry C Risteen, being first duly sworn, upon his oath states: That as stenographer to the Commission to the Five Civilized Tribes he reported in full all proceedings had in the above entitled cause

Nary Pusley-----2.

on the 24th day of December, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes of said proceedings on said date.

Harry Christen

Subscribed and sworn to before me this ³⁰ day of December, 1902.

Charles W. Sawyer

Notary Public.

11/25

7-M-104.

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

-----:-----
In the matter of the application for the enrollment of
Mary Pusley as a citizen by blood of the Choctaw Nation.

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

The record in this case shows that on December 24, 1902,
Mary Pusley appeared before the Commission at South McAlester, Indian
Territory, and made application for enrollment as a citizen by blood
of the Choctaw Nation.

It does not appear from the evidence in this case that
the applicant herein has ever been enrolled by the tribal authori-
ties of the Choctaw Nation; neither does it appear that she has ever
been admitted to citizenship in the Choctaw Nation by the legally
constituted authorities of said Nation; nor does it appear that she
has ever been admitted to citizenship in said Nation by the Commis-
sion to the Five Civilized Tribes, or the United States Court in
Indian Territory, in accordance with the provisions of the act of
Congress approved June 10, 1896 (29 Stat., 321).


The act of Congress approved May 31, 1900, (31 Stat., 221),
provides:

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

It is, therefore, the opinion of this Commission that
Mary Pusley is not a citizen of the Choctaw Nation and duly and law-
fully enrolled or admitted as such, and that pursuant to the pro-
vision of law above quoted, the Commission is without authority to
receive, consider or make any record of her application for en-
rollment as a citizen of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,


Chairman.


Commissioner.


Commissioner.

Commissioner.

Muskogee, Indian Territory,

Choctaw M- 104

COPY!

Muskogee, Indian Territory, June 16, 1904.

Mary Pusley,

Carbon, Indian Territory,

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, denying your application for enrollment as a citizen of the Choctaw Nation.

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

Respectfully,

(SIGNED)

Tamoc Bixby.

Chairman.

Registered.

LM- 6- 16- 1.

Choctaw M-104

COPY.

Muskogee, Indian Territory, June 16, 1904.

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

Gentlemen:-

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes denying the application for the enrollment of Mary Pusley as a citizen of the Choctaw Nation.

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

Respectfully,
(SIGNED)

James Birby.

Chairman.

Encl. 7-M-104

COPY.

Muskogee, Indian Territory, June 16, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

There is herewith transmitted the record of proceedings in the matter of the application made by Mary Pusley for enrollment as a citizen of the Choctaw Nation, including the decision of the Commission dated June 16, 1904, denying said application.

Respectfully,

(SIGNED)

Tams Bixby.
Chairman.

Through the

Commissioner of Indian Affairs.

Incl. 7- M- 104.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Land.
40506-1904.

WASHINGTON October 14, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated June 16, 1904, transmitting the record of the application for enrollment as a citizen by blood of the Choctaw Nation by Mary Pusley.

June 16, 1904, the Commission decided adversely to the applicant.

It does not appear from the evidence in the case that the applicant has ever been recognized, enrolled or admitted to citizenship by the Choctaw Nation or by the United States.

In view of the record the approval of the Commission's decision adverse to the applicant is recommended.

Very Respectfully,

M.M.M.
W.

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

COPY

DEPARTMENT OF THE INTERIOR
D.C. 40877-1904. WASHINGTON Y.P.
I.T.D. 10584-1904. THE
October 20, 1904.

L.R.S.

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

Gentlemen:

June 16, 1904, you transmitted the record in the matter of the application made by Mary Pusley for enrollment as a citizen of the Choctaw Nation, including your decision of the same date, denying said application.

Reporting in the matter October 14, 1904, the Acting Commissioner of Indian Affairs recommends that your decision be approved. A copy of his letter is inclosed.

The Department concurs in said recommendation, and your decision is hereby affirmed.

Respectfully,

(signed) Thos. Ryan,
Acting Secretary.

1 inclosure.

Choctaw M-104

Muskogee, Indian Territory, October 31, 1904.

Mary Pusley,

Carbon, Indian Territory,

Dear Madam:

You are hereby notified that on the 20th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying your application for enrollment as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED)

Iamc Bixby
Chairman.

Choctaw M-104

501

Muskogee, Indian Territory, October 31, 1904.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

You are hereby advised that on the 20th day of October, 1904, the Secretary of the Interior affirmed the decision of this Commission, rendered June 16, 1904, denying the application of Mary Pusley for enrollment as a citizen of the Choctaw Nation.

Respectfully,

(SIGNED)

Tamo Bixby

Chairman.

Choc memo 105

Choc memo 105

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
ANTLERS, I.T. DECEMBER 4, 1902.

In the matter of the enrollment of Charlie Stewart et al., as citizens by blood of the Choctaw Nation.

Charlie Stewart being sworn on his oath testified as follows:

Examination by the Commission:

- Q What is your name? A Charlie Stewart.
Q How old are you? A Thirty.
Q What is your post office address? A Antlers.
Q How long have you lived in the Choctaw Nation? A I have made it home all my life; I have been in the States but I made this my home.
Q What is the name of your father? A Nathan Stewart.
Q Is he living or dead? A He is dead.
Q What is your mother's name? A Jane Stewart.
Q Living? A Dead.
Q Do you claim the right to enrollment as a citizen by blood of the Choctaw Nation? A Yes sir.
Q Through which one of your parents do you claim your Choctaw blood? A My father.
Q Do you wish to make an application for anyone else beside yourself? A My three children.
Q What are the names and ages of your children? A Guertie, she will be six years old the 26th of April next.
Q The next? A Charles Edward; will be five years old the 9th of next August. The next is Johnnie; will be 2 years old the 13th of this month.
Q What is the name of the mother of these children? A Mollie Morris.
Q Is she a white woman? A Yes sir.
Q Have you or your children ever been recognized or enrolled by the tribal authorities of the Choctaw Nation as citizens of that tribe? A No sir.

(The tribal rolls of the Choctaw Nation in the possession of the Commission have been examined and the names of the applicants not found thereon.)

- Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by a legally constituted court or committee of said Nation? A No.
Q Have you or your children ever been admitted to citizenship in the Choctaw Nation by the Commission to the Five Civilized Tribes or by United States Court in Indian Territory under the act of Congress of June 10, 1896? A No sir.
Q Have you ever made application prior to this time? A No sir.
Q Where were you at the time the 1893 Leased District money was paid to the Choctaw Indians? A I was in Arkansas.
Q You didn't obtain your pro-rata share of that? A No sir.
Q Where were you when the 1896 Choctaw Census roll was made? A In Texas.
Q You were not put on that roll? A No sir.

