

John Lewis Allred applied for Citizenship in the Choctaw Nation in 1896. His application was denied but contains detailed information about his marriages, children and the application process.

Lineage: John Lewis, Amasa Lyman, William Hackley, James, William, Thomas, Solomon born 1680 Lancashire, England

John Lewis Allred and his wife and son appear on the 1900 Federal Census living in Tecumseh, Pottawatomie County, Oklahoma. He stated he was born 1867 in Texas and he was working as a Tonsorial Artist. Per the Merriam-Webster Dictionary: Tonsorial is a fancy word that describes the work of those who give shaves and haircuts. (It can apply more broadly to hairdressers as well.) It derives from the Latin verb *tondēre*, meaning "to shear, clip, or crop." (Another descendant, tonsor, is an archaic word for a barber.)

1900 United States Federal Census for John L Allred													
Oklahoma > Pottawatomie > Tecumseh > District 0199													
Name	Relation to Head	Race	Sex	Birth Month	Birth Year	Age	Marital S	Years Ma	Children	Birthplace	Father's Birthplace	Mother's Birthplace	Occupation
Allred, John L	Head	W	M	May	1867	33	m	3	2	Texas	Missouri	Texas	Tonsorial Artist
Allred, Maud	Wife	W	F	Oct	1868	31	m	3	2	Georgia	Georgia	Georgia	
Allred, Ed	Son	W	M	Aug	1887	12				Texas	Texas	Alabama	At School
Watson, Lila	Step-daughter	W	F	Jan	1893	7				Indian Territory	West Virginia	Georgia	At School

He died November 20, 1932 in Corpus Christi, Texas

1. PLACE OF DEATH STATE OF TEXAS COUNTY OF <u>Hoyes</u> CITY OR PRECINCT NO. <u>Corpus Christi</u> No. <u>1111</u> Street <u>Sevelo Ave</u>		TEXAS STATE DEPARTMENT OF HEALTH BUREAU OF VITAL STATISTICS STANDARD CERTIFICATE OF DEATH 48273 Register's No.	
Length of residence in city where death occurred <u>7</u> mos. <u>13</u> days. How long in U. S. if foreign born? <u>7</u> yrs. <u>13</u> mos. <u>13</u> days.			
2. FULL NAME OF DECEASED <u>J. L. Allred</u>			
Residence: No. <u>1111</u> Street <u>Sevelo Ave</u> If non-residence give city, town and state			
PERSONAL AND STATISTICAL PARTICULARS		MEDICAL CERTIFICATE OF DEATH	
3. SEX <u>Male</u>	4. COLOR OR RACE <u>White</u>	5. Single Married <u>Married</u>	21. DATE OF DEATH (month, day, and year) <u>Nov 20, 1932</u>
6. DATE OF BIRTH (month, day, and year) <u>May 7, 1867</u>		22. I HEREBY CERTIFY, That I attended deceased from <u>June 1932</u> to <u>Nov 20, 1932</u>	
7. AGE <u>65</u> Years <u>2</u> Months <u>13</u> Days		I last saw him alive on <u>Nov 20, 1932</u> death is said to have occurred on the date stated above, at <u>708</u>	
8. Trade, profession, or particular kind of work done, as spinner, weaver, bookkeeper, etc. <u>Barber</u>		The principal cause of death and related causes of importance were as follows: <u>Angina Pectoris</u>	
9. Industry or business in which work was done, as silk mill, saw mill, bank, etc.		Other contributory causes (if importance): <u>Diabetes Mellitus - Arteriosclerosis</u>	
10. Date deceased last worked at this occupation (month and year)		Name of operation <u>no</u> date of <u>no</u>	
11. Total time (years) spent in this occupation		What test confirmed diagnosis <u>Cambridge</u> Was there an autopsy? <u>no</u>	
12. BIRTHPLACE (city or town) (State or country) <u>Texas</u>		23. If death was due to external causes (violence) fill in also the following: Accident, suicide, or homicide? <u>no</u>	
13. NAME <u>J. L. Allred</u>		Date of injury <u>no</u>	
14. BIRTHPLACE (city or town) (State or country) <u>Mo</u>		Where did injury occur? (Specify city or town, county, and State)	
15. MAIDEN NAME <u>St. J.</u>		Specify whether injury occurred in industry, in home, or in public place.	
16. BIRTHPLACE (city or town) (State or country) <u>St. J.</u>		Manner of injury <u>no</u>	
17. INFORMANT <u>Mr. J. L. Allred</u>		Nature of injury <u>no</u>	
(Address) <u>Corpus Christi, Tex.</u>		24. Was disease or injury in any way related to occupation of deceased? <u>no</u>	
18. BURIAL PLACED OR REMOVED OR REINTERMENT Place <u>St. J. Cem.</u> Date <u>11/22/32</u>		If so, specify <u>no</u>	
19. UNDERTAKER <u>Dr. J. L. Allred</u>		(Signed) <u>W. J. Gentry</u> M. D.	
(Address) <u>Corpus Christi, Tex.</u>		(Address) <u>Corpus Christi, Texas</u>	
20. FILE DATE AND SIGNATURE OF REGISTRAR <u>11-22-32 Burch Thompson</u>			

