

J. N^o 83.

Nancy A. Laffin, et al,

vs

6. & 6. Nations.

N^o 24

Danthon Dist Court.

N^o

Powers Commission.

Question of Law.

Query.

1. Was Mrs. Caroline Thomas
a Chickasaw by blood.

Geo. P. Laffin, et al,

Original style of case.

Witnesses

For Claimants

Mrs B. W. Carter, Ardmore -

C. D. Carter "

G. O. Wathall

Joe Anderson,

Joe Candell, Chickasha

Wm W. Arnold

George P. Laflin

~~Mary Ann Metcalf~~ - Coatsville, Tex

Nations:

~~Edson~~

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT.

NANCY A. LAFLIN, et al.,)	
)	Plaintiffs,
vs.)	
CHOTAW NATION AND CHICKASAW)	PETITION.
NATION, - - - - -)	
)	Defendants.

Come now the petitioners, Nancy A. Laflin, Mary Emily Laflin and Bertha Ann Laflin, and respectfully represent and show to the court that they and each of them are now, and have been at and since all the dates and times hereinafter mentioned, residents of the Chickasaw Nation, Indian Territory; that they are each and all citizens and members of the Chickasaw Tribe or Nation of Indians; that they each and all applied to the Commission to the Five Civilized Tribes for citizenship and enrollment as citizens and members of the Chickasaw Nation or Tribe of Indians, on the 9th day of September, 1896, together with George P. Laflin, deceased, said application being styled George P. Laflin et al. vs. Chickasaw Nation; that said Commission heard said application and admitted to citizenship the said George P. Laflin, deceased; but these petitioners were by the judgment of said Commission denied citizenship and enrollment as members of said Chickasaw Nation or Tribe of Indians.

That thereafter, and within the time prescribed by law, these petitioners appealed from the judgment of the said Commission to the Five Civilized Tribes, to the United States Court for the Southern District of the Indian Territory, at Ardmore, wherein said appeal was docketed in a cause styled George P. Laflin et al., plaintiffs, vs. Chickasaw Nation, defendant, and numbered 24.

That thereafter, in said United States Court for the Southern District of the Indian Territory, at Ardmore, a full complete and final trial was had of said cause, No. 24, styled

George P. Laflin et al., plaintiffs, vs. Chickasaw Nation, defendant, and said court therein determined, adjudged and decreed these petitioners, each and all, to be citizens and members of said Chickasaw Nation or Tribe of Indians, and ordered and directed the Commission to the Five Civilized Tribes to place the names of these petitioners upon the roll of citizenship of the said Chickasaw Nation or Tribe of Indians, as members thereof, which said judgment was rendered by said court, and entered of record therein on the 22nd day of December, 1897.

Petitioners further show that by its judgment rendered on the 17th day of December, 1902, in a cause styled The Choctaw and Chickasaw Tribes or Nations of Indians, plaintiffs, vs. J. T. Riddle, et al., defendants, this court adjudged and decreed all the judgments and decisions of the United States Court for the Indian Territory, admitting to citizenship and enrollment as citizens of the Choctaw and Chickasaw Nations upon appeal from the Commission to the Five Civilized Tribes, the ten defendants named in said cause in this court, as well as those who had come in and made themselves parties to said cause, and all judgments rendered in favor of all persons similarly situated, null and void.

These petitioners state that they were not parties to said suit or cause of The Choctaw and Chickasaw Nations, or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al., defendants.

That this court did not have the power or jurisdiction under the pleadings and evidence in said cause, to set aside or vacate the judgment theretofore rendered in the United States Court for the Southern District of the Indian Territory, adjudging and establishing the citizenship and membership of these petitioners as members of said Chickasaw Nation or Tribe of Indians; and that said judgment of said United States Court for the

Southern District of the Indian Territory, at Ardmore, declaring and adjudging these petitioners to be citizens and members of the Chickasaw Nation or Tribe of Indians, was not in any way affected, vacated, set aside or avoided by the said judgment of this court.

These petitioners, state, however, that inasmuch as this court has entered its judgment and decree setting aside all the judgments of said United States Court for the Southern District of the Indian Territory, where the parties thereto are similarly situated to the ten defendants named in said cause of the Choctaw and Chickasaw Nations, or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al., defendants, the Commission to the Five Civilized Tribes is denying and will deny to these petitioners all rights and privileges as such members and citizens of said Chickasaw Nation or Tribes of Indians; and petitioners will be denied and deprived of all the rights and privileges of citizens and members of said Chickasaw Nation or Tribe of Indians, unless the files, papers, and proceedings in said cause No. 24, styled George P. Laflin, et al., plaintiffs, vs. Chickasaw Nation, defendant, in said United States court for the Southern District of the Indian Territory, at Ardmore, be certified and sent to this court for further proceedings therein.

Now, therefore, these petitioners, still insisting upon their rights as members and citizens of said Chickasaw Tribe of Indians, and without waiving any of the rights adjudged and decreed to belong to them under and by virtue of said judgment of the said United States Court for the Southern District of the Indian Territory, at Ardmore, in said cause No. 24, styled George P. Laflin et al., plaintiffs vs. Chickasaw Nation, defendants, most respectfully pray this court for an order or writ, ordering and directing the clerk of the said United States Court for the Southern District of the Indian Territory,

at Ardmore, to certify and transfer to this honorable court all the files, papers, and proceedings in said cause, No. 24, styled George P. Laflin et al., plaintiffs, vs. Chickasaw Nation, defendant, in said court; that the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation be cited and served with process herein, to the end that these petitioners be established in and not deprived of their rights as members and citizens of said Chickasaw Nation or Tribe of Indians, and for all other just and proper relief in the premises

Cruce & Cruce
Attorneys for petitioners.