(The Commission at the present time has no jurisdiction to receive or make any record of your application for the enrollment of yourself and your children as citizens by blood of the Choctaw Nation.)

2-Charlie Stewart

as you have never been recognized or enrolled or admitted to such
citizenship.)

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported proceedings had in the above entitled cause on the 4th day of December 1902, and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 8 day of December, 1902.

A. C. Risteen

Notary Public.

MS.

7-M-105.

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

In the matter of the application for the enrollment of Charlie Stewart, and his three minor children, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart, as citizens by blood of the Choctaw Nation.

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

The record in this case shows that on December 4, 1902 Charlie Stewart appeared before the Commission at Antlers, Indian Territory and made personal application for the enrollment of himself and his three minor children, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart, as citizens by blood of the Choctaw Nation.

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

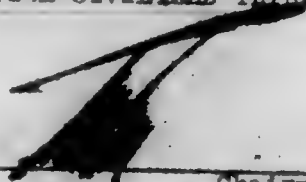
The act of Congress approved May 31, 1900 (31 Stat., 271) provides:

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

2.

It is, therefore, the opinion of this Commission that Charlie Stewart, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart are not citizens of the Choctaw Nation and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted the Commission is without authority to receive, consider or make any record of their application for enrollment as citizens of the Choctaw Nation, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.

C. R. Brantley

Commissioner.

Muskogee, Indian Territory.

OCT 20 1904

COPY.

Muskogee, Indian Territory, October 20, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

There is inclosed you herewith the original record in the matter of the application of Charlie Stewart for the enrollment of himself and his children, Gurtie Stewart, Charles Edward Stewart and Johnnie Stewart, together with the decision of the Commission of October 20, 1904, refusing said application.

The applicant and the attorneys for the Choctaw and Chickasaw Nations have been notified of this action of the Commission and copies of such letters of notification are attached to the record.

Respectfully,

(SIGNED) *Tame Dixby.*

Chairman.

Choctaw Mem. 105.

Through the Commissioner
of Indian Affairs.

COPY.

Choctaw Mem. 105

Muskogee, Indian Territory, October 20, 1904.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

There is inclosed you herewith copy of the decision of the Commission of October 20, 1904, refusing the application for the enrollment of Charlie Stewart and his children, Guertie, Charles Edward and Johnnie Stewart, as citizens by blood of the Choctaw Nation. The record in this case, together with the decision of the Commission, has this day been forwarded to the Secretary of the Interior. When the Commission is informed of Departmental action thereon you will be duly advised.

Respectfully,

(SIGNED)

James Doby.

Chairman.

Choctaw M 105

Muskogee, Indian Territory, October 20, 1904.

Charlie Stewart,
Antlers, Indian Territory,

Dear Sir:

You are hereby notified that on October 20, 1904, the Commission rendered its decision refusing your application for the enrollment of yourself and your minor children, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart, as citizens by blood of the Choctaw Nation. Copy of said decision is herewith inclosed, and you are advised that the original record in this case, together with the decision of the Commission refusing the application for the enrollment of yourself and children has this day been forwarded to the Secretary of the Interior.

When the Commission is notified of Departmental action hereon you will be duly advised.

Respectfully,

(SIGNED) *James Bixby.*

Register.

Chairman.

Choctaw M 105

Land.
74735-1904.

-Copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, October 29, 1904.

The Honorable,
The Secretary of the Interior.

Sir:

I enclose herewith, a report from the Commission to the Five Civilized Tribes, dated October 20, 1904, transmitting the record of the application, made December 4, 1902, for enrollment as citizens by blood of the Choctaw Nation by Charlie Stewart for himself and his three minor children, Guertie, Charles Edward and Johnnie Stewart.

October 20, 1904, the Commission decided adversely to all the applicants.

It does not appear from the record or from the records of this office that any of the applicants has ever been recognized, enrolled or admitted to citizenship by the tribal authorities of the Choctaw Nation or by any United States tribunal.

In view of the record and of the act of Congress of May 31, 1900 (31 Stat., 221) the approval of the Commission's decision adverse to all the applicants is recommended.

Very respectfully,

A. C. Tenner,

Acting Commissioner.

M.M.M.
W.

C O P Y

D.C. No. 42742.

HAY

DEPARTMENT OF THE INTERIOR,
Washington.

ITD. 11122-1904.

November 5, 1904.

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

Gentlemen:

On October 20, 1904, the Chairman of the Commission transmitted the record in the matter of the application for enrollment of Charlie Stewart et al. as citizens by blood of the Choctaw Nation, together with your decision of October 20, 1904, holding that the Commission is without authority to receive, consider or make any record of said application.

Reporting October 29, the Acting Commissioner of Indian Affairs recommends approval of said decision. A copy of his letter is inclosed herewith.

Your decision in said case is hereby affirmed.

Respectfully,

F. L. Campbell

Acting Secretary.

1 inclosure.

Choctaw M 105

Muskogee, Indian Territory, November 14, 1904.

Charlie Stewart,

Antlers, Indian Territory,

Dear Sir:

You are hereby notified that on the 5th day of November, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the application for the enrollment of yourself and three minor children, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart, ~~as~~ citizens by blood of the Choctaw Nation, of which decision you were advised by registered mail on the 20th day of October, 1904.

Respectfully,

Chairman.

Choctaw M 105

Muskogee, Indian Territory, November 14, 1904.

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

Gentlemen:

You are hereby notified that on the 5th day of November, 1904, the Secretary of the Interior affirmed the decision of this Commission refusing the application for the enrollment of Charlie Stewart, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart, as citizens by blood of the Choctaw Nation, a copy of which decision was mailed you on the 20th day of October, 1904.

Respectfully,

Chairman.

Muskogee, Indian Territory, December 23, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

On October 20, 1904, I had the honor to transmit for departmental consideration the original record in the matter of the application of Charlie Stewart for the enrollment of himself and his minor children, Guertie, Charles Edward and Johnnie Stewart, as citizens by blood of the Choctaw Nation, together with the decision of the Commission to the Five Civilized Tribes of October 20, 1904, refusing said application in accordance with the provisions of the Act of Congress approved May 31, 1900 (32 Stats., 221).

On November 5, 1904, the Acting Secretary of the Interior with his letter of that date, (I T D 11122-1904) concurring in the recommendations of the Acting Commissioner of Indian Affairs of October 29, 1904, affirmed the decision of the Commission adverse to the applicants.

The principal applicant, Charlie Stewart, was advised by registered mail at Antlers, Indian Territory, of the action of the Commission refusing the application for the enrollment of himself and his minor children on October 20, 1904, and subsequently on

November 14, 1904, was advised of the affirmation of the decision of the Commission by the Acting Secretary of the Interior.