## Enrollment Card

### Source Citation

The National Archives at Fort Worth; Fort Worth, Texas; *Enrollment Cards, 1898-1914*; NAI Number: 251747; Record Group Title: *Records of the Bureau of Indian Affairs*; Record Group Number: 75

### Source Information

Ancestry.com. *Oklahoma and Indian Territory, U.S., Dawes Census Cards for Five Civilized Tribes, 1898-1914* [database on-line]. Lehi, UT, USA: Ancestry.com Operations, Inc., 2014.

Original data: Enrollment Cards for the Five Civilized Tribes, 1898-1914; (National Archives Microfilm Publication M1186, 93 rolls); Records of the Bureau of Indian Affairs, Record Group 75; National Archives, Washington, D.C.

RESIDENCE: _____ COUNTY: _____		Choctaw Nation. Choctaw Roll.		CARD No. _____											
POST OFFICE: <i>Tecumseh, Oklahoma</i>		(Not including Freedmen.)		FIELD No. <i>5788</i>											
DAWES Roll No.		NAME	Relationship to Person first Named	AGE	SEX	BLOOD	Year	County	No.	Name of Father	Year	County	Name of Mother	Year	County
		<i>Alfred John Lewis</i>		<i>34</i>	<i>M</i>	<i>W</i>				<i>A. L. Alfred</i>			<i>Mary Alfred Reed</i>		
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*REFUSED*

DECISION RENDERED: *OCT 31 1905*

COPY OF DECISION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. *OCT 31 1905*

COPY OF DECISION FORWARDED APPLICANT. *OCT 31 1905*

RECORD FORWARDED DEPARTMENT. *OCT 31 1905*

*Not admitted as an intermarried citizen by Dawes Commission in 1896. Choctaw case # 376 no appeal*

*Marriage license and certificate with Choctaw 1896 citizenship case # 376*

*Aug 9 1906 Motion forwarded department asking action on former motions*

*Jan 16 07 Motion denied by Dept*

*Att. General. Re. atty. Ardmore IT of Dept action*

ACTION APPROVED BY SECRETARY OF INTERIOR. *MAR 22 1906*

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEYS FOR CHOCTAW AND CHICKASAW NATIONS. *APR -7 1906*

NOTICE OF DEPARTMENTAL ACTION FORWARDED ATTORNEY FOR CHOCTAW. *APR -7 1906*

NOTICE OF DEPARTMENTAL ACTION MAILED APPLICANT. *APR -7 1906*

*Date of transfer to this card*

*AUG 9 1904*

## Application File

### Source Citation

The National Archives at Washington, D.C.; Washington, D.C.; *Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914*; Record Group Title: *Records of the Bureau of Indian Affairs*; Record Group Number: 75; Publication Number: M1301; Roll Number: 37

### Source Information

Ancestry.com. *U.S., Native American Applications for Enrollment in Five Civilized Tribes, 1898-1914* [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2013.

Original data:

Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914. Microfilm M1301, 468 rolls. NAI: [617283](#). Records of the Bureau of Indian Affairs, Record Group 75. The National Archives at Washington, D.C.

