

Witnesses

For Claimants

Bud Arley ---  
E. P. Whitehurst - Pickens Co.  
A. J. Crowson ---  
A. W. Gardner --- Servant.  
E. Livsey --- " *poss*  
A. J. Crowson -- Pickens Co.

For Heirs

Wilson & Jones -- Sherman, Tex  
Dead

Mrs. Green M. C. Curtis  
Sons & Daughters

No. 124.

A. J. Crowson, et al.  
vs  
Choctaw Nation

No. 74.

Central District Court.

No  
Daves Commission

No evidence offered  
by Pledge

T. N. Foster.

att'y-

Repealed

March 21/1874

St. James

I N D E X.

Application to Commission	1
Affidavit of Bud Axley	3
Affidavit of E. D. Whitehurst	4
Affidavit of Andrew J. Crowson	6
Certificate of G.W. Crump, Post Master	7
Affidavit of N. H. Pratt	8
Judgment Commission	9
Petition for appeal	10
Answer	12
Affidavit of Alfred W. Gardner	13
Notice to Take Depositions	14
Caption to Depositions	14
Deposition of E. D. Whitehurst	15
Deposition of E. Lievsay	16
Deposition of A. J. Crowson	17
Certificate of W. H. Ritchey to Depositions	20
Report of Special Master in Chancery	21
Judgment, U. S. Court	22

Brownsville I.T. sept. 5.

To the Honorable Dawes Commission, Vinita I.T.

Dr Sirs:

I herewith hand you affidavits showing that I am a descendant of Choctaw blood. But unfortunately for me, my parents died when I was small and I grew up without education, and did not know the necessity of keeping records, dates, etc., and under adversity and hard times and scarcity of money I have been unable to employ counsel that done me any good, all the attorneys seem to care for is to get my money and then I could not hear from them any more. I would then employ another and he would do likewise. Now I am bound to quit them and make this my last appeal to you, a plain statement of facts, which I have sworn to also two affidavits in support of same. The witnesses to the original David Anderson who married a full blood Choctaw woman. The parents of James Anderson have long since died, but I can prove by living witnesses all that has transpired within the memory of those living. I have given the names of the families of David Anderson then James Anderson one of which first married a Larrence, and afterward married my father, John Brownson, so that in looking over the record you can see at least some of my relatives are on the rolls. I desire you to examine the record and if my ancestors are recorded on the Choctaw rolls as hereby given I desire the benefit of that evidence in support of my claim to Indian blood. If I have no Indian blood and no rights as such, I do not desire any benefits from said Choctaw nation. I have no money to thoroughly search for all the desired evidence. It has already cost me all the surplus I have or can get. I am now fifty one years of age, and not able to make more than a very scant support for myself & family. I filed claimants affidavit before the Council at Tuskahomma I.T. in 1890 but I was called away as witness in

U.S. Court at <sup>r</sup><sub>p</sub>arris and could not attend the Council when in session, until last year, when they claimed that I had forfeited my claim through negligence. I have put in a farm here in Chickasaw Nation and have lived on it for several years, no objections have been made by the citizens whatever. They seem to recognize my right as a native, I live on it free of rats and have always considered myself under and subject to the laws of the nation. I request you examine the rolls. If my ancestors are there I desire recognition,

Respectfully

A. J. Crowson.

original

Chickasaw Nation

County of pickens I.T.

Before me the undersigned authority this day personally appeared Bud Axley who being by me first duly sworn on his oath says. That he has been acquainted with A.J. Growsen and his people about forty four years, and that it has been my understanding all this time, through the family history that A.J. Growsen was the son of Sally Growsen. Her father was James Anderson, who was generally known and considered by all family history that said James Anderson was a half breed Choctaw Indian. This information was taught me by hearing old people talk of the history of the Andersons and their descendants, all my life. And it has always been understood that they were of Indian blood. That Sally Growsen, the mother of A.J. Growsen was a daughter of said James Anderson.

his  
Bud X Axley  
mark

Sworn to and subscribed to before me this 4th day of Sept. A.D.  
1896.

G.W. Crump.

Notary public

Southern district

(SEAL)

Ind. Ter.

Original.

Chickasaw Nation

County of Pickens I. T.

Before me the undersigned authority this day personally appeared E. D. Whitehurst who being by me first duly sworn on his oath says: That John Larrence and myself belonged to the 4th Regiment Cherokee Volunteer Cavalry during the war of 1861-5 and was well acquainted with him, I have heard him say, that he was a son of Sally and James Larrence and also heard him say that he had a half brother by the name of A. J. Crewsen. I heard the said John Larrence say that his mother was a quarter roon Choctaw Indian. He had the appearance of an Indian and it was generally understood and believed by said regiment that said John Larrence was part Choctaw Indian. Later on I became acquainted with his said half brother A. J. Crewsen in 1868, I can see the favor, and they have the appearance of having Indian blood. I know that all the old people who spoke of the Larrence family generally understood Sally Larrence to be quarter Choctaw Indian, and I knew it is generally understood in the neighborhood where we have all lived, that the said A. J. Crewsen is a lawful heir of said Sally Larrence by a later marriage to John Crewsen and I knew that it has been generally understood that Sally Larrence was a daughter of said James Anderson who with all their family, was considered to be part Choctaw Indian. I am in no wise financially interested in this matter.

E. D. Whitehurst.

Sworn and subscribed to before me this the 4th day of September A. D. 1896.

G. W. Crump

Notary Public

(SEAL)

Southern Dist. I. T.

4



Chickasaw Nation

County of Pickens I.T.

Before the undersigned authority this day personally appeared AJ. Crowson, who being by me duly sworn, on his oath says: he is a son of John and Sally Crowson, and that the said Sally Crowson was a daughter of James Anderson, and that said James Anderson was a son of David Anderson who had married a full blood Choctaw woman ( whose name was unknown to me) and raised by said woman five sons, John, Sam'l., James, David and Reuben Anderson. The name of the latter I know to be on the Choctaw records. The said James Anderson raised a daughter of the name of Sally Anderson, one by name of Jennie Anderson and one by name of Susan Anderson, also two boys, James and Sam'l. Anderson. The said Sally Anderson married one James Lawrence of Choctaw blood, and bore to said Lawrence 5 sons, George, Sam'l., John, Adam and James Lawrence, also two girls, Susan and Jane Lawrence who I think is on the Choctaw ~~record~~ record. The said Sally Lawrence after the death of said James Lawrence was married in Danville, Yell County Ark. to John Crowson/ in about the year 1840-41 or 42 and she bear two children by said Crowson/ a girl and a boy. The girl died in infancy. And I am that son, and only heir of said Sally ~~Larrence~~ and John ~~Larrence~~ Crowson. The said David Anderson married a Choctaw woman & they were the parents of James Anderson, who was the father of Sally Anderson. The said Sally Anderson was married to John Crowson. The said John Crowson was my father, by the said Sally Crowson nee Anderson. The witnesses to most of these facts have died off, but some of the said Andersons and Larrences are on record as Choctaw citizens. I can prove by living witnesses that I am an heir of the said Sally and John Anderson. The Choctaw Council refused to recognize my claim to citizenship/ because of the lack of evidence in the beginning. I was called away to Parris Court as Govmt. witness/ and while away

Reuben Anderson ( my great uncle) the last one of the old Anderson family living, and the only witness ( known to me) except one died, and the choctaw council had adjourned. And in 1892 when it was necessary for all Choctaws or parties interested to "Register" and having previously filed my claimants Right of Citizenship. I called to Register. But the Registering Clerk refused to Register my name/ declaring that I had forfeited my right to citizenship, by failure to meet the Hon. Council to prove up my said right at the proper time. The Council has ignored me in every effort to establish my rights as a citizen of the Choctaw Nation, because I am unable now by living witnesses to prove the facts existing in a former generation. The witnesses to which have long since died. But the records show the names of these parties and their families to be Choctaws by blood. And that I am an heir of that family, and entitled to all the rights and benefits of a citizen of the Choctaw Nation

his  
Andrew J. X Crowson  
mark

Sworn to and subscribed to before me this 25th day of Aug. A.D. 1896

G. Crump

)SEAL)

Notary Public,

Souther District Ind. Ter.

A copy of this and affidavits has been filed with the Governor of the Choctaw Nation at Bagtown. I.T.

6

Brownsville I.T. Sept. 7th 1896.

I, G.W. Crump, Postmaster Brownsville I.T. hereby certify that  
.J. Crowson filed and registered in this Brownsville P.O. a true  
copy of all the papers forwarded to you in his claim together  
with afft. of the letters being registered giving numbers &  
also P.M.'s registered receipt and I also enclose P.O. deliveryn  
of said papers to the said Governor Gardner at Eagletown, I.T.