Not a party
10-11-19

M Mte

In the Choctaw and Chickasaw Citizenship Court,
Sitting at Tishomingo, I.T., June 20, 1904.

--O--

Nancy A. Laflin, et al,

--vs--

No. 83.

The Choctaw and Chickasaw Nations,

--O--

Present and presiding the Hons. Walter L. Weaver and
Henry S. Foote, Associate Judges of said Court.

--O--

Appearances;

Cruce and Cruce, for Plaintiffs,

Mansfield, McMurray & Cornish, for Defendants.

--O--

June 20, 1904. This day this cause coming on to be heard
the following proceedings were had to-wit;

Mr. Cruce;

In this case I had permission of the Court to take some
testimony and I have the witness here now. The testimony showed
that Mr. Laflin married Caroline Blunt, but the license which
we introduced showed that he married Caroline Thomas; we now
wish to show that Caroline Blunt and Caroline Thomas were
one and the same person.

Judge Weaver;

Very well.

Melissa A. White,

a witness produced by the Plaintiffs, being duly sworn,
testified as follows;

Mr. Cruce;

Q.- What is your name?

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A.- Melissa A. White.

Q.- Where do you live, Mrs. White?

A.- Out here at Harley Institute.

Q.- Are you running that Institute?

A.- Yes, sir.

Q.- You and your husband?

A.- Yes, sir.

Q.- Are you a Chickasaw Indian?

A.- Yes, sir.

Q.- Did you know George P. Laflin in his life time?

A.- Yes, sir.

Q.- Did you know his Indian wife Caroline?

A.- Yes, sir.

Q.- Did you know her while they were living together as man and wife?

A.- Yes, sir.

Q.- What was her maiden name?

A.- Blunt.

Q.- What was her given name?

A.- Caroline.

Q.- Do you know whether she was ever married to a man, or lived with a man as his wife, named Thomas?

A.- Yes, sir.

Q.- Was this man Thomas dead or living at the time she married Laflin?

A.- He was dead.

Q.- Do you know how he met his death?

A.- He got killed.

Q.- Did you know her while she was living with Thomas?

A.- Yes, sir.

Q.- And her name was Caroline Thomas?

A.- Yes, sir.

Q.- You saw her living with Thomas as man and wife?

A.- Yes, sir.

Q.- Can you state whether or not this woman you knew that married Thomas and who afterwards married Geo. P. Laflin, was the same woman known as Caroline Blunt?

A.- Yes, sir.

Q.- Do you know whether she has a sister still living?

A.- Yes, sir; she has one at Mill Creek.

Q.- Did you know her before she ever married?

A.- Yes, sir.

Q.- What name does she go by now?

A.- She goes by her maiden name Lena Blunt. I don't know how many times she has been married, but she still goes by her maiden name.

Q.- She has been married several times?

A.- Yes, sir.

Q.- But she still goes by her maiden name?

A.- Yes, sir.

No Cross Examination.

Witness excused.

In the Choctaw and Chickasaw Citizenship Court,
Sitting at Tishomingo, I.T. June 16, 1904.

Nancy A. Laflin, et al.

-VS-

No. 83.

The Choctaw and Chickasaw Nations.

This day this cause coming on to be heard before the Hons. Spencer B. Adams, Chief Judge and Walter L. Weaver, Associate Judge of said Court, the Plaintiffs, being represented by their Attorneys, Cruce & Cruce and the Defendants being represented by their Attorneys, Mansfield, McMurray and Cornish, the following proceedings were had to-wit;

Mrs. Nancy A. Laflin,
a witness called by the Plaintiffs, being duly sworn, testi-
fied as follows;

Mr. Cruce:

Q.- Your name is Nancy A. Laflin?

A.- Nancy A. Rigley, now.

Q.- How long have you lived in the Chickasaw Nation.

A.- I come in November 1889 to the Chickasaw Nation.

Q.- Do you know George P. Laflin?

A.- Yes, sir.

Q.- Were you ever married to him?

A.- Yes, sir.

Q.- Did Geo. P. Laflin, when you were married to him, have any children?

A.- No, sir, not living.

Q.- Have you any children by Geo. P. Laflin?

A.- Yes, sir.

Q.- How many?

A.- Four.

Q.- What are their names?

A.- George C., Mary Emily Faflin, Bertha Ann Laflin, Josephine Laflin.

Q.- They are the applicants in this case, are they?

A.- Yes, sir.

Q.- You are not an Indian yourself?

A.- No, sir.

Q.- You are a white woman?

A.- Yes, sir.

Q.- Mr. Laflin was a white man?

A.- Yes, sir.

Q.- Your children, then are white?

A.- Yes, sir.

Q.- Is Mr. Laflin living or dead?

A.- He is dead.

Q.- Were you living with him when he died?

A.- Yes, sir.

Q.- The license under which you married Mr. Laflin, do you know where they were obtained?

A.- At Oakland.

Q.- You know what he paid for them?

A.- Fifty Dollars.

Mr. Cruce;

We offer the original license under which she was married.

(Same are attached to the Original Application to the Dawes Commission.)

Q.- You are still living in the Chickasaw Nation?

A.- Yes, sir.

Q.- Your children all live there?

A.- Yes, sir.

C r o s s E x a m i n a t i o n .

Mr. Cornish;

Q.- Mrs. Laflin, you are the mother of Mary E. Laflin? And Bertha Ann Laflin and your name is Nancy A. Laflin?

A.- Rigley, at present.

Q.- These children that you named are your children by Mr. Laflin, who is a white man?

A.- Yes, sir.

Q.- None of his children by you possess any Indian blood?

A.- No, sir.

Q.- You have no knowledge of the marriage of Mr. Laflin to his first wife?