I now have the honor to report in reference to this matter that on September 14, 1904, there was received at the general office of the Commission at Muskogee, Indian Territory, a statement made by Charley Stewart, but not being verified was not incorporated in the record in the matter of his application for the enrollment of himself and his children as citizens of the Choctaw Nation.

On November 3, 1904, there was filed with the Commission by Charley Stewart, through his attorney Eugene Easton, of Antlers, Indian Territory, a statement for appeal, and on December 2, 1904, there was also filed a motion for a new hearing in the matter of the application of Charlie Stewart and his minor children for enrollment as citizens by blood of the Choctaw Nation. Neither of the latter papers bear proof of service of any copies thereof upon Messrs. Mansfield, McMurray & Cornish, the attorneys for the Choctaw and Chickasaw Nations.

Charlie Stewart, accompanied by his attorney, Eugene Easton, personally appeared before the Commission at its office at Muskogee, Indian Territory, on December 21, 1904, and requested that an opportunity be afforded the applicants to introduce additional testimony tending to show that they are entitled to enrollment as citizens of the Choctaw Nation.

Mr. Stewart relies upon the fact that his sister has heretofore been enrolled as a citizen by blood of the Choctaw Nation

and her enrollment approved by the Secretary of the Interior.

I have the honor to report in reference to this matter that Ida Lemon, whose name appears opposite number 14860 upon a schedule of citizens by blood of the Choctaw Nation as approved by the Secretary of the Interior on May 20, 1903, is a full sister of the applicant Charlie Stewart. On December 8, 1902, the Commission rendered a decision enrolling Ida Lemon as a citizen by blood of the Choctaw Nation.

From the record in the case of Ida Lemon it appears that she was born and has always resided in the Choctaw Nation, Indian Territory. Her name was identified by the Commission upon the 1893 leased district payment roll of the citizens of the Choctaw Nation and also upon the 1896 Choctaw census roll.

As recited in the decision of the Commission of October 20, 1904, in the matter of the application for the enrollment of Charlie Stewart and his minor children, the name of the principal applicant is not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission nor does it appear that he has ever been duly and lawfully admitted to citizenship by any of the duly constituted authorities.

I am, however, forwarding for the information of the Department and such action as the premises may warrant, upon the personal request of Mr. Eugene Easton, of Antlers, Indian Territory, the statement of Charley Stewart of September 14, 1904,

the statement for appeal, of November 3, 1904, the motion for a new hearing, of December 2, 1904, and the testimony before the Commission at Alikohi, Indian Territory, in May, 1899, in reference to the enrollment of Ida Lemon (nee Stewart) as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED *Iams Bixby*

Chairman.

Through the Commissioner
of Indian Affairs.

McM 2

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

In the matter of the application of Nathan Stewart for enrollment as a citizen by blood of the Choctaw Nation. Isham Going, being sworn by Commissioner McKennon, testifies as follows:

My age is seventy-one.

(Questioned by Mr. Telle)

I live in Eagle County. I don't know how many years I have lived in Eagle County, but I have been there ever since Sam Cobb and Jim Pickens came to this country from Mississippi, about the year '42. I don't know how long this has been, but I think I was about fifteen or sixteen years old when I came there. I have lived in that County ever since I came there. During that time I have known about all of the old men and middle aged men in that County. At this time there are few, if any, half-breed people in that County. I have never known any half-breed or anyone there in that County by the name of Nathan Stewart. If such person had been there and was a half-breed, I would have taken especial notice of that fact and known him. I came from Mississippi, and knew all the original emigrants from that country to this county and settled in that County. There was a later emigration and I did not know these people so well, but in the later emigration there was but one half-breed that came, and his name was Mull Wall. I do not know and have never known anyone in that County by the name of Nathan Stewart, that was a citizen of this country; nor do I know whether there is any white man by that name in that County. To-day is the first time that I have heard that name mentioned. If he had been living there I would certainly have known him.

(Nathan Stewart, #2)

BEN PITCHLIN, being sworn by and examined by Commissioner McKennon, testifies as follows:

- Q What is your name? A Ben Pitchlin.
- Q Age? A About sixty, I guess.
- Q (By Telle) Where do you live? A Eagle County.
- Q How long have you lived in Eagle County?
- A All my lifetime; raised there.
- Q Are you pretty well acquainted with the citizens of Eagle County? The older citizens?
- A Yes sir, all of them.
- Q About how many half-breed Choctaws are there in that County?
- A Aint but a few.
- Q Did you ever know a man by the name of Nathan Stewart over there? A Yes sir, old man Stewart lived there about three years and I believe he died there.
- Q Tell me how you came to be acquainted with him?
- A He was in there renting land you know when I first knew him; first time I seen him was on Howell's plantation renting land, and he went up into the mountains from that place and I believe died up there.
- Q When did you first see him in that county?
- A I disremember how long it has been; it must have been three or four years though.
- Q How long did he live in that County?
- A About two year, I guess, in Eagle County.
- Q You know where his family is now?
- A No sir.
- Q You know whether they are in Eagle County yet or not?
- A They are ner in Eagle County, not around there where I live.

(Nathan Stewart, #3)

Q During the year 1893 when they had that Lease District payment here were you called on as a witness in that case by Mrs. Fowler, daughter of this man Stuart?

A No sir, didn't use me as a witness.

Q Did you ever see that daughter of his? A No sir, I wouldn't know her if I see her.

Q Then it is a fact that you don't know her and did not identify her for that payment?

A No sir none of them didn't use me; I was there, but none of them didn't use me.

Q Have you ever known Nathan Stewart or "old man Stewart" as you call him as a Choctaw Indian?

A No sir, I heard him speak about it a time or two; said he was kin to the Goings, said the Goings knew his people up in Blue County I think he said had some kin people up there. Thought he was a Choctaw. I went to him with a permit, I was Deputy Sheriff he said didn't have to pay it, he said I am part Choctaw myself, said Old Man Going says so, says I am kin to the Goings; I says I want that five dollars I am after to-day, and he paid it, but he said he ought not to pay it, said he was Choctaw. I told him I didn't know that, only I wanted the permit.

Q (By Judge Dukes) What old man Goings was he alluding to?

A Ishan Goings.

BILLY BUTLER being sworn and examined by Commissioner McKennon, testifies as follows:

Q What is your name? A Billy Butler.

Q How old are you? A I couldn't tell.

Q About seventy-five or eighty? A Yes.

(Nathan Stewart, #4)

Q (By Telle) How long have you lived in Eagle County?

A I aint lived there in forty years.

Q Where do you live? A At LuKfatah.

Q In Boktuklo County I believe? A Yes sir.