Witness my hand & seal on this sept. 7th, 1896.

G.W. Crump,

Notary Public.

Southern district I.T.

(SEAL)

and P.M.

Chickasaw Nation

County of Pickens I.T.

Before the undersigned authority this day personally appeared N.H. Pratt who being by me duly sworn on his oath says, that on the 27th day of August 1896, and the 7th day of Sept. 1896 I saw two packages registered at the postoffice at Brownsville Ind. Ter. addressed to Governor Gardner, Chief of the Choctaw Nation, at Eagletown Ind. Ter. That said registered receipts was nos. 13 and 18 Received from Postmaster hereunto attached are receipts for said packages which certain copies of the application of A.J. Growson and of the affidavits of Bud Axley and E.D. Whitehead in support of same.

N.H. Pratt

Sworn to and subscribed to before me this Sept. 5th, 1896.

G.W. Cump

Notary Public

(SEAL)

Southern District I.T.

8 51

COMMISSIONERS.

Henry L. Dawes.  
Frank C. Armstrong  
Arhibald S. McKennon  
Thomas B. Cabagiss  
Alexander B. Montgomery

H.M. Jacoway, Secretary.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Fort Smith Arkansas, Dec. 3, 1896.

719

---

A.J. Crowson et al.

Filed sept. 9, 1896.

vs

Answer filed.

Choctaw Nation

Application denied.

---

I, H.M. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Choctaw Record C. page 320 of the Commission to the five civilized tribes.

Given under my hand and official signature this the 6th day of February 1897.

H.M. Jacoway, Jr., Secretary.

By Henry Stroup, Act.

809

In Dist. Court Central Judicial District, Indian Territory.

A.J. Crowson

Appellant

vs----- Petition.

Choctaw Nation-----Appellee

For petition and cause of appeal herein the appellant says:  
That he is the son of <sup>d</sup>allie Crowson deceased, that the said  
gallie Crowson was the daughter of one James Anderson deceased,  
that the said James Anderson was a Choctaw Indian by blood, his  
said mother being onehalf Choctaw Indian by blood and appellant  
one fourth Choctaw Indian by blood.

That appellant is the father of Emma who has been heretofore  
married one Isaac Lee. Dora M. who has heretofore married one  
S.P. Carl. That the said Emma and Dora M. are over the age of  
21 years, and were at the time appellant presented his claim  
for citizenship hereinafter mentioned.

That besides the said Emma and Dora M. the appellant is the father  
of John Evan, Dora Ann, Pollie Belle and Reuben who are minors.

That his said daughter Emma Lee is the mother of one baby named  
Mary J. and his said daughter Dora M. Carl is the baby girl named  
Addie and a boy named \_\_\_\_\_ That on the \_\_\_\_\_ day of \_\_\_\_\_  
1896 appellant presented this application of himself and children  
to the said Dawes Commission for citizenship in the Choctaw  
Nation and also gave notice of said application to the appellee  
as required by law. That he presented to said Commission the  
evidence of himself Bud Axley and E.D. Whitehurst in support of  
his said claim. He further says that said Commission accepted and  
retained said papers and proof and have failed and neglected to  
give him any notice of the deposition made of said case.

Appellant charges upon information and belief that said Commis-  
sion have rejected his said claim upon the alleged ground that  
the evidence was not sufficient to warrant a finding in his favor.

10

which holding appellants charges is contrary to law and evidence.  
He therefore prosecutes this appeal and prays the court that the  
appellee and the Dawes Commission be required to file in said  
cause all the original evidence, documents, order and decree or  
a certified transcript thereof. That upon the final hearing of  
this cause the appellant and his said children and their children  
be declared entitled to citizenship in said Territory and enrolled  
as such and for all orders, decrees and proper relief.

Horton & Castleberry

Attys. for appellants.

*Handwritten notes:*  
- 117  
- 117  
- 117

*Handwritten number:* 117

Attys. for appellants.

Horton & Castleberry

as such and for all orders, decrees and proper relief.

be declared entitled to citizenship in said Territory and enrolled

this cause the appellant and his said children and their children

a certified transcript thereof. That upon the first hearing of

cause of the original evidence, documents, order and decree or

appeal and the Dawes Commission be returned to file in said

He th before prosecutes th is appeal and prays the court that the

which holding appellant charges is contrary to law and evidence.



IN THE UNITED STATES COURT FOR THE CENTRAL DISTRICT OF THE  
INDIAN TERRITORY AT SOUTH McALESTER.

-----o-----

A. J. Crowson et al-----Plaintiff.

vs-----A N S W E R.

The Choctaw Nation-----Defendant.

-----o-----

Comes now the Choctaw Nation, by its attorneys, and for answer to the petition for appeal filed by the plaintiff herein, says,

That it is not true that applicants are entitled to citizenship in the Choctaw Nation. And that it is not true that the Dawes Commission erred as alleged in said petition. Further answering, the Choctaw Nation says that it has heretofore filed its answer to the application of this plaintiff before the Dawes Commission, which said answer is hereby referred to and made part hereof, and having fully answered, appellee ~~furthex~~ prays that the judgment of the Dawes Commission be in all things affirmed

Wm. M. Gravens

Stuart Gordon & Hailey.

Attorneys for the Choctaw Nation

On this day personally appeared before me a Notary Public, W.H. Ritchey, A.W. Gardner who after being duly sworn deposes and says: My name is A.W. Gardner, I am 58 years old or thereabouts I live in purant, Ind. Ter. I talk the English language and understand it tolerably well. I remember the Anderson family of Indians. When I was a boy I remember having seen some of them near Doaksville Ind. Ter. I remember of these the names Jno. Sam, James David and Reuben Anderson. I saw part of them but don't think I saw all of them they were getting very old and it is possible some of them were dead when I first knew the family. James Anderson had seven children. I remember a girl named Gallie Anderson but it has been so long ago I don't remember much about her. I seems when I knew her she would had been married once but I don't remember her husband's name. I remember Sam Lawrence in the Ty. about Doaksville but don't remember much about them. I remember this girl Gallie Anderson went off to the States and married and several years after that a young man by name of A.J. Crowson came to the Ty. who was said to ber her son by her second husband but I do not know this to be a fact. He lives now somewhere west of her in the Chickasaw Nation Gallie Anderson showed to be considerable Indian. The Anderson family had a Choctaw name I think but I don't remember what it was. I am about a full blood Choctaw Indian about 3/4 I was born between Wheelock and Doaksville and raised until I was 10 or 12 years old near Doaksville.

Alfred W. Gardner.

1312

IN THE UNITED STATES COURT CENTRAL DISTRICT INDIAN TERRITORY.

A.J. Crowson et al-----appellants

vs-----Notice to take depositions.

Choctaw Nation-----Appellees.

To the Choctaw Nation.

The above named appellee.

You are hereby notified that the depositions of witnesses to be read in evidence on the part of the appellant will be taken at Durant Indian Territory in the R.E. Newell vacant storehouse, on the south side of Main Street in Blue County, Central Judicial District of the Indian Territory on the 12th day of July 1897 between the hours of eight o'clock in the forenoon and six o'clock in the afternoon. And that the taking of said depositions if not completed on that day will be continued from day to day at the same place and between the same hours until completed.

A.J. Crowson et al. Appellants.

By Horton & Gastleberry and

Wilkinson and Wilkinson.

Their attorneys.

Central Judicial District  
Indian Territory.

This is to certify that I have this the 9th day of July 1897, duly served the within notice by delivering a true copy thereof to James Gordon a member of the firm of Stewart, Gordon & Hailey, attorneys for the Choctaw Nation and by stating the contents thereof to him. At Durant Indian Territory.

Jas. Yarbrough.

U.S. Constable.

34  
14

In the <sup>U</sup>nited STATES DISTRICT COURT CENTRAL JUDICIAL DISTRICT INDIAN TERRITORY.

BEFORE THE HONORABLE W.H.H. CLAYTON:

AJ. Crowson et al-----Appellants

vs-----C A P T I O N.

The Choctaw <sup>N</sup>ation-----Appellee.