Chocotaw 5788

J.I. Allred

Aug 9, 1906 Motion forwarded Dept  
asking action on former motion

1-16-07 Motion denied by Dept.

5788



DEPARTMENT OF THE INTERIOR  
COMMISSION TO THE FIVE CIVILIZED TRIBES  
Tishomingo, I. T., September 8, 1904.

-----XX-----

In the matter of the Application for Enrollment of  
JOHN LEWIS ALLRED  
As a citizen by intermarriage of the Choctaw Nation.

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JOHN LEWIS ALLRED, having been first duly sworn by Chairman  
Bixby, testified as follows:-

Examination by the Commission:

- Q What is your name ? A John Lewis Allred.  
Q How old are you ? A Thirty-seven years old.  
Q What is your postoffice address ? A Tecumseh, Oklahoma.  
Q Are you a citizen of Oklahoma Territory ? A Yes sir.  
Q How long have you lived there ? A I have lived there six or seven years.  
Q You have made that your place of residence during that time ? A Yes sir.  
Q Do you own property there ? A Yes sir.  
Q Are you engaged in business in Oklahoma ? A Yes sir.  
Q Do you vote there ? A Yes sir.  
Q You have voted there in all the elections that have been held in Oklahoma since you have been there ? A Yes sir.  
Q Do you pay taxes in Tecumseh ? A Yes sir.  
Q Where did you live before that ? A I lived in the Chickasaw Nation.  
Q How long did you live in the Chickasaw Nation ? A I couldn't say for certain; about ten years, though, I think.  
Q Did you live in the Chickasaw Nation continuously for the ten years before you went to Oklahoma ? A It would be hard for me to say, but I think it was continuously for eight or ten years.  
Q Where were you living in the Territory ? A I lived at Atlee, and I lived at Roff, and I lived at Davis and I lived at Center, and several places.  
Q Were you engaged in business in the Chickasaw Nation ? A Nothing but farming.  
Q What is your father's name ? A A L Allred.  
Q What is your mother's name ? A Mary Allred.  
Q Are your father and mother living ? A No sir, my mother is living.  
Q Is your father dead ? A Yes sir.  
Q Were your father and mother both white people ? A Yes sir.  
Q Are you a citizen of the United States ? A Yes sir.  
Q You claim to be an intermarried citizen of the Choctaw Nation, I believe ? A Yes sir.  
Q What is the name of your Choctaw wife ? A Lissie Stidham.  
Q Is she living ? A I suppose she is, she was the last news I had of her.  
Q Is she present ? A No sir, she has married since we separated.  
Q What is her present name ? A I believe it is Whitner.



- Q Was she a citizen by blood of the Choctaw Nation ? A Yes sir.  
Q You say her maiden name was Stidham ? A Yes sir.

The applicant's wife is identified upon the records of the Commission on Choctaw Roll Card Field No.247, and upon the final roll of citizens by blood of the Choctaw Nation opposite No.14508 as Lizzie Whitner.

- Q When were you married to Lizzie Stidham ? A In 1893, I think.  
Q Were you ever married before your marriage to her ? A Yes sir.  
Q How many times ? A Once.  
Q Who was your first wife ? A Her name was Keel.  
Q Was she a white woman ? A Yes sir.  
Q Was she dead when you married Lizzie Stidham ? A Yes sir.  
Q Did you live with your first wife up to the time of her death ? A Yes sir.  
Q Was Lizzie Stidham ever married before she married you ? A Not that I know of.  
Q Where you married to Lizzie Stidham in 1893 ? A The place was named Grady or Brady, I couldn't tell which.  
Q Who married you ? A A man named Duncan.  
Q Were you married under a Chickasaw license ? A Yes sir.  
Q From whom did you procure the license ? A I believe it was Lewis.  
Q A Chickasaw Indian ? A Yes sir.  
Q How much did you pay for the license ? A Fifty dollars.  
Q That was in 1893 ? A Yes sir.  
Q How long did you live with this woman ? A As well as I remember about eight months.  
Q Were you divorced from her ? A Yes sir.  
Q When were you divorced from her ? A It was in the spring, in April, I believe; the next spring after we separated in the fall, I think it was.  
Q Have you remarried since then ? A Yes sir.  
Q How many times ? A Once.  
Q Whom did you marry ? A Mollie Smith.  
Q Was she a white woman ? A Yes sir.  
Q Are you living with her now ? A Yes sir.  
Q In 1896 you made application to the Dawes Commission to be admitted as an intermarried citizen, did you not ? A I believe it was about then.  
Q You had a petition drawn up and forwarded to the Commission ? A Yes sir.  
Q Did you ever get any notice of the action taken on that petition ? A Yes sir.  
Q What action was taken ? A I can't say positively about that, I have forgotten. My attorney at Ardmore, as well as I remember, wrote and said I was put on the roll.  
Q Was any appeal ever taken to the United States court in your case ? A No sir, I don't think there was.  
Q About how long after you submitted that petition in 1896 was it before you went to Oklahoma ? A About two years, I think--it was over one year and I don't think quite two.  
Q When did you actually remove to Tecumseh, Oklahoma ? A The 11th day of March, 1897 or 1898--I wouldn't say which.  
Q You have lived in Tecumseh continuously since that time ? A Yes sir.  
Q Have you since the time you removed to Tecumseh ever personally been before the Commission and made application for enrollment as an intermarried citizen ? A Yes sir.