A.- Only the certificate.

Witness Excused.

Josiah B. Brown,

a witness called by the Plaintiffs, being duly sworn, testified as follows;

Mr. Cruce;

Q.- What is your name?

A.- Josiah B. Brown.

Q.- Where are you living?

A.- Tishomingo.

Q.- What nationality of people are you?

A.- I am a Chickasaw.

Q.- Do you hold any official position now?

A.- District Clerk, Chickasaw Nation.

Q.- Did you know George Laflin in his life time?

A.- Yes, sir.

Q.- Did you know his Indian wife?

A.- Yes, sir.

Q.- You know what her maiden name was?

A.- Blunt, Caroline Blunt.

Q.- Do you know whether she was ever married to a man named Thomas?

A.- She was married so often I don't recollect.

Q.- What nationality of people was she?

A.- Chickasaw, I reckon.

Q.- How much?

A.- I don't know.

Q.- You know any of her relatives now living?

A.- Wesley Parker; Tip Harris was a cousin of hers.

Q.- R.M.Harris, you mean?

A.- No, the old Governor.

Q.- Tip Harris is a son of the old Governor?

A.- Yes, sir.

Q.- Then, Tip Harris would be a relative of Caroline Blunt?

A.- Yes, sir

Q.- Were you pretty well acquainted with Caroline Blunt?

A.- Yes, sir, knew her fifteen or twenty years.

Q.- Do you know how long she and George ~~Blunt~~^{Laflin} lived together?

A.- No, I don't recollect.

Q.- You know anything about the license under which they were married?

A.- No, sir.

C r o s s E x a m i n a t i o n ,

Mr. Cornish;

Q.- Do you know whether or not, this woman, who was the wife of Laflin, was married prior to her marriage to Laflin?

A.- Yes, sir.

Q.- To whom had she been married?

A.- One husband was Ab. McCoy, she had been married several times before that.

Q.- Did you have a personal knowledge of her divorce from him, if at all?

A.- McCoy got killed.

Q.- Did she have any living husband when she married Laflin?

A.- I don't know.

Q.- You say she is a cousin of Tip Harris.

A.- I think so; think her mother and Tip Harris' mother claimed to be sisters.

Q.- What became of this woman, Laflin's wife?

A.- She is dead.

Q.- When did she die?

A.- Don't recollect.

Q.- Do you recollect the time when she died?

A.- No, sir, she died away up the country; I don't know when she died.

Q.- Do you know whether she and Laflin lived together as husband and wife until her death?

A.- I don't know whether they did or not.

Witness excused.

--O--

Peter Matubbie,

a witness called by the Plaintiffs, being duly sworn, testified as follows:

Mr. Cruce;

Q.- What is your name?

A.- Peter Matubbie.

Q.- You have lived in the Indian Territory a good while?

A.- Yes, sir.

Q.- Are you an Indian?

A.- I am a Chickasaw by blood.

Q.- Did you know George P. Laflin?

A.- No, sir.

Q.- You know Caroline Blunt?

A.- Yes, sir, I used to know her.

Q.- You know what nationality of people she was?

A.- She was a Chickasaw.

Q.- Do you know of her being married to a fellow named Thomas?

A.- I don't.

Q.- You know any of her near relatives now living?

A.- I don't know any of her near relatives. E.O.Harris, that is Doctor Harris, he lives in McAlester, his wife was a cousin, I think.

Q.- Is he an Indian?

A.- No, sir, he is a white man.

Q.- You say he is a first cousin of Caroline Blunt?

A.- His wife is.

Q.- She was an Indian?

A.- Yes, sir.

Q.- Who was she before she married Harris?

A.- She was a Davis.

Q.- You refer to Mrs. E. Poe Harris?

A.- Yes, sir.

Q.- How were they related?

A.- Their mothers were sisters. They were Frazers.

Q.- Was this woman related to Gov. Cy Harris' family in any way, do you know?

A.- She was related to Jackson Frazer, the first husband of Governor Harris' wife.

Q.- Do you know of this woman Caroline Blunt being married at all?

A.- No, sir, I don't.

Q.- What was her name when you knew her?

A.- Caroline Blunt.

Q.- You have no knowledge of her except when she was a girl; do you know when she married?

A.- I don't know when she married; heard of her marrying, but I don't know when she was married.

Q.- Then, you are not able to state from your own knowledge whether or not the Caroline Blunt, whom you knew, was afterwards the wife of Laflin?

A.- No, sir, I don't know.

Witness excused.

Mr. Cruce;

I want to offer the license issued to Geo. P. Laflin, to marry Mrs. Caroline Thomas, That was in 1878.

Also a number of permits, issued to Geo. P. Laflin. (Said license and permits are attached to the original application to the Dawes Commission.)

That is our case.

Mr. Cornish;

I desire to make this statement on the part of the Nations as to our view of the weight of the evidence. We think that it has not been sufficiently shown by competent evidence that the first wife of Geo. P. Laflin was a citizen, and that it has not been shown that he was married to her according to the laws of the Nation; the paper offered as the license has not been identified as the license, nor does it bear the seal of the Court.

Judge Adams;

If you desire during this month, to offer testimony along the lines indicated, we will hear it.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, SITTING AT
TISHOMINGO IN THE INDIAN TERRITORY,
NOVEMBER TERM, 1904.

Nancy A. Laflin, et al.,

vs. No. 83.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this the 29th day of November, 1904, this cause coming on for final decision, the same having heretofore been submitted upon the law and the evidence, and the Court being well and sufficiently advised in the premises, doth find that the plaintiffs, Nancy A. Laflin or Loftin, Mary Emily Laflin or Loftin and Bertha Ann Laflin or Loftin, are not entitled to be deemed or declared citizens of the Chickasaw Nation, or to enrollment as such, or to any rights whatever flowing therefrom.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs, Nancy A. Laflin or Loftin, Mary Emily Laflin or Loftin and Bertha Ann Laflin or Loftin, be denied and that they be declared not citizens of the Chickasaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.