Q Are you pretty well acquainted with the citizens of Boktuklo County? A Pretty well.

Q I will ask you if there are many half-breeds in that County, Choctaws?

A There aint any hardly as I know of.

Q Do you know about all the half-breeds there?

A There aint none.

Q Did you ever know a man, half-breed Indian, Choctaw, in that County by the name of Nathan Stewart?

A No sir, but I saw him at my house.

Q Tell me about how you came to see him at your house?

A He was moving from Texas and stopped at my place and picked cotton; we was picking cotton there and he said he was kin to Iaham Going and Stephen Going was his nephew, lived on Kiamitia somewhere he said. The old man told me that, and he is dead now. The children didn't tell me anything.

Q Have you ever been called on by either Stewart or his daughter Mrs. Fowler to identify them, either at the payment or enrollment?

A No sir.

Q When was it you saw them moving from Texas?

A Good Lord, I couldn't tell you; I didn't keep no account of it at all; it was after the War.

Q (Capt. McK) How long ago? Been about twenty-five years since he came in there?

A Yes sir, I think so, about twenty-five years; I know my boy Billy wasn't grown.

(Nathan Stewart, #5)

Q (By Tell) How long did he live in that County?

A He stopped there and picked cotton, and we let him pick some cotton and get some grub and go on.

Q When was the last time you saw him?

A About twenty years ago.

Q You know about how many children he had when you knew him?

A No sir, I don't know; he had a boy and girl there.

Q You know what became of that boy and girl?

A I seen Charley the other day before I went home; that was his son.

Q You know what has become of the girl?

A No sir. I don't know whether he was Indian or not; I thought they was white people.

Q You have never known him to be an Indian?

A No sir. Coming along the country in his wagon and he was out of grub and wanted something to eat, and we thought we would let him pick some cotton,- in the fall of the year.

Department of the Interior,

Commission to the Five Civilized Tribes.

I hereby certify upon my affidavit with us
Steno-graphic and Interpretation Commission, that this
report is a true and correct translation of
my stenographic notes.

M. D. Green

DEPARTMENT OF THE INTERIOR
WASHINGTON January 19, 1905.

G.R.
LLB

D.C. 4012-1905.

I.T.D. 9141, 9351-1904.
10513, 11122- "
360-1905.

IRS.

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

Gentlemen:

October 20, 1904, you transmitted the record in the matter of the application of Charlie Stewart for ^{the} enrollment of himself and his three minor children, Guertie, Charles Edward, and Johnnie Stewart, as citizens by blood of the Choctaw Nation, including your decision of the same date refusing said application in accordance with the provisions of the act of Congress approved May 31, 1900 (31 Stat., 221), which provides in part that the Commission "shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in the Indian Territory who has not been a recognized citizen thereof and duly and lawfully admitted as such."

November 5, 1904, the Department affirmed the decision of the Commission adverse to the applicants.

December 23, 1904, you transmitted to the Department certain papers filed with the Commission by Charlie Stewart, pur-

porting to be a statement on appeal filed September 14, 1904, a motion for a new hearing filed, December 2, 1904, including the testimony taken before the Commission at Alikohi, I. T., in May, 1899, in reference to the enrollment of Ida Lemon, nee Stewart (full sister of Charlie Stewart), as a citizen by blood of the Choctaw Nation.

December 30, 1904, there was filed with the Department what purports to be an amended application for a rehearing.

Said motion for rehearing is based upon the fact that applicant's full-blood sister, Ida Lemon, nee Stewart, has been duly enrolled as a citizen of the Choctaw Nation, her name appearing opposite No. 14860 upon a schedule of citizens by blood of the Choctaw Nation approved by the Secretary of the Interior May 20, 1903. Her name was identified by the Commission upon the 1893 leased district payment roll of the citizens of the Choctaw Nation, and also upon the 1896 Choctaw census roll.

The evidence clearly shows that the name of Charlie Stewart is not found upon any of the tribal rolls of the Choctaw Nation, nor does it appear that he has ever been duly and lawfully admitted to citizenship by any duly constituted authority.

The applicant in his affidavit in support of his motion admits that on 1893 "he was away from the Territory for about six months, was in Arkansas at work," presumably during the time the 1893 leased district payment roll was made up, and upon which

the name of his sister, Ida Lemon, Nee Stewart, appears. He further admits in his affidavit "that he was away from the nation in 1896, in Texas, for about 8 months," presumably during the time the 1896 Choctaw census roll was made, on which the name of his sister also appears, "but at neither time did he abandon nor think of abandoning his tribe or home."

The fact remains that the applicant's name does not appear upon any of the tribal rolls of the Choctaw Nation, and under the provisions of the act of May 31, 1900 (31 Stat., 221), he is not entitled to enrollment.

The applicant cites an instance of where his father, Nathan Stewart, was recognized as a citizen of the Choctaw Nation, in that his father was discharged on being arrested and held to answer to the United States Court "for carrying a pistol," on the ground that he was a Choctaw Indian. But the evidence filed in the application of Nathan Stewart, his father, for enrollment as a citizen by blood of the Choctaw Nation, taken at Alikchi, I.T., and submitted in support of the motion for rehearing herein, tends strongly to show that Nathan Stewart was not a recognized citizen of the Choctaw Nation.

I am of opinion that the evidence proposed to be introduced upon a rehearing, if admitted, would not change the result reached or disturb the decision heretofore rendered.

-4-

The applicant's motion for rehearing is hereby denied,
and you will advise him accordingly.

Respectfully,

THOS. RYAN,
Acting Secretary.

COPY.

Choctaw Mem. 105.

Muskogee, Indian Territory, January 28, 1905.

Charlie Stewart,
Antlers, Indian Territory,

Dear Sir:

For your information there is inclosed you herewith copy of letter of the Acting Secretary of the Interior of January 19, 1905, denying your motion for a rehearing in the matter of the application for the enrollment of yourself and your three minor children, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED) *Tame Bixby*

Chairman.

AB 1-28

COPY.

Choctaw Mem. 105.

Muskogee, Indian Territory, January 28, 1905.

Eugene Baston,

Antlers, Indian Territory,

Dear Sir:

For your information there is inclosed you herewith copy of letter of the Acting Secretary of the Interior of January 19, 1905, denying the motion for a rehearing in the matter of the application for the enrollment of Charlie Stewart and his three minor children, Quertie Stewart, Charles Edward Stewart and Johnnie Stewart as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

Tams Bixby

AB 2-28

Chairman.

COPY.

Choctaw Mem. 105.

Muskogee, Indian Territory, January 28, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

For your information there is inclosed you herewith copy of letter of the Acting Secretary of the Interior of January 19, 1905 denying the motion for a rehearing in the matter of the application for the enrollment of Charlie Stewart and his three minor children, Guertie Stewart, Charles Edward Stewart and Johnnie Stewart as citizens by blood of the Choctaw Nation.