- Q Where ? A At Ardmore.  
Q In what year ? A I believe in 1898.  
Q What time in 1898 ? A It seems to me it was September--August or September.  
Q Were you sworn at that time ? A Yes sir.  
Q Your testimony was taken ? A Yes sir.  
Q What else happened at that time ? A I don't know as there was anything.  
Q Did anybody tell you anything about your case ? A Not that I know of, only my lawyer he wanted to take an appeal on it.  
Q Take an appeal from what ? A I don't know--to the Secretary of the Interior or something. I told him I didn't have any money to pay him or do anything with it.  
Q You were personally before the Commission at Ardmore, then, in the fall of 1898 ? A Yes sir, I think it was in 1898.  
Q Who was your lawyer at that time ? A Norman, I think.  
Q Was he with you at the time you went before the Commission ? A Yes sir.  
Q Is he here today ? A Not that I know of, I haven't seen him.

-----XX-----

W J Jones on oath states that he reported the testimony taken in the matter of the application for enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation, at the Chickasaw Land Office, Tishomingo, I.T., on September 8, 1904, and that the foregoing is a true and correct transcript of his stenographic notes taken in said matter.

*W. J. Jones*

SUBSCRIBED and sworn to before me this  
the 10 day of September, 1904.

*C. F. London*  
Notary Public.

CERTIFIED COPY.

Office of Guy Keel  
Clerk of Pickens County,  
Chickasaw Nation.

Marriage Record for 1893.

Chickasaw Nation  
County of Pickens.

To any Judge of the Co. or District Court, Ordained Minister  
of the Gospel in and for said Co. of Pickens, Greeting:

You are hereby authorized to solemnize the Rites of Matrimony  
between Mr. J. L. Allred & Miss Lizzie Stidham, and make due  
return to the to the Co. Judge of the Co. Court, within thirty  
days thereafter certifying your action under this license.  
Witness my official Signature & Seal of office P.C.Co. house,  
this 4th day of May, 1893, R. B. Willis Co. Judge.

I, J. T. Dunford hereby certify that on the 8th day of May,  
1893, I united in marriage J. L. Allred and Miss Lizzie Stidham  
the parties above named. Witness my hand this 8th day of May, 1893  
J. T. Dunford.,  
Minister of the Gospel.

I, J. O. Lewis, Clerk of the Pickins Co. C. N. hereby certify  
that the foregoing is a true and correct copy of the original.  
Filed for record and duly recorded this 6th day of June, 1893.  
J. O. Lewis,  
Co. Clerk.

I, Guy Keel, do hereby certify that the above is a true copy  
of the original. This 29th day of August A. D., 1896.  
Guy Keel,  
(SEAL) Co. & Prob. Clerk.

-----  
I hereby certify that the above and foregoing is a true and  
correct copy of a certified copy of the marriage license and cer-  
tificate between J. L. Allred and Lizzie Stidham on file in  
Choctaw Citizenship Case Docket No. 376.