Nancy A. Laflin et al. }
w. } T. No. 83. Sov. Dist. No. 24.
Chickasaw Nation }

This cause was originally docketed by The Dawes Commission and the U. S. Court, Southern District, under the style of Geo. P. Laflin et al. vs. Chickasaw Nation. Geo. P. Laflin having died subsequent to the rendition of the judgment by Dawes Commission, writ of error to Choctaw Chickasaw citizenship court is sued out by Nancy A. Laflin, the widow of Geo. P. Laflin, in behalf of herself and children.

Geo. P. Laflin, a white man, married Mrs. Caroline Thomas, a Chickasaw by blood, under a tribal license, Feby. 12, 1878; lived with her until her death May. 9th, 1884; then on Dec. 22d, 1893 married Mrs. Nancy A. Robison, a white woman under a Chickasaw Tribal license, and by this second marriage there are two children:

Mary Emily Laflin

Bertha Ann "

Application in 1896 is for Geo. P. Laflin, his white wife and the two white children.

Judgment of Dawes Commission Nov. 10, 1896
"George P. Laflin admitted as an intermarried

citizen and his two children Mary Emily Laflin and
Bertha Ann Laflin denied. His wife Nancy A. Laflin
rejected.

Appealed and cross appeal.

George P. Laflin, died before rendition of judgment.

Judgment of U. S. Court, Sou. Dist, Dec. 22. '97.

admitted Nancy A. Laflin

Mary Emily Laflin

Bertha Ann Laflin.

Query:

1. Was Mrs. Caroline Thomas, a Chickasaw
Indian by blood.

The other allegations are substantiated by the
evidence.

Nancy A. Laflin et al. No. 83.

Chickasaw. Denny

- + Nancy A. Laflin or Loftin
- + Mary Emily Laflin or Loftin
- + Bertha Ann Laflin or Loftin

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BEFORE THE HONORABLE DAWES COMMISSION

Geo. P. Laflin,
Nancy A. Laflin,
Mary Emily Laflin, &
Bertha Ann Laflin-----Plaintiffs,

vs

PETITION

Chickasaw Nation-----Defendant .

The petitioner, Geo. P. Laflin, states:

That on the 12th day of February, 1878, he was lawfully married to Mrs. Caroline Thomas, who was a Chickasaw Indian by blood; said marriage being contracted according to the laws of the Chickasaw Nation.

By reason of which marriage, the petitioner, Geo. P. Laflin, became a member of the Chickasaw Tribe of Indians. The said Geo. P. Laflin and Caroline Laflin lived together as husband and wife until the 9th day of May, 1884, at which time the said Caroline Laflin died.

The said Geo. P. Laflin, on the 22nd day of Dec. 1893, in accordance with the laws of the Chickasaw Nation, was married to Mrs. Nancy A. Robison; by reason of which, the said Nancy A. Robison became a member of the Chickasaw Tribe of Indians. The said Geo. P. Laflin and the said Nancy A. Laflin have ever since lived together as husband and wife, and have had born unto them, Mary Emily Laflin, who is two years of age, and Bertha Ann Laflin, age one year.

The Said Geo. P. Laflin has, ever since his marriage with the said Caroline Thomas, been recognized as a citizen of the Chickasaw Nation, and as such has drawn his annuity as a member of said Nation; and since said date has resided, and now resides, in the Chickasaw Nation, Ind. Territory.

WHEREFORE, Petitioners ask that they be enrolled as members of the Chickasaw Tribe of Indians.

A.C. Cruce,
Atty. for petitioners.

INDIAN TERRITORY,
CHICKASAW NATION .

Geo. P. Laflin, being duly sworn, upon oath states:

That he is one of the petitioners in the foregoing application,
and that the matters and facts set forth in the above and foregoing
petition are true.

George P. Laflin.

Subscribed and sworn to before me this the 17th day of August
1896.

George M. Curtis.
Notary Public.

(Seal)

CLERKS OFFICE

Tishomingo County, C.N.

In accordance with an Act of the Legislature, requiring all non-citizens to obtain a license to marry a citizen of the Nation; Whereas Mr. Geo. P. Laflin, a noncitizen of this Nation, wishing to marry a citizen of this Nation, Mrs. Caroline Thomas, a Citizen of this Nation, and whereas, Mr. Laflin has complied with the said Act, I issue him these license to marry Mrs. C. Thomas.

This given under my hand, this the 12th day of February, A.D. 1878.

Joseph H. Wolf.
C. & P Judge.

S.D. James, Clerk.
T.C.C.N.

CHICKASAW

NATION

COUNTY OF

PICKENS

To any Judge of the County or District Court, ordained Minister of the Gospel in and for said county of Pickens.

GREETING

You are authorized to solemnize the

rites of matrimony

Between ~~Mrs~~ Geo. P. Laflin and Mrs. Nancy A. Robison.

And make due return to the Clerk of the County Court within thirty days thereafter certifying your action under this License.

Witness my official signature and seal of office, Pickens Co.
this the 21st day of December, 1893.

By.-----
Deputy.

L.V. Colbert.
Judge Co. Court, Pick. Co

I, Rev. John Wilson, hereby certify that on the 22nd day of December, A.D., 1893, I united in marriage Geo. P. Laflin and Mrs. Nancy A. Thomas the parties above named.

Witness my hand this the 22nd day of December, 1893.

Rev. John Wilson.

Filed for record 23rd day of December 1893, Recorded 23rd day of Dec. 1893.