The depositions of E. Levsay, E.D. Whitehurst, AJ. Crowson, A.W. Gardner, taken on the 12th day of July 1897 between the hours of eight o'clock A.M. and 6 o'clock P.M. at the R.E. Sewell vacant store house building on the south side of Main street in the town of Durant Choctaw <sup>N</sup>ation, Central Judicial District Indian Territory, to be read in evidence on the part of the appellant in an action now pending in the <sup>U</sup>nited States Court for the Central District of the Indian Territory at So. McAeser, wherein A.J. Crowson et al. are appellants and the Choctaw <sup>N</sup>ation is appellee

1st. Mr. E. D. Whitehurst who after being duly sworn deposes and says: My name is E. D. Whitehurst, I live in pickens county, Chickasaw Nation. I will be 54 years old in Aug. 1897. I have known A. J. Crowson since 1867-8 I know his family, all his children resemble Indians very much some more than others. He has one daughter, Dora Missouri who is very much like an Indian. He has a great many Indian characteristics and has resemblance of an Indian. He has been recognized as a Choctaw ever since I knew him. when he was a young man he was more like an Indian, his general demeanor than now and talked the Choctaw language more than he has since he began to get old. I was acquainted with his half brother, Jno. Larrence and served the latter part of the war with him. He is now dead we belonged to the 4th Cherokee regiments. He had belonged to Beans Company which was made up along the Arkansas and Ty. line. This Larrence was said to be part Choctaw and looked to be one half or 1/4 Indian. Larrence told me while the war that his mother was a descendant of the Andersons and a daughter of James Anderson who was part Choctaw Indian. That he had a half brother by name of A. J. Crowson. I have since become acquainted with A. J. Crowson in 1867 or 68 and find him to be from the best information the same A. J. Crowson mentioned by Larrence. I am not financially or otherwise interested in this claim except Mr. Crowson is my neighbor and a good citizen and being confident that he is entitled to citizenship here I came to have this deposition without the formality of subpoena.

3rd. I have been acquainted with the Choctaws 40 yrs. having lived in the Ty. on the line of the Ty. with the exception of 3 yrs. I am acquainted their general manners and deportment.

E. D. WHITEHURST.

15

1st. Mr. E. Lievsay who after being duly sworn deposes and says:  
I live in Durant Choctaw <sup>in</sup> Nation. I am 59 years old, and am ac-  
quainted with A. J. Crowson and family. I have lived in the Ter'y.  
and on the line for 25 years. I am acquainted with the appearance  
of the Choctaws and also of Mr. Crowson and his family. He has some  
appearance of an Indian and his children look like an Indian than  
he, and especially his two girls are grown, one of them Dora  
Missouri is married to S P. Garl. I have known this girl 7 yrs.  
I have known the rest of the family 3 or 4 years.

E. Lievsay.

Mr. A. J. Crowson who after being duly sworn deposes and says:

My name is Andrew J. Crowson and am fifty three years old. I live in pickens County Chickasaw nation. I am a married man and am the father of the following children: Emma Crowson, nee Lee ages about 25 yrs. has been married to Isaac Lee about 8 yrs. and has by him the following children: May Josephine Lee and Minnie Lee ages Respt. 3 yrs. the other 3 months. My next oldest Dora Missouri Crowson aged about 24 years. she has intermarried with one S.G. Garl and has by him one child a girl named Addie Susan about 3 years old and my next is John Ivin Crowson 20 years old; Jennie Alice Crowson 17 years old; Belors Ann Crowson age 14 yrs. Polly Bell Crowson 3 years old. Reuben Anderson Crowson one year old. these are my children who are living and their children. I have some dead my daughters each have 2 or 3 who are dead, the ages I cannot say are exactly correct as I forgot to bring my family record with me, the two last mentioned of my children are by my second wife, the other by my first wife. I am the son of John Crowson who is now dead, I do not claim that he had any Indian blood if he had any blood it was Cherokee I am also the son of Gallie Crowson who was the lawful wife of Jno. Crowson above mentioned. I understood they were married in Arkansas about 55 or 60 years ago or longer? My mother is also dead has been dead since I was a boy. I remember her well she resembled an Indian very much and she claimed to be one fourth (1/4) Choctaw Indian. She was very dark with black hair and eyes and high cheek bones. She was the daughter of Jim Anderson who lived in Mississippi and was a half blood Choctaw Indian and moved from Miss. to Doaksville in the Indian Ty. sometime when my mother was a girl. He had four or five brothers. Jno. Sam, Dave and Reuben, these are the brothers of my mothers father.

17

I am informed that this generation of Andersons sprang from and are the descendants perhaps the sons of one Dave Anderson who is said to have been an Irishman who married a full blood Choctaw woman in Miss. many years ago.

If Geo. Samuel, David, Reuben or my grandfather James Anderson or either of them are the descendants are on the Choctaw records or have any right in the Ind. Ter. I am also entitled to my rights here. If they are not and I am not so entitled the Lord being my helper I do not want it. I will ask leave of the court to have the Choctaw records inspected and used as evidence in this case by exhibit or otherwise. I came to the Ty. in 1861 I came to make it my home and work with an Indian lady the widow of Robert Turnbull. In about two years after I came I was visiting my brother in Texas and was drafted into the service and went into the war. After I was married the first time I tried to get my wife to come to the Ty. and settle on land, the Choctaw Nation, as I had a right here. She refused to come, finally I and my friends got her to come, after we came here about December 1890 we had been here 2 years she died.

believing I could do better, I located in the Chickasaw Nation and owned a splendid farm where I live and have owned it five years and been living on it four. My daughters who are married and their husbands and families live near in the Chickasaw Nation, my other children are living with me except one of my daughters who part of the time lives with one of her married sisters.

I bought the above mentioned farm from Mrs. Murrinan who I was informed was an Indian citizen and in fact was. I have endeavored to comply with Indian laws and have made a good citizen. I am so far recognized that I am not required to pay a permit and when the census was taken about 1890 Charley Colbert who is an Indian came to the field and hunted me up to get our census which he



sent to the Sec. of the Interior. All of my children resemble Indians one of them a girl Dora Missouri, looks to be almost a full blood some of them resemble Indians more than others. My mother had been married twice she first married Jim Larrence who I am informed was a Choctaw Indian; she married at poaksville Ind. Ty. She had by him the following children: Geo. Larrence, Lousanna Larrence, James Larrence, Adam Larrence Jno. and Jim Larrence. After James Larrence died she married my father, this marriage was some 70 or 75 yrs. ago. These parties some or all of them were recognized Choctaw Indians. My mother was informed was then recognized as a Choctaw citizen under the laws in force in the Ty. at that time.

witness to mark:

his  
A. J. X Crowson  
mark

W.H. Ritchie.

N.P.

Notary Fee \$5.00

Witness 4.50

Constable .50  

---

10.00

Paid by A.J. Crowson.

1019

United States of America  
Central Judicial District  
Indian Territory

C E R T I F I C A T E.

I, W.H. Ritchie, a duly appointed and qualified and acting Notary Public within and for the Central Judicial District of the Indian Territory do hereby certify that the foregoing deposition of E. Levisay, E.D. Whitehurst, A.J. Crowson, A.W. Gardner were taken before me and were read to and subscribed by them in my presence at the time and place and in the action mentioned in the caption, the said witnesses, E. Levisay, E.D. Whitehurst, A.J. Crowson, A.W. Gardner having been first sworn by me that the evidence they should give in the action should be the truth the whole truth and nothing but the truth and that their statements were reduced to writing by me in their presence and was read to and subscribed by them in my presence. The appellant being present in person and by attorney.

W.H. Ritchie

(SEAL)

Notary Public.

20

In the United States court in the Indian Territory Central District  
at South McAlester.

A. J. Growson et al-----Plaintiffs.

vs-----Report of special Master.

The Choctaw Nation-----Defendant.

*B. J. Growson*  
This cause was duly filed before the Dawes Commission on  
September 9, 1896, the plaintiff claiming citizenship as Choctaw  
Indians by blood; the defendant answered or pleaded, denying  
the jurisdiction and authority of the Dawes Commission hear and  
determine the cause, and denying the legality of the rules and  
procedure of the Dawes Commission, and denying that the evidence  
aduced in the case was sufficient to establish plaintiff's claims  
to citizenship.

The Dawes Commission gave judgment for the defendant on  
the December 3, 1896, from which the plaintiffs appealed.  
I find from the evidence that the plaintiff is a one eighth blood  
Choctaw  $\frac{1}{8}$  Indian and has lived in the Choctaw and Chickasaw Nations  
continuously for a number of years; no application was made before  
the Dawes Commission for his children.

Respectfully submitted this 27 day of August, 1897.

W. B. Rutherford

Special Master in Chancery.

7/1/97

A. J. Crowson,

vs No. 74. Judgment, Central District, Aug. 27, 1897.

Choctaw nation.