*Frances R. Lang*  
Stenographer to Commissioner to Five  
Civilized Tribes

Subscribed and sworn to before me this September 12, 1905.

*Edward Merrick*  
Notary Public.



7-5788.

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

In the matter of the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

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

It appears from the record herein that on May 8, 1893, the applicant, John Lewis Allred, was married, in accordance with the laws, customs and usages of the Chickasaw Nation, to Lizzie Stidham, a recognized and enrolled citizen by blood of the Choctaw Nation whose name (as Lizzie Whitner) appears as No. 14508 upon a list prepared by the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on May 20, 1903; that at the date of said marriage, both persons above mentioned were residents in good faith of the Chickasaw Nation; that they lived together continuously as husband and wife in said nation for about eight months, when they separated and were subsequently divorced; and that thereafter the applicant was married to Mollie Smith, a non-citizen white woman with whom he has since resided.

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J. L. Allred vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 376), original application was made to said Commission for the admission of the applicant to citizenship in the Choctaw Nation, as a citizen by intermarriage, which application was, on December 2, 1896, granted by said Commission from which decision no appeal was taken.

It further appears from the record herein that said applicant left the Indian Territory on March 11, 1897 or 1898, voluntarily abandoning his residence in the Choctaw-Chickasaw country, Indian Territory, since which time he has resided and become an actual resident of the Territory of Oklahoma.

2.

Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship. . . ."

I am, therefore, of the opinion that the application made for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation should be denied, under the provisions of the Act of Congress above cited, and it is so ordered.

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

Muskogee, Indian Territory,

OCT 31 1905

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7-5788

Muskogee, Indian Territory, October 31, 1905.

John Lewis Allred,

Tecumseh, Oklahoma Territory,

Dear Sir:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 31, 1905, denying your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

*Tams Bixby*

Commissioner.

Registered.

Incl. 7-5788



7-5788

Muskogee, Indian Territory, October 31, 1905.

COPY.

Carr & Roberts,

Attorneys at Law,

Pauls Valley, Indian Territory,

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 31, 1905, denying the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

SIGNED

*Tamr Bixby*

Registered.

Commissioner.

Incl. 7-5788.

7-5788

Muskogee, Indian Territory, October 31, 1905.

COPY.

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

Gentlemen:

Inclosed herewith you will find a copy of the decision of the Commissioner to the Five Civilized Tribes, rendered October 31, 1905, denying the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

The decision, with the record of proceedings in the case, is this day transmitted to the Secretary of the Interior for review. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully, SIGNED

*Tame Bixby*

Incl. 7-5788.

Commissioner.

12  
Muskogee, Indian Territory, October 31, 1905.

COPY.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith the record of proceedings in the matter of the application of John Lewis Allred for enrollment as a citizen by intermarriage of the Choctaw Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated October 31, 1905, denying said application.

Respectfully,

SIGNED

*Tamr Bixby*

Commissioner.

Through the  
Commissioner of Indian Affairs.

2 Incl. 7-5788.



DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

G.R.  
LLB

D.C. 11753-1906.  
I.T.D. 17418-1905.  
1204-1906.

March 22, 1906.

LRS

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory,

Sir:

October 31, 1905, you transmitted the record in re application of John Lewis Allred for his enrollment as a citizen by intermarriage of the Choctaw Nation, including your decision of the same date, denying said application, on the ground that applicant voluntarily abandoned his residence in the Choctaw-Chickasaw country on March 11, 1897 or 1898, and was not a bona fide resident on June 28, 1898, of the nation in which he claimed citizenship.

January 10, 1906, you transmitted a motion to set aside your decision of above date, on the ground that applicant's removal to Oklahoma Territory in 1897 or 1898, was not such a removal as would bar him from enrollment under the provisions of section 21 of the act of June 28, 1896, and that there is nothing in the laws of the Choctaw and Chickasaw nations that bars his right to enrollment on the ground of nonresidence. For the purpose of this decision it is unnecessary to decide whether the Choctaw Nation recognized any law of expatriation.