Isaac O. Lewis.
Clerk.

O FFICE OF PERMIT INSPECTOR,

FOR PICKENS CO. C.N.

Received of W.A.Wells permit No. 941, in employ of Geo. P. Laflin, for 12 months, from first day of January 1889.

R.B. Willis,
Inspector Permits for Pick? CO.

Ardmore, Ind. Ter.

February, 17th, '92.

Mr Lewis Williams.

Dear Sir:

I have received from the County Clerk the certificate, notifying me that you have complied with the rental laws of the Chickasaw Nation entitling you to a permit under contract with Geo. P. Laflin.

The permit fee is \$5.00, which you are requested to obtain in person from my office within fifteen days from date. Please attend to this matter at once.

H.H. McLane,
Permit Collector, Pick. County.

CLERKS OFFICE

Pickens Co. C.N.

This is to certify that I have received of J.E. Sligen five dollars for registration he being duly employed by Geo. P. Laflin as farmer for the term of twelve months, from date.

Given under my hand and seal of office this the 8th day of May, 1880.

By H.H. McLane, Sheriff.

A.H. Law.
Clk. Pick. CO. C.N.

OFFICE OF PERMIT INSPECTOR

FOR PICKENS COUNTY, C.N.

Received of J.K.Laflin permit No. 940, in employ of Geo. P. Laflin for 12 months, from first of January, 1889.

R.B.Willis,
Inspector Permits for Pick. Co.

INDIAN TERRITORY

CHICKASAW NATION.

Mrs. B.W.Carter being sworn states:

I am fifty three years old. I am a member by blood of the Chickasaw Tribe of Indians. I am the widow of the late B.W.Carter and am a sister of Wm. Guy, who was at one time Gov. of the Chickasaw Nation. I live in Ardmore, Chickasaw Nation, Indian Territory. I am acquainted with Geo. P. Laflin and his former wife Caroline. Have known her all my life. She was a member by blood of the Chickasaw Tribe of Indians and was almost if not altogether a full blood Chickasaw. Geo. P. Laflin is a white man. I have known him since his marriage with Caroline, which occurred about eighteen years ago. The maiden name of his wife was Caroline Blunt. She is now dead. Her citizenship was never questioned while she lived. I am in no way related to said Laflin or his wife and have no interest in the outcome of his application for citizenship.

Mrs. B.W.Carter.

Subscribed and sworn to before me this the 1st day of September, 1896

Chas. L. Johnson,
Notary Public.

(Seal)

Indian Territory

Chickasaw Nation.

The affiant, C.D. Carter, after being first duly sworn says:

That he is 28 years of age, and is a Chickasaw Indian by blood, and is at present superintendant of Public Schools of the Chickasaw Nation.

I am acquainted with the applicant, Geo. P. Laflin, and have known him since before he was married to Caroline Thomas. He is now living in the Chickasaw Nation, Indian Territory, where he has been living since I first knew him. The said Geo. P. Laflin was married to Mrs. Caroline Thomas soon after I first became acquainted with him, which must have been some time in the year of 1878. Mrs. Caroline Thomas's maiden name was Caroline Blunt. I was well acquainted with her, and she was a full blood Chickasaw Indian, or nearly so. She is now dead and has been dead for several years. Said Geo. P. Laflin has lands improved and has been occupying same as a Chickasaw Citizen, and I have never heard of his rights being disputed as a Chickasaw Citizen; and I know he has had as many as one suit in the Chickasaw Court concerning lands that he had improved, between himself and another Chickasaw Citizen, and in said case the Chickasaw Courts assumed and took jurisdiction of the case and tried it.

C.D. Carter.

Subscribed and sworn to before me this the 31st day of August, 1896.

Chas. L. Johnson,
Notary Public.

(Seal)

Indian Territory

Chickasaw Nation

The affiant, G.O. Walthall, after being first duly sworn says:

That I am 36 years of age, and live in the Chickasaw Nation Indian Territory, and that I was acquainted with Mrs. Caroline Thomas who intermarried with Geo. P. Laflin, in February, 1878. That the said Caroline Thomas was a one half Chickasaw Indian by blood, a one fourth Choctaw Indian by blood and one fourth white woman by blood, and that she showed the Indian blood very plainly.

That the said Caroline Thomas lived with the said Geo. P. Laflin as his wife until her death, which occurred some time in May, '84

I further certify that the said Geo. P. Laflin, intermarried with Nancy A. Robison, a white woman, in Dec. 1893 and is now living with her, and has by said marriage two children, whose names are Mary Emily Laflin aged two years, and Bertha Ann Laflin whose age is one year, and that the said Geo. P. Laflin is now living with his last wife, who was Nancy A. Robison, together with his two children, in the Chickasaw Nation, Indian Territory, and has lands improved and in his possession and is occupying and enjoying same as a Chickasaw Indian.

I further certify that the said Geo. P. Laflin lived in the Indian Territory for six or eight years prior to his marriage with the said Caroline Thomas, and has so lived in said Territory ever since and is now so living.

G.O. Walthall.

Subscribed and sworn to before me this the 19th day of August, 1896.

A. B. Carey,
Notary Public.

Indian Territory

Chickasaw Nation

The affiant, Joe Anderson, after being first duly sworn, deposes and says:

That I am 44 years of age, and live in the Chickasaw Nation, Indian Territory, and that I was acquainted with Mrs/ Caroline Thomas, who intermarried with Geo. P. Laflin in February, 1878. That the said Caroline Thomas was a one half Chickasaw Ind. by blood, a one fourth Choctaw Indian by blood, and one fourth white woman by blood and that she showed the Indian blood very plainly

That the said Caroline Thomas lived with the said Geo. P. Laflin as his wife until her death, which occurred some time in May 1884.