Respectfully,

(SIGNED)

James Bixby

Chairman.

AB 3-28

Choctaw D 756

Muskogee, Indian Territory, August 31, 1903.

Eugene Easton,
Attorney at Law,
Antlers, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letters of May 21 and July 30, 1903, relative to the application for enrollment of Charley Stewart, and in reply you are informed that the information therein contained has enabled the Commission to identify him as having been listed among the doubtful claimants to enrollment as a citizen of the Choctaw Nation, and his final right to such enrollment has not yet been determined.

In the event further evidence is necessary to enable the Commission to determine his right to enrollment you will be notified.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, November 24, 1903.

Eugene Easton,
Attorney at Law,
Antlers, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of the carbon copy of your letter of November 16, 1903, addressed to the Secretary of the Interior, in the matter of the application of Charley Stewart for enrollment as a citizen by blood of the Choctaw Nation. You state that Mr. Stewart informs you that some other Indians are talking of allotting the land he has selected and if they do they will of course get it as he is not even able to make a trip to Atoka for the purpose of filing a protest.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Charley Stewart for enrollment as a citizen of the Choctaw Nation, but as soon as a decision is reached in this case the applicant will be notified of such action as may be taken.

In the event further evidence is necessary to enable the Commission to pass upon the rights of this applicant you will be so notified.

N. H. 2

You are further advised that if Charley Stewart will forward to the Commission a description of the land which he desires to select in allotment, proper notation thereof will be made upon our records and he will be notified in the event any person or persons make application for the same land or any portion of it.

Respectfully,

Chairman.

Choctaw D 756

Muskogee, Indian Territory, April 21, 1904.

Eugene Easton,
Antlers, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of April 15, in which you ask the status of the enrollment of Charley Stewart as a citizen by blood of the Choctaw Nation.

In reply to your letter you are informed that the Commission has not yet passed upon the application of Charley Stewart for enrollment as a citizen by blood of the Choctaw Nation. As soon as a decision is reached in this case you and the applicant will be notified of the action taken therein.

Respectfully,

Chairman.

Muskogee, Indian Territory, September 11, 1904.

Eugene Easton,

Attorney at Law.

Antlers, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of the 5th inst., enclosing statement of Charley Stewart, relative to his parentage and degree of Choctaw blood, and the same has been duly filed with our records in the matter of his application for enrollment as a citizen by blood of the Choctaw Nation.

Respectfully,

Chairman.

7-D-756

Muskogee, Indian Territory, November 3, 1904.

Charley Stewart,

Antlers, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of your letter of October 31, 1904, enclosing petition for appeal to the Secretary of the Interior in the matter of your application for enrollment as a citizen by blood of the Choctaw Nation, and the same has been filed with the record in your case.

In reply to your letter you are advised that the Commission has not yet passed upon your application for enrollment as a citizen by blood of the Choctaw Nation, but when a decision is reached in this case you will be notified of the action taken.

Respectfully,

Chairman.

Muskogee, Indian Territory, December 2, 1904.

Charlie Stewart,

Antlers, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of November 12, inclosing petition for a rehearing in your case and in reply you are advised that it appears from our records you still have an application pending before the Commission for your enrollment as a citizen by blood of the Choctaw nation, and if you desire to introduce additional testimony in support thereof you will be permitted to do so upon your personal appearance at the office of the Commission in Muskogee, Indian Territory within thirty days from this date.

It appears from our records that when you made application at Antlers, Indian Territory, December 4, 1902, for the enrollment of yourself and your three minor children as citizens by blood of the Choctaw Nation you were not identified as having an application pending before the Commission and that was treated as an original application, which explains the confusion in regard to your application.

Respectfully,

Chairman.

Choc memo 106

Choc memo 106

Memorandum.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES/
Chickasha, Indian Territory, October 16, 1902.

-----0-----

In the matter of the application for enrollment of Addie Compton as a citizen by blood of the Choctaw Nation.

J. A. Andrews, being first duly sworn, testified as follows:

Examination by the Commission.

- Q What is your name? A J. A. Andrews.
Q How old are you? A I was sixty-four years old the sixth of this month.
Q You are a white man, are you? A Yes sir.
Q You appear here in behalf of the orphan child, Addie Compton, whom you desire to have enrolled as a citizen by blood of the Choctaw Nation? A Yes sir.
Q This is the child that you personally present? A Yes sir.
Q Has this child ever been enrolled by the Choctaw tribal authorities as a citizen of the Choctaw Nation? A No sir.
Q How old is this child at this time? A She will be eleven years old next April.
Q Where has she resided all of her life? A She has been with me in Texas and also in Colorado and here in the Chickasaw Nation.
Q Her father and mother are both dead? A Yes sir.
Q What was her father? A A white man.
Q What was his name? A Life Compton.
Q What was her mother's name? A Annie, and her Indian name was Poncha.
Q Was she a Choctaw citizen? A She was a thoroughbred Choctaw Indian squaw.
Q Where was this child born? A In North Texas somewhere.
Q How long did she live there? A I don't know how long they'd been living there.
Q When did you first know this child? A In '94.
Q Where? A Up near Creed, Colorado--I was there with my wife for her health and this child's father and mother were then alive. He died with the consumption.
Q Have you had the custody of this child since '94? A Yes sir.
Q Where has she been since '94? A She's been with me.
Q When did you come to the Territory? A I come to the Chickasaw Nation last year.
Q 1901? A Yes sir.
Q This child, then, never was an actual resident of the Indian Territory until 1901? A No sir, her mother went with her husband on account of his having consumption but they claimed their home at Little River.

Addie Compton-2

By the Commission:

Mr. Andrews, the recently ratified Choctaw-Chickasaw agreement provides that:

"The Commission to the Five Civilized Tribes may receive applications for enrollment only of persons whose names are on the tribal rolls, but who have not heretofore been enrolled by said Commission, commonly known as "delinquents", and such intermarried white persons as may have married recognized citizens of the Choctaw and Chickasaw Nations in accordance with the tribal laws, customs and usages on or before the date of the passage of this Act of Congress, and such infant children as may have been born to recognized and enrolled citizens on or before the date of the final ratification of this agreement."

From your testimony and from the records in the possession of the Commission, it does not appear that this child would come within any of these classes and we must decline to make any further record in her 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 Chickasha, Indian Territory, October 16, 1902, and that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said proceedings on said date.

Subscribed and sworn to before me this the 23 day of October, 1902.

E. S. Hamm

Notary Public.

73

7-X-106.

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

In the matter of the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation.