Be it remembered that on this 27 day of August 1897, it being one of the days of the regular April A. D. 1897, term of this court came on for hearing the matter of the petition of A. J. Crowson for enrollment as a member of the Choctaw Tribe of Indians. The petitioner and the Choctaw nation both appearing by attorneys and the Court having seen and heard the pleading and the evidence adduced in the cause, and being fully advised in the premises, doth find that the said A. J. Crowson is a Choctaw Indian by blood, and that he is under the law and evidence, entitled to enrollment as a member of the Choctaw Tribe of Indians, and doth therefore, order and adjudge and decree that the name of the said A. J. Crowson be enrolled by the Commission to the Five Civilized Tribes as a member by blood of the Choctaw Tribe of Indians, and it is further ordered and adjudged that the said A. J. Crowson have and recover of the Choctaw Nation of Indians all his costs in this behalf expended, for which let execution issue.

In the United States Court for the  
Indian Territory - Central District.

A. J. Crewson et al  
vs

The Choctaw Nation -

Wilson Jones after first being  
duly sworn on his oath says - I  
am about 67 years of age, a Cho-  
ctaw by blood recognized as such  
a resident of Jackson Co. Cho-  
ctaw Nation - I knew the  
Andersons who lived in Red River  
County - They were Sam. Ander-  
son and his children - They were  
Choctaws - One of the children  
was Tom. Anderson - I don't  
remember that any of these chil-  
dren was Jim Anderson - I  
do not remember of any of the  
Andersons marrying a white  
man by the name of Lawrence  
or Crewson - The only Law-  
rences that I know are of the  
Fisher stock of people - The  
Andersons that I knew all died down  
in that Red River Country -

Wilson N. Jones

Sworn to & subscribed before me  
this May 23, 1898.

A. Telle, Notary Public

74  
A. J. Crawson et al.

vs.

The Choctaw Nation

Affidavit of H. N. Jones

South McAlester, Indian Territory, June 10, 1903.

REPORT OF P. H. HUBBARD, INDIAN COMMISSIONER,  
South McAlester, Indian Territory, OF  
"COURT CLAIMANT" June 4, 1903. WITNESSES  
LIVING AT DURANT, INDIAN TERRITORY.

In the case of A. J. Crowson, et al, I was directed to see A. W. Gardner of Durant, and to take LETTER OF INSTRUCTIONS IN THE MATTER OF "COURT CLAIMANT" CITIZENSHIP WITNESSES LIVING AT DURANT, INDIAN TERRITORY. It will be seen that Mr. Gardner knows nothing in the world about the case.  
TO . . . . .

In the case of *A.J.* Crowson, et al., S-124, applicants claim that A.J. Crowson is the son of Sallie Crowson, that her father was James Anderson and that he was a halfbreed Choctaw Indian.

A.W. Gardner, of Durant, Indian Territory, gave testimony in the above entitled case and stated that he knew the Anderson family of Indians; he remembers the names of John, Sam, James, David and Reuben Anderson, that James Anderson had seven children, among them a girl named Sallie. He remembers Sam Lawrence who is said to have been Sallie's first husband; remembers that Sallie Anderson went off to the States and married the second time, knows that she is a Choctaw by blood. We think that this testimony is untrue, and you are directed to see A.W. Gardner and, if possible, show by him that said testimony is untrue.

*Attached to*

South McAlester, Indian Territory,  
June 4, 1903.

LETTER OF INSTRUCTIONS IN THE MATTER OF "COURT  
CLAIMANT" CITIZENSHIP WITNESSES LIVING AT DURANT,  
INDIAN TERRITORY.

TO . . . . .

In the case of *A.J.* Crowson, et al., S-124,  
applicants claim that A.J. Crowson is the son of Sallie  
Crowson, that her father was James Anderson and that  
he was a halfbreed Choctaw Indian.

A.W. Gardner, of Durant, Indian Territory,  
gave testimony in the above entitled case and stated  
that he knew the Anderson family of Indians; he remem-  
bers the names of John, Sam, James, David and Reuben  
Anderson, that James Anderson had seven children, among  
them a girl named Sallie. He remembers Sam Lawrence  
who is said to have been Sallie's first husband; remem-  
bers that Sallie Anderson went off to the States and mar-  
ried the second time, knows that she is a Choctaw by blood.  
We think that this testimony is untrue, and you are di-  
rected to see A.W. Gardner and, if possible, show by him  
that said testimony is untrue.

attached to

~~\_\_\_\_\_~~



South McAlester, Indian Territory, June 10, 1903.

REPORT OF D. A. RICHARDSON IN THE MATTER OF  
"COURT CLAIMANT" CITIZENSHIP WITNESSES  
LIVING AT DURANT, INDIAN TERRITORY.

In the case of A. J. Crowson, et al, I was directed to see A. W. Gardner of Durant, and to take his statement in that case. Mr. Gardner had previously given an affidavit in said case. I saw him and took the affidavit appended hereto. It will be seen that Mr. Gardner knows nothing in the world about the case.

1 Indian Territory (Central District)

2  
3 My name is A.W. Gardner. I am  
4 56 years of age, and live at Durant, Ok.

5 I once knew a James Anderson. He lived here  
6 close to Durant, but he ~~lived~~ moved away across  
7 Blue River. He moved about ~~10 years ago~~ twenty  
8 years ago. I have never seen him nor heard from  
9 him since he left. I think that he is dead now. I  
10 think that he has been dead about 15 years. He  
11 was a married man. He was a full blood Chollaw  
12 Indian. I think he had about four children. One  
13 was named Sallie, one named Amos, one John,  
14 and one girl whose name I have forgotten.  
15 One of the girls died unmarried, & I don't remember  
16 which one it was. The other girl married a  
17 white man by the name of Love. I have ~~never~~  
18 known or heard of any people by the name of  
19 Crowson - I have never known or heard of any such  
20 persons as John Lawrence or James Lawrence.

21 A.W. Gardner

22 Subscribed & sworn to before me this 8<sup>th</sup> day of June, 1903,

23 D.A. Richardson,

24 Notary Public  
25  
26  
27  
28  
29  
30  
31  
32





A. J. Cowson, et al

Affidavit of A. W. Gordon

Faint, mostly illegible handwritten text on lined paper, likely a legal document or affidavit.

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,

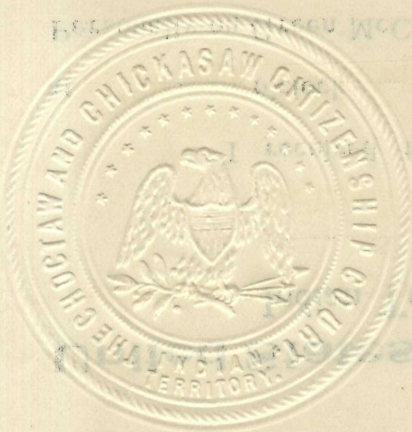
GREETING:

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 South Mc Alester, by A.J.Crowson, 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 A.J.Crowson, et al, File No. 74 in the District Court for the Central, 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 Central, District, Indian Territory, has been attached thereto.

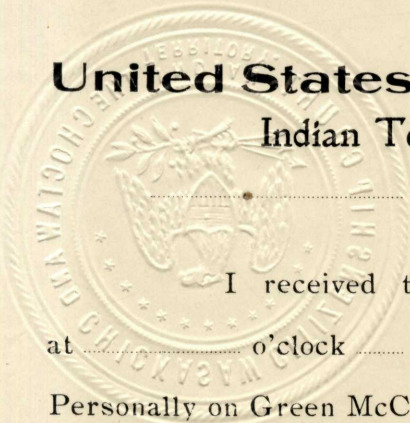
WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this 25 day of March A. D., 1903.



James B. Cassada Clerk. By Deputy.

MARSHAL'S RETURN.

United States of America,  
Indian Territory,  
DISTRICT.



I received this summons this \_\_\_\_\_ of \_\_\_\_\_ A. D., 1903,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m. and served same by copy, as follows:  
Personally on Green McCurtain, at \_\_\_\_\_ Indian Territory,  
This \_\_\_\_\_ day of \_\_\_\_\_, 1903, \_\_\_\_\_ m.

By \_\_\_\_\_ Deputy.

*Duplicate*  
No. 124-42

**SUMMONS**  
**INEQUITY.**

*A. J. Lawson et al*  
vs.  
Choctaw and Chickasaw Nations.

Summons issued *25-* day of  
March, 1903. Returnable instanter.

**Marshal's Fees.**

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

*A. N. Fisher*  
Attorneys for Plaintiff.  
*S. M. Martin*

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 South Mc Alester, by A.J. Crowson, 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 A.J. Crowson, et al, File No. 74 in the District Court for the Central, 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 Central, 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 25 day of March A. D., 1903.