I further certify that the said Geo. P. Laflin intermarried with Nancy A. Robison, a white woman, in Dec. 1893, and is now living with her, and has by said marriage two children, whose names are Mary Emily Laflin, age two years and Bertha Ann Laflin, age one year, and that the said Geo. P. Laflin is now living with his last wife, who was Nancy A. Robison, together with his two children, in the Chickasaw Nation, Indian Territory, and has lands improved and is in possession and is occupying and enjoying same as a Chickasaw Indian.

I further certify that the said Geo. P. Laflin lived in the Indian Territory for six or eight years prior to his marriage with the said Caroline Thomas, and has so lived in said Territory ever since, and is now so living.

Joe Anderson.

Subscribed and sworn to before me this the 19th day of August, 1896.

A.B. Carney
Notary Public.

(Seal)

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A.B. Carney.
Notary Public.

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DEPARTMENT OF THE INTERIOR,
Commission to the five civilized tribes.

Vinita, Indian Territory,

Nov. 10, 1896.

29.

Geo. P. Laflin, Nancy-
A. Laflin, his wife, and his
children, Mary Emily Laflin
and Bertha Ann Laflin.

vs

Chickasaw Nation.

Filed Sept, 9th, 1896. Answer
filed. George P. Laflin admit-
ted as an intermarried Cit-
izen and his two children,
Mary Emily Laflin & Bertie
Ann Laflin denied. His wife
Nancy A. Laflin rejected.

A. C. Cruce,
Ardmore, Ind. Ter

I, H. M. Jackoway, Jr., Secretary, do hereby certify that the
correct
above and foregoing is a true and copy of Chickasaw Record "C" page
25, of The Commission to the Five Civilized Tribes.

Given under my hand and official signature this the
28th day of January, 1897.

H. M. Jacoway, Jr.,
Secretary.

By Henry Stroup
Act.

George P. Laflin. Et Al vs Chickasaw Nation. No. 24

REPORT

To the Hon. C.B. Kilgore, Judge of said Court:-

This application was filed with the Commission from the United States to the Five Civilized Tribes of Indians on September, 9th, 1896, and this case comes up now before me, on appeal from the decision of said Commission.

I find from the evidence in this case, the following facts:- That on the 12 day of February, 1878, applicant was duly and legally married to Mrs. Caroline Thomas, a Chickasaw Indian by blood; that they continued to live together as husband and wife until the 9th day of May, 1884, at which time the said Caroline Laflin died.

That said petitioner, on the 22nd day of December, 1893 in accordance with the laws of the Chickasaw Nation, married Miss Nancy A. Robison, a white woman and a citizen of the United States that as a result of said last named marriage there has been born unto them two children, Mary Emily Laflin and Bertha Ann Laflin.

I recommend that George P. Laflin be admitted as an intermarried citizen of the Chickasaw Nation, and that his last named wife, Nancy A. Laflin and their two children Mary Emily and Bertha Ann Laflin be denied citizenship, for the reasons set forth in the Wigg's Appeal case. No. 27.

W.H.S. Campbell
Master in Chancery.

IN THE UNITED STATES COURT, IN THE INDIAN TERRITORY? SOUTHERN DISTRICT
AT ARDMORE.

George P. Laflin,

24 vs

Before W.H.L. Campbell, Esq., Master.

Chickasaw Nation

Mr. Laflin, a witness in his own behalf, after being
duly sworn, says:

Direct examination by Mr. W.I. Cruse:

Q How old are you Mr. Laflin?

A 57 years old.

Q You one of the applicants in this case?

A Yes sir.

Q I will get you to state whether or not you drew your annuities in
1893?

A Yes sir.

Q Were you on the Chickasaw rolls then?

A Suppose I was.

Q Have you ever received any notice from the Chickasaw authorities
that your name was erased, or would be erased?

A I went to the Capital to register and Dick McClisk told me that
they would not register me.

Q When was that?

A September.

Q Had you, up to that time, received any notice?

A No sir.

Q Do you know whether or not your name is on the roll as an inter-
married citizen for permits?

A The permit collector has been there.

Q What did he come there for?

A For permits. I had notice that the case was appealed and I didn't
pay them.

Q Cross examination by Mr. Johnson.

Q You have some land in cultivation in the Chickasaw Nation ?

A Yes sir.

Q That is the reason they require these permits ,in order to cultivt the land ?

A I suppose so.

Q When were you married the last time ?

A. I think in 1892.

Q Wasn't it in 1893, the 22nd day of December ?

A Might have been 1893.

Q Your last wife was Miss Minnie _____ ?

A Yes sir?

Q A United States Citizen?

A Yes sir:

Q Have you any children by her?

A Yes sir.

Agreement

It is agreed that the whole case is up before the Master.

Q The only children you have is by this last wife, who was a United States Citizen, and you are a United States Citizen, except by inter-marriage ?

A Yes Sir:

Q Where were you married to your Indian wife ?

A Galloway Frasher's, in Choctaw Nation.

Q Wasnt you married in the Commanche Country ?

A No sir, if I had I would have married a Commanche.

Q Wasn't your home there ?

A My home was on the Hell Rearing Creek.

Q Haven't you lived in the Commanche Country ?

A No sir ,never lived there.

By Mr. Cruce---Re-Cross

Q Tell the Court who you precured your license from to marry this white woman and what they cost.

16 A I got them from County Judge Carter, I think was his name, and paid him \$50.00 for them.

Q You married a United States Citizen and paid \$50.00 for the 244

license?

A Yes sir. And took it down and recorded it at the County Seat of this country.

(Mr. Johnson, on behalf of the Nation, objects to this evidence, because the marriage license is the best evidence, or a certified copy. Objections overruled. Chickasaw Nation excepts to the ruling of the Court.)