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

The record in this case shows that on October 16, 1902 J. A. Andrews appeared before the Commission and made personal application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation.

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

The act of Congress approved May 31, 1901 (31 Stat., 231) provides:

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

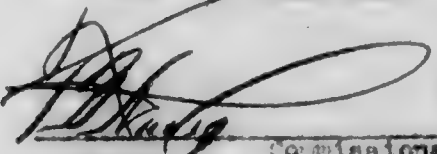
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It is, therefore, the opinion of this Commission that Addie Compton is not a citizen of the Choctaw Nation and duly and lawfully enrolled or admitted as such, and that pursuant to the provision of law above quoted, the Commission is without authority to receive, consider or make any record of her application for enrollment as a citizen of the Choctaw Nation, and it is so ordered.

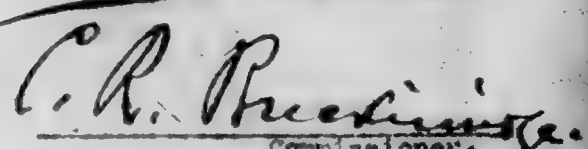
COMMISSION TO THE FIVE CIVILIZED TRIBES.



Chairman.



Commissioner.



Commissioner.

Muskogee, Indian Territory,

OCT 20 1904

Choctaw M 106

Muskogee, Indian Territory, October 20, 1904.

J. A. Andrews,

Chickasha, Indian Territory,

Dear Sir:

You are hereby notified that on October 20, 1904, the Commission rendered its decision refusing your application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation. Copy of said decision is herewith inclosed, and you are advised that the original record in this case, together with the decision of the Commission refusing the application for the enrollment of Addie Compton, has this day been forwarded to the Secretary of the Interior.

When the Commission is informed of Departmental action hereon you will be duly advised.

Respectfully,

Tams Bixby.

Chairman.

Register.

Choctaw M 105.

Choctaw M 106

Muskogee, Indian Territory, October 20, 1904.

Mansfield, McMurray & Cornish,

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

Gentlemen:

There is inclosed you herewith copy of decision of the Commission of October 20, 1904, refusing the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation. The original record in this case, together with the decision of the Commission, has this day been forwarded to the Secretary of the Interior. When the Commission is informed of Departmental action in this case you will be advised.

Respectfully,

Tamm Dickey.

Chairman.

Choctaw M 106

Nuskogee, Indian Territory, October 20, 1904.

The Honorable,

The Secretary of the Interior,

Sir:

There is inclosed herewith, for Departmental consideration, the original record in the matter of the application of J. A. Andrews for the enrollment of Addie Compton as a citizen by blood of the Choctaw nation, together with the decision of the Commission refusing such application.

The applicant and the attorneys for the Choctaw and Chickasaw Nations have this day been notified of the action taken, copies of letters of notification being attached to the record in this case.

Respectfully,

Lame Pickett

Chairman.

Choctaw Mem. 106

Through the Commissioner
of Indian Affairs.

DEPARTMENT OF THE INTERIOR

WASHINGTON December 5, 1904.

B. A. F.
KJH

D.C. 47305-1904.
I.T.D. 11182-1904.

LR8.

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

Gentlemen:

The Department is in receipt of the Chairman's communication of October 20, 1904, transmitting the record in the matter of the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation, including our decision of October 20, 1904, holding that under the act of May 31, 1901 (31 Stat., 221), the Commission is without authority to receive, consider or make any record of said application.

Reporting October 29, 1904, the Acting Commissioner of Indian Affairs recommends approval of your decision. A copy of his letter is herewith enclosed.

The testimony shows that Addie Compton was about ten or eleven years of age on the date of the application, October 16, 1902; that her father and mother were then dead; that her mother's name was "Annie", her Indian name being "Poncha", and that she was a "thoroughbred Choctaw Indian squaw";

that Addie Compton was not an actual resident of the Indian Territory until 1901, and that her parents "claimed their home at Little Rock".

At the close of the testimony, after referring to the provisions in the act of July 1, 1902 (32 Stat., 641), relative to enrollment of Choctaw and Chickasaw citizens, the Commission states:

"From your testimony and from the records in the possession of the Commission, it does not appear that this child would come within any of these classes and we must decline to make any further record in her case."

No inquiry was made as to the citizenship of the mother of this applicant or whether she had ever been enrolled or admitted to citizenship in the Choctaw Nation, nor does it appear, whether, if she had ever been so enrolled or admitted, she had forfeited her citizenship by reason of non-residence or otherwise.

The Department must therefore decline to adjudicate this case upon the record as presented, and it is herewith returned with the direction that further action be taken looking to the procurement of additional information as above suggested.

Respectfully,

2 inclosures.

THOS. RYAN,
Acting Secretary.

Land.
74,734-1904.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON Oct. 29, 1904.

The Honorable,
The Secretary of the Interior.

Sir:

Enclose, herewith, a report from the Commission to the Five Civilized Tribes, dated October 20, 1904, transmitting the record of the application made October 16, 1902, for the enrollment as a citizen by blood of the Choctaw Nation, by Addie Compton.

October 20, 1904, the Commission decided adversely to the applicant.

It does not appear from the record or from the records of this office that the applicant has ever been recognized, enrolled or admitted to citizenship by any tribal authority of the Choctaw Nation or by any United States tribunal.

In view of the record and of the Act of Congress of May 31, 1901, (31 Stats., 221), the approval of the Commission's decision adverse to the applicant is recommended.

Very Respectfully,

(V.M.M.) P.

A C Tenner
Acting Commissioner.

MEMORANDUM--106.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, IND. TER. JANUARY 4, 1905.

In the matter of the application for the enrollment
of Addie Compton as a citizen by blood of the Choctaw Nation.

Choctaw and Chickasaw Nations represented by W. H. Moore,
Who appears for Mansfield, McMurray & Cornish.

J. A. Andrews guardian of the applicant appears in her
behalf.

J. A. Andrews being first duly sworn testifies as follows:

Examination by the Commission:

- Q What is your name? A J. A. Andrews.
Q What is your post office address? A Chickasha.
Q How old are you? A I was born in '38 - I am sixty-seven.
Q You are a white man yourself are you? A Yes, sir.
Q You claim no rights as a Choctaw or Chickasaw by-blood or
intermarriage? A No, sir.
Q Claim no rights in either nation for yourself? A No,
sir.
Q Are you any relation to Addie Compton? A None that I
know sir.
Q Is Addie Compton living? A Yes, sir.
Q How old is she? A Will be thirteen years old the 4th
of next April.
Q My home is in the Chickasaw Nation.
Q How long has that child been living with you? A Since
October 1894.
Q Where was this child born? A This child was born in
Texas - that is from the information I got from a man named
Dodge.
Q But you don't know yourself where in the world she was
born? A No, sir.
Q How old was she when you first knew her? A About two
and one-half years old.
Q Where was she when you first knew her? A Her and her
father and mother were all in Texas, they were on their way
to Colorado. From the information I got from him he was a
miner and a fisherman.
Q That is clearly from information? A Yes, sir.
Q What was this child's father's name? A Compton.
Q What is his first name? A Elias.
Q Was he a white man? A Yes, sir.
Q What is the name of this child's mother? A They called
her Annie and Ponshee.