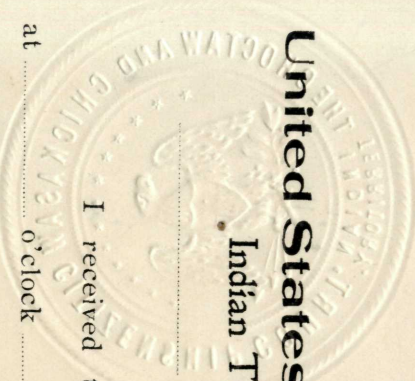
James B. Crossen Clerk.  
By Deputy.



MARSHAL'S RETURN

MARSHAL'S RETURN.

United States of America,  
Indian Territory,  
DISTRICT.



I received this summons this \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_ A. D., 1903,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m. and served same by copy, as follows: \_\_\_\_\_  
Personally on P. S. Moseley, at \_\_\_\_\_  
This \_\_\_\_\_ day of \_\_\_\_\_, 1903, \_\_\_\_\_ m.

By \_\_\_\_\_ Deputy.

the certificate of the clerk of said court for said \_\_\_\_\_ District Indian Territory,  
Indian Territory, has been transmitted to the Choctaw and Chickasaw Citizenship Court, and that  
File No. \_\_\_\_\_ in the District Court for the \_\_\_\_\_ District of the  
that the papers, files and proceedings in the case of \_\_\_\_\_  
And you are further commanded to notify said P. S. Moseley Governor aforesaid,  
complaint will be taken or confessed, and you will make return of the summons instantler.

Duplicate  
No 124 - m

SUMMONS  
IN EQUITY.

A. J. Crowson et al  
vs.  
Choctaw and Chickasaw Nations.

Summons issued \_\_\_\_\_ day of  
March, 1903. Returnable instantler.

Marshal's Fees.

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

L. N. Fisher  
Attorneys for Plaintiff.  
Lo Me Alister J. T

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

See Judge Lewis.

Reuben Anderson's father was named Daniel Anderson. Reuben had sister named Fannie. She married a half breed Choctaw named John Spring. He was the father of Gov. McClintock's present wife.

Daniel Anderson had another family of children by his first wife, who settled in the Southeast part of the Nation.

Jacob Jones of Nelson Co. is one of the descendants of Anderson's first wife, and can inform us about them.



SYNOPSIS OF THE A.J.CROWSON, ET AL, CASE.

Application states that A.J.Crowson is entitled to enrollemnt as a Choctaw by blood. (But does not state in what way.) That he put in his application in 1890;but was called away as a witness in the U.S. Court at Paris. On his return the Council told him that he had forfeited his claim through negligence. Applicant put in a farm in the Chickasaw Nation and has lived on for several years without objection from any source.

Application denied by Dawes Commission. Appealed to U.S.Court. Referred to W.B.Rutherford, Special Master, who found that the applicant was one-eighth Choctaw by blood, and that he had made no application for his children.

#####

AFFIDAVITS BEFORE DAWES COMMISSION.

BUD AXLEY says that he has known A.J.Crowson and his people for about forty four years, and that it has been his understanding during all that time that A.J.Crowson was the son of Sallie Crowson, who was the Daughter of James Anderson, which latter was known as and considered to be a Choctaw Indian of the half blood. Deponent got this information from hearing old people talk of the history of the Andersons and their descendants.

E.D.WHITEHURST says that John Larrence and himself belonged to the 4th Regiment of Cherokee Volunteers Cavalry during the Civil War. That affiant was well acquainted with John Larrence, and has heard him say that he was the son of Sallie and James Larrence. Also heard him say that he had a brother by the name of A.J.Crowson. John Larrence further said that his mother was a quarter blood Choctaw Indian. Larrence had the appearance of an Indian and it was generally understood and believed by the regiment that he was part Choctaw. In 1868 affiant became acquainted with A.J.Crowson, and he can see in Crowson a resemblance to John Larrence. It was generally understood from all the old people that Sallie Larrence was a Quarter Choctaw Indian. It is also generally understood that A.J.Crowson is a lawful son of Sallie Larrence by her later marriage to John Crowson. It has been generally understood that Sallie Larrence was the daughter of James Anderson who was understood to be Choctaw.

A.J.CROWSON, the applicant, says that he is the son of John and Saal Crowson, and that Saallie Crowson was the daughter of James Anderson, who was the son of David Anderson and a full blood Choctaw woman whose name is unknown to applicant. By said Choctaw woman David Anderson raised five sons, the youngest of whom

est of whom was Reuben whose name applicant knows to be on the Choctaw record  
Among the five sons was the James Anderson mentioned above. His daughter,  
Sallie Anderson, married James Lawrence of Choctaw blood, and by him had five  
sons and two daughters. The two girls the applicant thinks are on the Choctaw  
roll. After the death of James Lawrence Sallie married John Crowson in Dan-  
ville Ark. about 1841 or 1842, by whom she had the present applicant, her son.  
Applicant says that the Choctaw Council has ignored him throughout.

##### DEPOSITIONS.

A.W.GARDNER, of Durant, I.T., says that he remembers the Anderson  
family of Indians. As a boy he saw some of them near Doaksville, I.T.; remem-  
bers the names of John, Sam, James, David, and Reuben Anderson. Remembers a girl  
named Sallie, the daughter of James Anderson, but does not remember much about  
her. It seems to him that she had been married, but does not remember her  
husband's name. Remembers Sam Lawrence in the Territory near Doaksville, but  
does not remember much about him. Remembers that Sallie went to one of the  
states and married; and several years after a young man by the name of A.J.  
Crowson came to the Territory and said that he was her son by her second  
husband; but deponent does not know this to be a fact. Deponent is a 3/4 Cho-  
ctaw Indian by blood.

E.D.WHITEHURST knows the applicant. His complexion, physical appear-  
ance, etc. Deposition same as Whitehurst's affidavit.

E.LIEVSAY testifies to the complexion, appearance, etc of the appli-  
cant.

A.J.CROWSON, same as his affidavit, except that he says that he came  
here in 1861. That about two years thereafter he was visiting his brother in  
Texas and was drafted into the army. Did not come back then until 1890. HE  
owns a farm in the Chickasaw Nation. Is not required to pay any permits.

#####

CONCLUSIONS.

v There is no evidence to show that the applicant has any Indian blo  
blood.

He was a non-resident until 1890 .

He was born in Arkansas.

REPORT ON THE PRESENT STATUS OF THE A.J.CROWSON CASE.

A.J.Crowson applied to the Dawes Commission in his own behalf, and did not include in his said application his wife, his children, or any other person. He was denied by the Commission, and appealed to the United States Court, and in said appeal he included the names of his children.

W.B.Rutherford, Special Master in Chancery, found the applicant to be an eighth blood Indian entitled to enrollment; he also found that the names of the applicant's children had not been included in his application to the Commission. The Court rendered judgment only in favor of Crowson, not mentioning his children.

-----  
The applicant claims that he is the son of Sallie Crowson, a half blood Choctaw, and that she was the daughter of James Anderson, a full blood Choctaw.

-----  
Bud Axley, age and Post office not given, made an affidavit in 1896, in which he stated that he had known A.J.Crowson and his people about 44 years; and that it has been his understanding through the family history that A.J.Crowson was the son of Sallie Crowson, and that her father was James Anderson, who was generally known and considered to be a half breed Choctaw Indian. Witness learned this by hearing old people talk of the history of the Andersons and their descendants.

This witness has not qualified himself to give hearsay evidence upon any phase of this case. It does not appear that the witness has ever been seen. His affidavit is incompetent and immaterial; and needs no refutation.

-----  
E.D.Whitehurst, age and post office not given, made an affidavit in 1896, stating that he was in the same regiment with John Larrence during the Civil War, and was well acquainted with him. That he has heard John Larrence say that he, Larrence, was the son of James and

Sally Larrence, and that he had a half brother by the name of A.J. Crowson. Has heard Larrence say that his mother was a quarter blood Choctaw Indian. Has since become acquainted with A.J. Crowson, and sees a resemblance between him and John Larrence. Has always understood that A.J. Crowson was the son of Sally Larrence by her later marriage to John Crowson; and that Sally Larrence was the son of James Anderson, a Choctaw Indian.

It does not appear that this witness has ever been seen. His testimony is incompetent, and needs no refutation.

-----

A.J. Crowson himself made an affidavit in 1896 in which he stated his genealogy as follows: That David Anderson, a white man, married a full blood Choctaw woman whose name is unknown to affiant, and that James Anderson was the issue of that marriage. That Sallie Anderson, this affiant's mother, was the daughter of James Anderson.