Mr. Johnson: I offer in evidence Act of 1890 of the Chickasaw Legislature forbidding the marriage of an intermarried citizen to another white ~~person~~ person.

Submitted.

George P. Laflin, et al.

Vs. No. 24 Judgment, Southern, Dist. Dec. 22, 1897.
Chickasaw Nation.

This day this cause coming on to be heard, upon the pleadings, exhibits, proof, Master's report and the exception filed thereto, and it appearing that George P. Laflin has departed this life since the filing of the original application herein and it further appearing that the said George T. Laflin, who was then a United States citizen did ~~xxx~~ on the 12th day of February, 1878 marry Mrs. ~~M~~ Caroline Thomas, who was then a Chickasaw Indian by blood, and that said marriage was in compliance with the Chickasaw laws and lived with her until the 9th day of May, 1884, at which time his said wife died:

It further appears that the said George T. Laflin was married on the 22nd day of December, 1893 to Mrs. Nancy A. Roberson The said Nancy A. Roberson being then a United States citizen, and that said marriage was solemnized under the laws of the Chickasaw Nation, and that the said George P. Laflin lived with her in the Chickasaw Nation until the time of his death. And that there was born unto the said George P. Laflin by his union with the plaintiff Nancy A. Laflin (nee Roberson) the applicants Mary Emiline Laflin, and Bertha Ann Laflin.

I therefore find as a matter of law that the said George P. Laflin by his union with Caroline Thomas became a member of the Chickasaw Indians, and that by his marriage with the applicant Nancy A. Laflin (nee Roberson) that she became a member of the Chickasaw Tribe of Indians, and that the applicants Mary Emily Laflin and ~~Mary~~ Bertha Ann Laflin, become members of the Chickasaw ~~Nation~~ Tribe of Indians at their birth.

It is therefore ordered, adjudged and decreed by the court that the applicant Nancy A. Laflin is a member of the Chickasaw Tribe of Indians by intermarriage, and that the applicants, Mary Emily

18

Laflin, and Bertha Ann Laflin, are members of the Chickasaw Tribe of Indians by reason of their birth as aforesaid.

It is further ordered and adjudged by the court that Nancy A. Laflin, Mary Emily Laflin and Bertha Ann Laflin, each and all be admitted and enrolled as members of the Chickasaw Tribe of Indians as aforesaid, and they each have all the rights, privileges, and immunities, as members of the Chickasaw Tribe of Indians. And the clerk of this court is hereby ordered to forward a certified copy of this judgment to the proper authorities for the enrollment of said parties, and that they each be enrolled by said authorities upon the rolls made out for citizenship in the Chickasaw Nation. To this judgment the Chickasaw Nation excepts.

IN THE UNITED STATES COURT FOR THE SOUTHERN DISTRICT OF THE INDIAN
TERRITORY, AT ARDMORE.

George P. Laflin, et al, Plaintiff.

VS

Chickasaw Nation Defendant.

The above named defendant deeming itself agrieved by the decree made and entered in the above entitled cause on the 22nd day of December, 1897, hereby appeals from said order and decree to the Supreme Court of the United States, for the reasons specified in the assignment of errors filed herewith, and it prays that this appeal may be allowed and that a transcript of the record proceedings and papers upon which said order was made, duly authenticated may be sent to the Supreme Court of the United States.

W.B. Johnson,
Solicitor for defendant

This 11th, day of July, 1898.

The foregoing claim of appeal is allowed and bond for costs fixed at \$100.00

Hosea Townsend,
Judge.

This 11th, day of July, 1898.

IN THE UNITED STATES COURT FOR THE SOUTHERN DISTRICT OF THE INDIAN
TERRITORY, AT ARDMORE.

George P. Laflin, Plaintiff?

vs

ASSIGNMENT OF ERRORS.

Chickasaw Nation, Defendant.

The defendant in this action in connection with his petition for appeal makes the following assignment of errors, which he avers occurred upon the trial of the cause, to-wit:-

First, The Court ~~erred~~ in holding that the act of Congress creating a Commission to pass upon the Citizenship of applicants in the Chickasaw Nation and their rights to appeal to said court was constitutional.

Second, The court erred in overruling the plea to the jurisdiction of the Dawes Commission and said court to pass upon the Citizenship of the applicants herein.

Third, The court erred in holding that the laws, customs and usages of the Chickasaw Nation did not control and govern the admission of the applicants to citizenship.

Fourth, The court erred in holding that the Chickasaw Nation did not have a right to pass a law relative to citizenship in the Chickasaw Nation, when said law in any way modified or changed a treaty of said Chickasaw Nation with the United States.

Fifth, The court erred in holding that the applicant herein who had failed to comply with the laws of the Chickasaw Nation regulating his citizenship therein was still entitled to all the rights and immunities of a citizen and entitled to be enrolled as such.

Sixth, The court erred in holding that it was unnecessary for the applicant in order to retain his citizenship in the Chickasaw Nation, which he had acquired by the laws of said Nation by marriage into the said tribe to further comply with the laws of said Nation by not again marrying any United States Citizen.

Seventh, The court erred in holding that a United States Citizen could marry a Chickasaw Citizen by blood according to their laws and become a citizen thereof, and after the death of said Chickasaw Indian that the said United States Citizen could marry another United States Citizen according to the laws of the Chickasaw Nation and thereby confer the rights of citizenship in the said Chickasaw Nation upon the second spouse and the issue thereof and so on to all succeeding issues.

Eighth, The court erred in holding that the United States Citizen acquiring citizenship in the Chickasaw Nation did not forfeit his right to citizenship by again marrying a United States Citizen.