MEMORANDUM --106----2.

- Q When did you first get acquainted with her? A That was in 1894.
- Q You don't know anything at all about her antecedents? A Only from the information that she and her husband gave me - her mother came to this country about 1872 and settled in the Choctaw Nation, they came from Nashoba County Mississippi.
- Q You don't know anything about it of course? A No, sir.
- Q You don't know whether she was a Choctaw Indian or not? A Her mother speaks the Choctaw language and she told me she come from the Choctaw Nation.
- Q Can you speak Choctaw? A I understand a few words, I use to live in Mississippi myself.
- Q Has this child ever been admitted to citizenship by the Commission under the act of June 10, 1896? A I presume not sir.
- Q Was she ever admitted by the United States Court in Indian Territory under the same act? A No, sir - she has been going to a Choctaw school.
- Q Has she been admitted by the Choctaw and Chickasaw Citizenship Court? A Never made any application for her.
- Q Never made application to either the court or the Commission? A Made application to the Commission about two years ago.
- Q That was the first application ever made for this child? A Yes, sir.
- Q She is not on any roll? A Not as I know of.

The name of the applicant, Addie Compton, is not found upon any tribal roll of the Choctaw Nation in the possession of the Commission nor does it appear that she has ever been admitted by the Commission to the Five Civilized Tribes, under the act of Congress approved June 10, 1896, nor by judgment of the United States Court under said act. The name of the alleged mother, Annie Ponchee or Annie Compton, is not found upon any of the tribal rolls of the Choctaw Nation in the possession of the Commission.

Examination by Mr. Moofe:

- Q You say you first saw this child in Childers, Texas? A Yes, sir.
- Q In your testimony given in 1902 didn't you state that you knew the child in Colorado? A That is where we took the child.
- Q Where did you first know her? A I saw them there in Texas but after they come up there then I become acquainted with them.
- Q You first saw the child near Childers and after that they came ~~up~~ up to Colorado and you got acquainted with them? A Yes, sir, he was a miner there.
- Q How long after you first saw this man down near Childers were you acquainted -? A That was before I went up into the mountains myself - that was in 1894.

MEMORANDUM--106--3.

Q How long did you know him? A I don't know the exact date I knew him in Texas but I knew him until he died that was in 1894.

Q Did you know him as much as a year? A No, sir.

Q How long did you know his wife? A I knew his wife the same about as long as I knew her husband.

Q How long after you got acquainted with him until you took ~~possession~~ his daughter to raise? A Four or five months.

Q Did you take the daughter before the death of the father?

A My wife took the child after the death of the father.

Q Is the mother living now? A No, sir.

Q How long after you took possession of the child until she died? A She was dead - there was three or four months difference between their deaths.

Q Then you were acquainted with the parents of this child five or six months? A About six months.

Q Who did you ever hear this woman talk Choctaw to? A Her husband.

Q Did he talk Choctaw? A Yes, sir, fluently.

Q The child was not old enough to talk at that time? A No, sir, she can't talk Choctaw now.

Q Do you know whether any of the relatives of this child's mother live in Indian Territory now? A I do not only from what this man Durant wrote me, he was working on this case when he died.

Q Do you know what Annie Compton's maiden name was? A No sir, they called her Annie and Ponchee.

Q Her husband called her Ponchee? A Yes, sir.

Q When did this child Addie Compton first come to live in Indian Territory? A We come back in the Chickasaw Nation about 1900 or 1901.

Q Come back with you? A Yes, sir.

Q Are you her legal guardian? A No, sir, the application was made to Judge Townsend and he said he wouldn't make any white man guardian of an Indian and I just let the matter go.

Q You never have been appointed legal guardian and never have adopted her? A No, sir, I made application to Judge Townsend.

Q So far as your information goes neither this child or her mother ever lived in the Choctaw Nation? A I was never in the Choctaw Nation.

Examination by the Commission:

Q Where was this child living between 1894 and 1901? A We were up in Colorado at the springs and the mountains and in my home in Texas and when my wife recovered in 1901 we come to Comanche in the Chickasaw Nation and we have been in the Chickasaw Nation ever since.

Q Where was your home? A Texas.

Q When did you first come to reside in Indian Territory? A In 1901 I think it was.

Q That was the first time you ever come to live in the Territory? A To make my home.

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Q You had no home here before that? A No, sir, I had been buying cotton at Ardmore.
Q You haven't been able to discover any of this child's relation? A No, sir, only what purant told me, I understand Mr. Telle had a roll with the mother's name on it but he is a dead.
Q Have you any further testimony to offer to the Commission at this time? A Not at this time.
Q Have you any papers or affidavits to file in this case? A Not at present.
Q Will you have any more to offer? A Yes, sir.
Q Well what do you want to do? A I want to go to work and as soon as I can reverse this case I am satisfied I can establish it.
Q Do you want further time? A Yes, sir.
Q How much? A I would like to have as much time as possible.

By attorney Moore:

Q You spoke about business reverses did they occur before or after you made application in 1902? A They occurred in Colorado before we come down here.
Q How long was that before you made application for this child? A These reverses was in '97, '98 and '99.

By the Commission: Sixty days will be allowed within which to introduce further evidence.

Witness excused.

Chas. T. Difendafer being first duly sworn states that the above and foregoing is a full, true and correct transcript of his stenographic notes taken in said cause on said date.

Chas. T. Difendafer

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


Notary Public.

COPY.

Muskogee, Indian Territory, April 6, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Under date of December 5, 1904, (I.T.D.11182-1904), the Department returned the record of proceedings, together with the decision of the Commission of October 20, 1904, in the matter of the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation, with the instructions that further action be taken looking to the procurement of additional testimony in accordance with the suggestions of the Department.

The Department, in returning this case, uses the following language:

"The testimony shows that Addie Compton was about ten or eleven years of age on the date of the application, October 16, 1902; that her father and mother were then dead; that her mother's name was "Annie," her Indian name being "Poncha," and that she was a "thoroughbred Choctaw Indian squaw;" that Addie Compton was not an actual resident of the Indian Territory until 1901, and that her parents "claimed their home at Little River."