-----

A.W. Gardner of Durant made an affidavit in this applicant's behalf, stating inferentially the relationship stated and relied upon by this applicant. A.W. Gardner subsequently made an affidavit before D.A. Richardson wholly at variance with his former evidence. A.W. Gardner is now dead.

-----

Wilson N. Jones made an affidavit in 1898 before A. Telle showing the true relationship of the Anderson family of Choctaw Indians. Wilson N. Jones is now dead.

-----

A note attached to the synopsis of this case states that Reuben Anderson's father was named David Anderson. (Applicant claims that Reuben Anderson was James Anderson's son) That Reuben had a sister named Sallie; that she married a half breed Choctaw named John Spring; that he was the father of Governor McCurtains present wife. Also that Jacob Jones, of Jackson County, is one of the descendants of Reuben Anderson, and knows of the family relationship.

Jacob Jones and Mrs. Green McCurtain should be summoned in this case.

The applicant has not made out a ~~showing~~ case on his own showing.

In The Choctaw And Chickasaw Citizenship Court

At South McAlester

A. J. Crowson Et Al

Vs The Choctaw and Chickasaw Nations

The Petitioner A. J. Crowson Respect fully shows to the Court That In The year 1896 He Made Application in Behalf of Himself and His family a apt time according to law to the Dawes Commission for enrollment as Citizens of the Choctaw Nation accompanied by proof of the right of him self and his said family in the form of Affidavits as required by the said Commission which Application was by said Commission rejected. That himself and his said family , to wit; Emma Lee, Missouri Gorrell, John E Crowson Jennie Alice Thurman Dolores A Lee Polly Belle Crowson Reuben A Crowson His wife <sup>Elizabeth</sup> Crowson Andrew Jackson Crowson Mary Ellen Crowson are of right Citizens of the Choctaw Nation and ~~are~~ ~~entitled~~ to be enrolled as such that Andrew Jackson Crowson and Mary Ellen Crowson were born since the Application was made to the Dawes Commission and should have been enrolled by the Dawes Commission on upon later Application , ut that upon application made in behalf of Andrew J Crowson to the said Commission said Andrew J was at first accepted for enr~~ol~~ enrollment and afterwards refused By said Commission

*reinstated*

That upon the Denial by said Commission of his said Application for enr~~ol~~ enrollment Petitioner Appealed according to Law to the united States Court at South McAlester .

His Case was upon the Docket of said Court styled A. J. Crowson Vs The Choctaw Nation No. 74. That said Court thereafter rendered Judgement in his favor and That the Record is silent as to any Decision as to all the Aforesaid Members of his family. Said Judgement having been set aside by This Court;

The Premises Considered and to the end that Justice may be done Petitioner A. J. Crowson Prays that said Cause may be transferred to this a Court and That this said wife and Children above named be made more formally Parties hereto and they together with Petitioner may be adjudged to be Citizens of the Choctaw Nation. And Petitioner will ever Pray Etc.

*J. N. Austin*

A. J. Crowson Being sworn says that the matters and things in the above Petition are true to the best of his knowledge an belief

-----

Subscribed and sworn to before me this 17th Day of March 1903

-----  
Clerk Choctaw and Chickasaw Citizenship Court  
-----  
----- the 17th day of March 1903 he deliv

In the Choctaw and Chickasaw Citizenship Court, sitting at South McAlester, in the Central District of the Indian Territory,  
March Term, 1904.

A. J. Crowson, et al., :  
vs. : No. 124.  
Choctaw and Chickasaw Nations. :

DECREE OF COURT.

On this 21st day of March, 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 plaintiff A. J. Crowson is not entitled to be declared a citizen of the Choctaw Nation, or to enrollment as such, or to any rights whatever flowing therefrom; and the Court doth further find that it has no jurisdiction over the petitioners Emma Lee, Missouri Gorrell, John E. Crowson, Jennie Alice Thurman, Dolores A. Lee, Polly Belle Crowson, Reuben A. Crowson, Elizabeth Crowson, Andrew Jackson Crowson, and Mary Ellen Crowson.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiff A. J. Crowson, be denied, and that he be declared not a citizen of the Choctaw Nation, and not entitled to enrollment as such, and not entitled to any rights whatever flowing therefrom; and as to the petitioners Emma Lee, Missouri Gorrell, John E. Crowson, Jennie Alice Thurman, Dolores A. Lee, Polly Belle Crowson, Reuben A. Crowson, Elizabeth Crowson, Andrew Jackson Crowson, and Mary Ellen Crowson, the Court having

no jurisdiction, their petition is dismissed.

.....  
Chief Judge.

.....  
Associate Judge.

.....  
Associate Judge.



IN THE CHOCTAW AND CHICKASAW CITIZENSHIP  
COURT, SITTING AT SOUTH McALESTER, INDIAN  
TERRITORY, MARCH TERM,  
1904.

.....

A. J. Crowson, et al.,		
vs.		NO. 124.
Choctaw and Chickasaw Nations.		

.....

STATEMENT OF CASE AND OPINION  
BY ADAMS, CHIEF JUDGE.

.....

The record in this case discloses the fact that A. J. Crowson filed a petition before the Commission to the Five Civilized Tribes, on the 25th day of August, 1896, alleging that he was a Choctaw Indian by blood, and asking that he be declared and enrolled as such. This application was denied by the Commission, and the applicant then appealed his case to the United States Court for the Central District of the Indian Territory, where the same came on to be heard on the 27th day of August, 1897, when the plaintiff, A. J. Crowson, was declared by said Court to be a Choctaw Indian by blood.

After this judgment was declared to be void by this Court, as were all similar judgments, the plaintiff A. J. Crowson, filed a petition in this Court for himself and eleven other persons, who, as he alleges, are his children, except one, who he alleges is his wife.

In this petition plaintiffs allege that they are all Choctaw Indians and entitled to enrollment as such. Plaintiffs further allege in this petition, which is sworn to by plaintiff A. J. Crowson, that he and these other eleven plaintiffs filed a petition with the Dawes Commission, asking for enrollment. Plaintiffs further ask in this petition that their case be transferred to this Court for trial, which is done.

The record shows that none of these applicants applied to the Dawes Commission in 1896, or any other time, for enrollment, except the applicant, A. J. Crowson; and none of the other plaintiffs are mentioned in the judgment of the United States Court for the Central District of the Indian Territory. So there is <sup>one</sup> no A properly before this Court except A. J. Crowson.

When the case came on for trial, plaintiffs' attorney, T. H. Foster, introduced as evidence the record in the case, the same consisting of several ex parte affidavits, and there is no evidence that the witnesses who made these affidavits, are <sup>dead</sup> or beyond the limits of the Territory.

There is no competent evidence which tends to show that the plaintiff A. J. Crowson is a Choctaw Indian.

I am, therefore, of the opinion that his application should be denied.

(Signed) Spencer B. Adams,  
Chief Judge.

We concur:

(Signed) Walter L. Weaver,  
Associate Judge.

Henry S. Foote,  
Associate Judge.

Cass No. 124

A. J. Crowson, et al.  
A. J. Crowson  
Emma Lee  
Merrill Garrall  
John E. Crowson  
Jennie Alice Thurman  
Darius A. Lee  
Lucy Belle Crowson  
Reuben A. Crowson  
Elizabeth Crowson  
Andrew Jackson Crowson  
Mary Ellen Crowson

A. J. Crowson, et al,

Testimony for Nations

Applicants have taken no testimony.

Record incompetent. No testimony  
showing death of witnesses or otherwise.

Nations have made investigation &  
can show that allegations are false.  
Ask for judgment on record.

Demitted by Navas Com. Dec. 3, '96  
 Admitted U. S. Court, Aug. 27, '97

Moved from Miss. to  
 Waukesha, Wis.

1770.

(Frishtman)  
 David Anderson  
 married  
 unknown fair blood

1790

James Anderson  
 1/2  
 John, Saml, David  
 and Reuben Anderson

married 1840

John Crowson  
 married

Sally Crowson  
 by a former  
 husband

James Lawrence  
 about 1826  
 and his son born  
 about 1810.

also  
 Jennie Anderson  
 Susan "  
 James "  
 Saml "

came to Treaty in  
 1861 went to  
 Texas in 1863  
 and returned 1890. 53

A. J. Crowson

Emma Lee { Mary J. Lee  
 Annie J.  
 Nora Carl. { (Child unnamed  
 Addie Susan)  
 Jennie A. Crowson  
 John E. Crowson  
 Melissa Ann Crowson  
 Polly Belle Crowson  
 Reuben Crowson

John Lawrence  
 George "  
 Saml "  
 Ann "  
 James "  
 Susan "  
 Jane "

Bud Aley.  
 E. W. Whitehurst  
 A. J. Crowson  
 Alfred W. Gardner.  
 E. W. Whitehurst.  
 O. Lewisay

Copy

Before the Commission to the five civilized Tribes,

St. Louis, Ind. Mo.