Ninth, The court erred in holding that a United States Citizen who had married a ~~Chickasaw Indian~~ Chickasaw Indian and acquired citizenship in said Nation by reason of said marriage, did not forfeit the same when he had been divorced from his Indian Wife.

Tenth, The court erred in holding that any United States Citizen divorced from an Indian wife had the right to confer citizenship in the said Chickasaw Nation upon the second wife who was a United States citizen and the issue thereof.

Eleventh, The court erred in holding that where a United States Citizen had married an Indian Citizen, according to the laws of the Chickasaw Nation and the Indian Citizen died, the United States citizen could confer the rights of citizenship in the Chickasaw Nation on the issue of the second marriage with a United States Citizen, not in accordance with the laws of the Chickasaw Nation.

Twelveth, The court erred in holding that when a United States citizen whose Chickasaw Wife had either died or had been divorced from him, and then he had married a United States Citizen, that the issue of said second marriage by marrying according to the Chickasaw laws could confer citizenship upon the spouse and children of said issue.

Thirteenth, The court erred in that after the papers in this case were destroyed an order was made that such papers be substituted within a certain date, during the same term of Court in which said order was made

Fourteenth, The court erred in overruling defendants exceptions to the report of the Master in Chancery.

Fifteenth, The court erred in granting this decree upon the substituted pleadings and evidence of the plaintiff alone, the pleadings and evidence of both plaintiff and defendant having been destroyed.

Sixteenth, The court erred in granting a decree upon the report of the Master in Chancery alone.

Seventeenth, The court erred in overruling the motion of the defendant for a new trial.

Eighteenth, The court erred in referring this cause to a Master in Chancery.

Nineteenth, The court erred in granting a decree for the plaintiff in this cause.

W.B.Johnsen.

Atty. for Chickasaw Nation.

SUMMONS.

United States of America, }
Indian Territory, } ss
Choctaw and Chickasaw Citizenship Court. }

The President of the United States of America,

To the United States Marshal for the Indian Territory, Northern District,

GREETING:

You are hereby Commanded to Summons Green McCurtain, Principal Chief of the Choctaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Principal Chief of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at Wishomings, by Nancy A Lafflin et al and warn him that upon his failure as said Principal Chief to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instanter;

And you are further commanded to notify said Green McCurtain, Principal Chief aforesaid, that the papers, files and proceedings in the case of Nancy A Lafflin et al File No. 24 in the District Court for the Southern District of the Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the clerk of said court for said Southern District, Indian Territory, has been attached thereto.

WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this 23 day of March A. D , 1903.

Gas Bbassada Clerk.
By E D Berritt Deputy

MARSHAL'S RETURN

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

Deputy
Clerk

I received this summons this 23rd of March A. D. 1903,
at 10 o'clock m and served same by copy, as follows
Personally on Green McCurtain, at
This day of April, 1903, after J. Weaver and Henry S. Foote, Associate
Judges, and the Seal thereof, at Green McCurtain,
Indian Territory,

By Deputy

the certificate of the clerk of said court for said District, Indian Territory,
Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that
File No. 24 in the District Court for the District of the
that the papers, files and proceedings in the case of *Green McCurtain et al*

And you are further commanded to notify said Green McCurtain, Principal Chief aforesaid,
complaint will be taken for confessed, and you will make return of the summons instant.

and warn him that upon his failure as said Principal Chief to answer on behalf of said nation, the

SUMMONS
IN EQUITY.

Nancy A. Laflin et al
vs
Choctaw and Chickasaw Nations.

Summons issued 23 day of
March, 1903. Returnable instant

Marshal's Fees.

Service	-	-	-	\$
Miles	-	-	-	\$
Expenses	-	-	-	\$
TOTAL				\$

Bruce + Bruce
Attorneys for Plaintiff
Admore
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SUMMONS.

United States of America,

Indian Territory,

ss

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

To the United States Marshal for the Indian Territory, Southern District,

GREETING:

You are hereby Commanded to Summons P S Moseley, Governor of the Chickasaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Governor of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at Dishomingo, by Nancy A Lafflin et al and warn him that upon his failure as said Governor to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instanter,

And you are further commanded to notify said P. S. Moseley Governor aforesaid, that the papers, files and proceedings in the case of Nancy A Lafflin et al File No. 24 in the District Court for the Southern District of the Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the clerk of said court for said Southern District, Indian Territory, has been attached thereto.

WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this 23 day of March A. D , 1903.

Gas B Bassada Clerk.
By E L Berritt Deputy.

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

Deputy
Clerk

I received this summons this 23rd day of March A. D. 1903,
at 9 o'clock m and served same by copy, as follows: *at the residence of the defendant*
Personally on P. S. Moseley, at *Lawton, Indian Territory*
This 23rd day of March, 1903, *Wm. L. M. and Henry S. F.*

WITNESS the Honorable Spencer B. Adams, Chief Judge,

By *James B. Adams* Deputy
has been attached thereto

the certificate of the clerk of said court for said *James B. Adams* District, Indian Territory,
Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that
file No. *24* in the District Court for the *Choctaw and Chickasaw* District of the
that the papers, files and proceedings in the case of *Nancy A. Laflin et al*

And you are further commanded to notify said P. S. Moseley, Governor aforesaid,

Copy

No. *83-7*

SUMMONS
IN EQUITY.

Nancy A. Laflin et al
vs.
Choctaw and Chickasaw Nations.

Summons issued *23* day of
March, 1903. Returnable instanter

Marshal's Fees.

Service	-	-	\$
Miles	-	-	\$
Expenses	-	-	\$
TOTAL			\$

Bruce + Bruce
Attorneys for Plaintiff.
Admore

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Choctaw and Chickasaw Citizenship Court,
Indian Territory,
United States of America,
SUMMONS.