"At the close of the testimony, after referring to the provisions in the act of July 1, 1902 (32 Stats., 641), relative to enrollment of Choctaw and Chickasaw citizens, the Commission states:

'From your testimony and from the records in the possession of the Commission, it does not appear that this child would come within any of these classes and we must decline to make any further record in her case.'

"No inquiry was made as to the citizenship of the mother of this applicant or whether she had ever been enrolled or

admitted to citizenship in the Choctaw Nation, nor does it appear whether, if she had ever been so enrolled or admitted, she had forfeited her citizenship by reason of non-residence or otherwise."

In accordance with Departmental instructions of December 5, 1904, the Commission, on December 13, 1904, notified J. A. Andrews, by whom the original application was made for the enrollment of Addie Compton and the only person who seems interested in the procurement of the enrollment of this child, and also Mansfield, McMurray & Cornish, Attorneys for the Choctaw and Chickasaw Nations, that the Commission would, at its office at Muskogee, Indian Territory, on Monday, January 4, 1905, at nine o'clock A. M., hear the testimony of such witnesses as might be presented in reference to the right to enrollment of Addie Compton as a citizen by blood of the Choctaw Nation.

A hearing was had in this matter at the time and place indicated in the notices to J. A. Andrews and the Attorneys for the Choctaw and Chickasaw Nations, J. A. Andrews appearing on behalf of the applicant, Addie Compton, and the Choctaw and Chickasaw Nations being represented by W. H. Moore, an employee of the firm of Mansfield, McMurray & Cornish.

The only testimony presented at said hearing was that of J. A. Andrews, and, although he was notified on December 13, 1904, that it was especially desired to secure the testimony of

recognized and enrolled citizens of the Choctaw Nation who might have actual knowledge of the parentage of Addie Compton, the time and place of her birth, where she had resided since her birth, and if her parents had in any manner ever been recognized by the tribal authorities of the Choctaw and Chickasaw Nations as members of said tribes, no apparent attempt was made to introduce any competent evidence upon such matters.

Mr. Andrews, at the conclusion of the hearing on January 4, 1906, asked for a continuance of sixty days within which to introduce further evidence tending to show that Addie Compton was entitled to enrollment as a citizen by blood of the Choctaw Nation, which request was granted.

The sixty days granted to Mr. Andrews, within which to produce such additional evidence, expired on March 4, 1906, and no further action has been taken in this matter up to the present time.

The Commission has, however, retained the record in order to permit Mr. Andrews, if he desired, to introduce further testimony.

In as much as it is considered he has been permitted a reasonable length of time within which to submit any additional testimony desired, the record in the case, together with the

additional proceedings, are returned herewith for Departmental consideration.

Respectfully,

(SIGNED) *T. B. Needles*

Commissioner in Charge.

Through the Commissioner
of Indian Affairs,

PGS 4

(Copy)

G.R. LLB

DEPARTMENT OF THE INTERIOR,

WASHINGTON,

May 17, 1905.

D.C. 25910-1905.
I.T.D. 11182-1904.
4258-1905.
L.R.S.

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

Gentlemen:

October 20, 1904, you transmitted the original record in the matter of the application for the enrollment of Addie Compton, as a citizen by blood of the Choctaw Nation, including your decision of same date, refusing said application.

December 5, 1904 (I.T.D. 11182), the Department declined to adjudicate the case upon the record presented, and remanded the record with instructions to take additional testimony looking to further information as to the Choctaw citizenship of the mother of applicant.

January 4, 1905, additional testimony was taken and on April 6, 1905, you returned the original record, with supplementary report in the matter.

April 20, 1905, the Acting Commissioner of Indian Affairs in transmitting the record in said case renewed his adverse recommendation of October 29, 1904. A copy of his letter is herewith forwarded.

The Department concurs in the recommendation made and

your decision of October 20, 1904, adverse to the applicant is hereby affirmed. You will advise the applicant accordingly.

Respectfully,

(Signed) Thos. Ryan

Acting Secretary.

1 inclosure.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, April 20, 1905.

Land.
27064-1905.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of December 5, 1904, (I.T.D. 11182-1904) I enclose herewith the record and a report from the Commission to the Five Civilized Tribes dated April 6, 1905, in the matter of the application for enrollment as a citizen by blood of the Chectaw Nation of Addie Compton.

October 20, 1904, the Commission decided adversely to the applicant.

December 5, 1904, the Department remanded the case for further testimony. While afforded ample time and opportunity the applicant has been unable to furnish any material evidence not already in the record.

I renew my adverse recommendation of October 29, 1904 (Land 74, 734-1904).

Very respectfully,

C. F. Larrabee

Acting Commissioner.

M.M.M.
W.

Muskogee, Indian Territory, May 26, 1905.

COPY.

J. A. Andrews,

Chickasha, Indian Territory.

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of May 17, 1905, affirmed the decision of this Commission, rendered October 20, 1904, refusing the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

Tams Bixby

Chairman.

Choctaw M 106

Muskogee, Indian Territory, May 26, 1905.

COPY.

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

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of May 17, 1905, affirmed the decision of this Commission, rendered October 20, 1904, refusing the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation.

Respectfully,

SIGNED

James Bixby

Chairman.

Received of the Commission to the Five Civilized Tribes
one copy of the testimony of J. A. Andrews, of January 4, 1905, at
Muskogee, Indian Territory, in the matter of the application for
the enrollment of Addie Compton as a citizen by blood of the Choctaw
Nation.

January 13, 1905.

Mansfield M. Murray, Clerk

Muskogee, Indian Territory, January 13, 1905.

Mansfield, McMurray & Cornish,

Attorneys for the Choctaw and Chickasaw Nations,

South McAlester, Indian Territory,

Gentlemen:

There is inclosed herewith, for your information, copy of the testimony of J. A. Andrews, of January 4, 1905, in the matter of the application for the enrollment of Addie Compton as a citizen by blood of the Choctaw Nation, together with receipt therefor, which please sign and return to this office.

Respectfully,

Chairman.

AB 4-13

Muskogee, Indian Territory, July 5, 1905.

J. A. Andrews,

Mountain, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of June 25, 1905, asking if the case of Addie Compton which is still pending before the Commission can be taken up for additional testimony.

In reply to your letter you are advised that on October 20, 1904, the Commission to the Five Civilized Tribes rendered its decision refusing the application of Addie Compton for enrollment as a citizen by blood of the Choctaw Nation. On December 5, 1904, the record in this case was remanded by the Secretary of the Interior for further investigation, and on April 6, 1905, there was again forwarded the Department the record in this case and on May 17, 1905, the decision of the Commission to the Five Civilized Tribes was affirmed by the Department. This case is therefore considered closed.

Respectfully,

Commissioner.

END

OF

ROLL