To the Honorable, The Commission to the five civilized Tribes.

Your petitioner, John E. Brownson, Mrs Ann Brownson, Pallas Belle Brownson, Jennie Brownson, and Reuben Brownson by their next friends <sup>and sister</sup> Emma Lee and father, A. J. Crouson, and Mary J. Lee and Mittie A. Lee by their next friend and mother, Emma Lee, and Emma Lee in her own right and behalf, and in behalf of the said John E. Brownson, Mrs Ann, Pallas Belle Jennie and Reuben Brownson, and Dora M. Earl in her own behalf and Addie Earl by her next friend and mother, the aforesaid, Dora M. Earl, respectfully represent and show to your honorable body, that they are each the descendants of the aforesaid A. J. Crouson, the aforesaid Emma Lee, Dora M. Earl, John E. Brownson, Mrs Ann Brownson, Pallas Belle Brownson, Jennie Brownson and Reuben Brownson, being the lawful children of the aforesaid A. J. Crouson and the aforesaid, Mary J. Lee, Mittie A. Lee and Addie Earl being the lawful grandchildren of the aforesaid A. J. Crouson.

Your petitioner further show that the aforesaid A. J. Crouson obtained a judgment in

the United States Court at South McAlester  
Central District of the Indian Territory, order-  
ing and directing and decreeing that his  
Name be enrolled as a member by blood  
of the Choctaw tribe of Indians, <sup>a certified copy of</sup> the said  
judgment being obtained on the 27. day of  
August 1897, As shown by a certified Copy of  
the same, Attached hereto, and make a  
part thereof, and Marked Exhibit A."

Wherefore, the premises considered, your  
petitioners pray, that their names be en-  
rolled as members of the Choctaw tribe  
of Indians. *J. R. Wilkinson,*  
attorney for petitioners

I, Emma Lee do solemnly swear that the facts  
set forth in the foregoing petition are true.  
Emma Lee

Subscribed and sworn to before me this  
28 day of Aug. 1897 *L. D. Horton*  
Notary Public.



Post office Address of all the  
applicants.

Woodville,  
Ind. T.

Copy

United States of America  
Central Judicial District  
Indian Territory

Affidavit

I Emma Lu do solemnly swear that I am a resident of the Chickasaw nation An An more than 21, years old. I am the daughter of A. J. Gousson who was admitted to citizenship in the Choctaw Nation on the 27 day of August 1887 by Judge Clayton at So. McAlester, I am a sister of John E. Gousson, Elvora Ann Gousson, Pallas Belle Gousson, Jennie Gousson, and Ruben Gousson Dora M. Goul. All of said brother and sister being the <sup>legitimate</sup> children of A. J. Gousson of record. I am the mother a May J. Lu and Mittie A Lu and Dora M. Goul in the mother of Aeddie Goul, said May J. Lu, Mittie A Lu and Aeddie Goul being the grand children <sup>of</sup> of A. J. Gousson. We all live at and near the Gousson Crossing on Washalton river. Said A. J. Gousson, myself, my brother and sisters and our children are all living in the same neighborhood and in the Chickasaw Nation about 15 miles west of Durant, Ind. Ter.



and bone lined here from 5 to 10 years. My  
father has lived in the <sup>land</sup> territory most of his  
life. The ages of the children as I re-  
member them are about as follows:  
My age is 25 years, Pora M. Earl 23 years, John  
E. Crosson 20 years, Mrs Ann Crosson 14 year  
Pellie Belle Crosson 6 years, Jessie Crosson  
16 or 17 years Ruth Crosson 4 or 5 years  
May J. Lee 2 1/2 yrs, Millie A. Lee 1 year and  
Aldice Earl 3 year old. My father, A. J.  
Crosson is now in Texas.

We are all Choctaw Indians by blood.

Emma Lee  
Subscribed and sworn to before

Me this the 28 day of August 1897

L. D. Horton

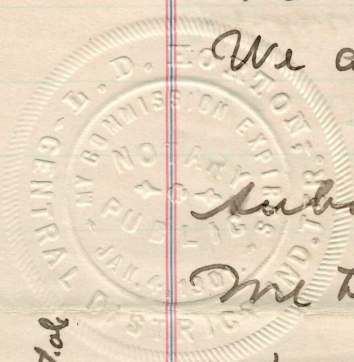
Notary Public

Petition of Emma Lee et al  
for Enrollment.

Post office of all the  
applicants:

Woodville,  
Ind. Ter

Copy



copy

Be it remembered that on this 27. day of Aug,  
 1897, it being one of the days of the regular  
 April 1897, term of this Court, Came on for  
 hearing the matter of the petition of A. J.  
 Crouson for enrollment as a member of the  
 Choctaw tribe of Indians, The petitioners  
 and the Choctaw Nation ~~and~~ <sup>both</sup> appeared by  
 attorneys, and the Court having seen  
 and heard the pleadings and the evidence  
 produced in the cause, and being fully  
 advised in the premises, doth find, that the  
 said A. J. Crouson, is a Choctaw Indian by  
 blood, and is under the law and the evidence  
 entitled to enrollment as a member of the  
 Choctaw tribe of Indians and doth therefore  
 order and adjudge that the <sup>name of the</sup> said A. J. Crow-  
 son be, <sup>enrolled by the Commission to the Five Civilized Tribes</sup> ~~and be~~ <sup>enrolled</sup> ~~as a member~~ <sup>of the</sup> said Choctaw  
 tribe of Indians, and it is further  
 ordered, adjudged and ~~decided~~ that the  
 said A. J. Crouson have and recover  
 of the Choctaw Nation or tribe of Indi-  
 ans, and his costs in this behalf ex-  
 pended, for which let execution issue

Ex- A."

In the Choctaw & Chickasaw Citizenship Court, sitting  
at Park McAlester, March Term, 1904.

A. J. Crowson, et al,

vs

No 124.

Choctaw & Chickasaw Nations.

Memorandum of Arguments for Nations.

A. J. Crowson claims that he is the  
son of Follie Crowson, an alleged quarter blood  
Choctaw Indian, ~~and~~ who was the daughter of  
one James Anderson, ~~who was~~ <sup>is</sup> alleged to ~~be~~  
~~a half~~ have been a half ~~blood~~ <sup>breed</sup> Choctaw;  
and that James Anderson was the son of  
one David Anderson, a white man, and ~~of~~ a  
~~full~~ full blood Choctaw woman <sup>his wife,</sup> whose name is  
unknown.

This claimant has not seen fit to introduce  
any evidence before this court in support of  
his claim, not even appearing ~~himself~~ in  
his own behalf. His attorney has introduced  
the ~~Dawson~~ record made before the Dawson  
Commission and the United States Court; but  
as we have always contended, that is incompe-  
tent as evidence here. ~~The P. D. Bureau~~ <sup>the Court has</sup>  
~~had examples of such~~ ~~cases and the J. H. Anderson case are samples~~  
~~of the frauds that may be perpetrated and~~  
~~subsequent of, in part evidence. (over)~~

Aside from the question of Competency, the Court has had ample proofs of the facts and wrongs attempted to be perpetrated by the use of such evidence, in the former trial of these cases and the manner in which the ~~partial~~ property of the Choctaws & Chickasaws thereby cruelly perjured -

As we stated to the court in submitting this case, we have made a careful investigation of <sup>the facts originally alleged</sup> ~~it~~, and we are prepared to refute <sup>them</sup> ~~it~~ by competent and positive evidence. <sup>if they had been alleged or attempted to be proven in this Court.</sup> We have not felt called upon, <sup>I however</sup> ~~however~~, to first prove and then first make out ~~to~~ ~~expense and~~ ~~trouble on~~ ~~trouble and~~ ~~expense of~~ <sup>first</sup> making out applicants' case & then disproving it; and upon their failure to produce adduce competent evidence in their behalf, ~~we have no proper course except to ask for judgment~~ <sup>we have no proper course except to ask for judgment</sup> ~~we have no proper course except to ask for judgment~~

We have also to state that there is not an affidavit or deposition in the record, with the exception of that of the applicant A. J. Crowson himself, which, <sup>the statements therein contained were</sup> if given in oral testimony before this court, would be competent to prove the race & blood of the petitioner.

We respectfully submit that the applicants should be denied.

attorneys for Chetwoschickson Nations

South McAlester, Indian Territory,  
June 30, 1903.

A.J. Crowson, et al.,

vs.

South McAlester, No. 124,  
Central District, " 74.

The Choctaw Nation.

LETTER OF INSTRUCTIONS.

To \_\_\_\_\_

The office files of the papers in the above entitled cause are herewith delivered, and you are directed to make an investigation thereof along the lines indicated, conforming in the main to the instructions contained in this letter, returning same, together with your written report and exhibits attached thereto, at the earliest practicable date.

--:--

STATEMENT OF CASE.

The applicant, A.J. CROWSON, on September 5, 1896, in his letter addressed to the Dawes Commission concluded with the prayer: "I request you examine the rolls, if my ancestors are there, I desire recognition."

There is no petition submitted to the Dawes Commission with the exception of this letter, and thereon the decision of denial by the Dawes Commission of December 3, 1896, was rendered.

At trial of the cause on appeal before the United States Court for the Central District of Indian Territory, the names of Andrew J. Crowson's children and grandchildren were developed, but the Court did not apparently consider them applicants, and in the rendition of the judgment of August 21, 1897, reversing the decision of the Commission, the only person admitted was the applicant, A.J. Crowson.

His petition for writ of error directed to the Choctaw and Chickasaw Citizenship Court included all of the children and grandchildren of the applicant.

We do not believe that the Citizenship Court can acquire jurisdiction over any person except the applicant, A.J. Crowson.

--:--

#### CLAIMS OF APPLICANT.

The applicant claims his right to admission and recognition as a citizen by blood of the Choctaw Nation by reason of the fact that he is a direct lineal descendant of a full blood Choctaw woman whose name is unknown, and who married an Irishman named David Anderson; that of this marriage there were born several children, including one, James Anderson, who had a

daughter, Sally Anderson, who first married a man by the name of Larrance, and afterwards in 1840 married John Crowson. The applicant, A.J. Crowson, is the son of Sally Anderson by her second husband, John Crowson.

The record will further show that James Anderson moved from Mississippi to the neighborhood of Doaksville, Indian Territory, where his daughter, Sally Crowson, was married. It is the presumption that after this marriage she left the Choctaw Nation and went to the State of Texas, where the applicant, A.J. Crowson, was born. A.J. Crowson first came to the Indian Territory in 1861, and returned to Texas in 1863 where he joined the Confederate army, and after the war lived in Texas until 1890, when he returned to the Indian Territory.

--:--

#### CONTENTION OF THE CHOCTAW AND CHICKASAW NATIONS.

Our theory in this case is that it is without any foundation of fact, that the applicant is not possessed of Choctaw blood, and consequently cannot be the descendant of any Choctaw Indian. It is probably true that his descent from David and James Anderson is correct, but there is nothing conclusive to the fact that either of these persons were possessed of Choctaw blood; in fact, we find that Dave Anderson is claimed to have been an Irishman; and the name of the mother of James Anderson, whom it is alleged was a full blood Choctaw Indian, is unknown.



We have, however, made a thorough search of the records of the United States government and of the Choctaw Nation relative to persons who were beneficiaries under the fourteenth article of the Choctaw treaty of 1830, and also who participated in the distribution of the "net proceeds" fund, and we no where find the names of David James or Sally Anderson, Sally Larrance, Sally Crowson or the applicant, A.J. Crowson.

--:--

#### THE EVIDENCE.

The evidence consists of two ex parte affidavits which accompanied A.J. Crowson's letter to the Dawes Commission in 1896.

BUD AXLEY in his ex parte affidavit of September 4, 1896, alleges that he had been acquainted with A.J. Crowson and his people about 44 years, and that it has been his understanding that A.J. Crowson was the son of Sally Crowson and that her father was James Anderson who was generally known and considered as a half breed Choctaw Indian. Affiant alleges that he obtained this information by hearing old people talk of the history of the Andersons and their descendants, and it has always been his understanding that they were of Indian blood.

The allegations of the affiant, aside from the relationship existing between A.J. and Sally Crowson and James Anderson, are altogether hearsay. It is possible and probable that he has heard that the Andersons were Choctaw Indians, as there are several well known families by this name recognized citizens of the tribes.

You will see this witness and secure from him a specific statement as to the Andersons that he knew, and then have him trace the ancestry of the applicant, A.J. Crowson, as far back as he was personally acquainted with him.

E.D. WHITEHURST in his ex parte affidavit of September 4, 1896, alleges that he knew John Larrance and had heard him say that he was a half brother of A.J. Crowson, and that his mother was quarteroon Choctaw Indian. Affiant alleges that he became acquainted with A.J. Crowson in 1868 and he had the appearance of having Indian blood. It has also been generally understood in the neighborhood where he lived that A.J. Crowson was a son of Sally Larrence by her marriage to John Crowson and that Sally Larrence was a daughter of James Anderson who was considered to be a straight Choctaw Indian.

Our theory in regard to this affidavit is that it was prepared for the signature of the affiant; that he has no knowledge of the facts testified to further than his personal acquaintance with James Larrence and A.J. Crowson; and that such information as he has gathered relative to their ancestor is entirely hearsay.

You will see this witness and if possible secure from him a statement or counter affidavit setting forth the manner in which his original testimony was procured; and trace with him the ancestry of A.J. Crowson as far back as possible; also have the witness state where and how he first acquired the knowledge that A.J. Crowson was possessed of Choctaw blood.

A.W. GARDNER testifies that he is 58 years of age, and lives at Durant, Indian Territory; that he well remembers the Anderson family of Indians and of having seen some of them near Doaksville when a boy. He remembers the names of certain of the family and testifies that James Anderson had seven children, among them a girl named Sally, but it has been so long since he saw her that he does not remember much about her, but that it seems that when he knew her she had been married once,

but does not remember her husband's name. Witness testifies that he remembers Sam Larrance in the Territory, but does not remember much about him; recollects that Sally Anderson went off to the states and married, and that several years after that a young man by the name of A.J. Crowson came to the Territory, who said he was her son by her second husband; witness testifies that he does not know this to be a fact, but that when he lived near Sally Anderson she showed to be considerable of an Indian.

Testimony of this witness was undoubtedly procured by misrepresentation, and it is our opinion that witness knew absolutely nothing in regard to these people. Our Mr. Richardson has heretofore been directed to see this witness, and on June 8, 1903, procured from him an affidavit in which he states that he did know a James Anderson who lived close to Durant, whom he now thinks is dead, that this James Anderson was a full blood Choctaw Indian, but the witness does not connect him in any manner with A.J. Crowson; in fact, he denies ever having known or heard of any people by the name of Crowson or named John Larrence or James Larrence.

E.D. WHITEHURST again appears as a witness in the case, this time in a deposition taken on July 12,

1897. The testimony is substantially the same as that contained in his ex parte affidavit of September 4, 1896. You have heretofore been instructed to see this witness.

E. LIEVSAY testifies that he is 59 years of age, and acquainted with A.J. Crowson's family; is also acquainted with the appearance of Choctaws, and that Mr. Crowson and his family have the appearance of Indians.

The testimony of this witness is only valuable as the expert testimony of an anthropologist or physiognomist; we do not believe that he could qualify in this capacity and his testimony is therefore immaterial.

The testimony concludes with an exhaustive statement of the applicant, A.J. Crowson, setting forth the members of his family, and his various removals to and from the Indian Territory.

It is our belief that the only idea in putting Crowson on the stand was for the purpose of having his children included as parties to the original application. This, however, the Court failed to do, and aside therefrom, the testimony is of no materiality.

We have been advised by Simon E. Lewis that Reuben Anderson's father, who was a Choctaw Indian, was

named Daniel Anderson, and that Reuben had a sister by the name of Sally, who married a half blood Choctaw named John Spring, who was the father of Governor Mc Curtain's present wife; and that this Sally Anderson is the only Choctaw by that name whom he has ever known or heard of.

WILSON N. JONES in an affidavit of May 23, 1898, also testifies that he is well acquainted with the Choctaw family of Andersons, and never heard of any member of that family marrying a white man by the name of Lawrence or Crowson.

It is unnecessary to see either of these witnesses, as they will be subpoenaed on behalf of the Nations to testify at the trial of this cause. It may be possible that in your field investigation and examination of the witnesses herein indicated, new facts and conditions will develop which would warrant your seeing and examining other persons who have knowledge of this applicant. If so, you will proceed as your best judgment may dictate without first returning to, or reporting to this office for more specific directions.

Very truly yours,

Dictated.