The record shows that John Lewis Allred, a white man, was married in pursuance of a Chickasaw tribal license on May 8, 1893, to Lizzie Stidham, duly enrolled as Lizzie Whitner, opposite No. 14508 upon the approved roll of citizens by blood of the Choctaw Nation, both parties at the time of said marriage being residents of the Chickasaw Nation, and that they lived together continuously as husband and wife for eight months, when they separated and were subsequently divorced. The husband afterwards married a noncitizen white woman, and in April, 1897, or 1898, removed to Oklahoma Territory, where he established a permanent residence, entered into business, declared he was a citizen of Oklahoma, and voted at the elections therein.

The laws of the Choctaw Nation as to intermarriage, adopted November 9, 1875 (see Choctaw Laws and Constitution, edition 1887, page 171), requires that any white man, desiring to marry a Choctaw woman, citizen of the Choctaw Nation, shall be and is hereby required to obtain a license for the same from one of the circuit clerks or judges of a court or record, etc. "The white man must marry in the nation he wishes to become a member of by intermarriage according to its laws and regulations, and reside therein thereafter with his wife." (See Lula B. Trahern vs. Choctaw and Chickasaw nations, reported 11th annual report, Commission to the Five Civilized Tribes, page 132).

No claim is made that applicant was married to a Choctaw

woman in accordance with Choctaw law and thereafter resided with her in the Choctaw Nation, but the evidence is clear that applicant was married to a Choctaw woman in the Chickasaw Nation under a Chickasaw law, and that he resided with said Choctaw woman in the Chickasaw Nation.

The motion to set aside your decision of October 31, 1905, denying the application of John Lewis Allred for enrollment as an intermarried citizen of the Choctaw Nation is hereby denied, and your decision of said date is hereby affirmed, upon the ground that applicant was not married to a Choctaw woman in accordance with the laws, customs and usages of the Choctaw Nation.

You will so advise applicant's attorney of record, Charles von Weigo.

A copy of the Indian Office letter, recommending affirmance of your decision, is inclosed.

Respectfully,

THOS. RYAN,  
First Assistant Secretary.

1 inclosure.



COPY.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON. December 13, 1905.

LAND:

88440-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner to the Five Civilized Tribes dated October 31, 1905, transmitting the record of the application for enrollment as a citizen by intermarriage of the Choctaw Nation by John Lewis Allred.

October 31, 1905, the Commissioner decided adversely to the applicant.

The record shows that on May 8, 1893, the applicant was married in accordance with the laws, customs, and usages, of the Chickasaw Nation, to Lizzie Stidham, a recognized and enrolled citizen by blood of the Choctaw Nation whose name (as Lizzie Whitner) appears at No. 14508 on a list of citizens by blood of the Choctaw Nation approved by the Department May 20, 1903; that at the date of the marriage both persons were residents in good faith of the Chickasaw Nation; that they lived together continuously as husband and wife in that Nation for about eight months when they separated and were subsequently divorced; and that after the applicant was married to Mollie Smith, a non-citizen white woman with whom he has since resided.

It further appears that on December 2, 1896, the applicant was, by the Commission to the Five Civilized Tribes, admitted as a citizen by intermarriage of the Choctaw Nation and that no appeal was taken from that decision.

It further appears that on March 11, 1897 or 1898, the applicant left the Indian Territory, abandoning his residence in the Choctaw-Chickasaw country, since which time he has resided and become an actual resident of the Territory of Oklahoma.

In view of the record and of Section 21 of the Act of June 28, 1898 (30 Stats., 495), the approval of the Commissioner's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,  
Acting Commissioner.

MM

C

7-5788

Muskogee, Indian Territory, April 7, 1906.

John Lewis Allred,

Tecumseh, Oklahoma Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of March 22, 1906, affirmed the decision of this office dated October 31, 1905, denying your application for enrollment as a citizen by intermarriage of the Choctaw Nation.

For your information there is inclosed herewith copy of Departmental letter of March 22, 1906, affirming said decision.

Respectfully,

LM 2/7

Acting Commissioner.

7-5788

Muskogee, Indian Territory, April 7, 1906.

Carr & Roberts,

Attorneys at Law,

Pauls Valley, Indian Territory,

Gentlemen:

You are hereby notified that the Secretary of the Interior under date of March 22, 1906, affirmed the decision of this office dated October 31, 1905, denying the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

Respectfully,

Acting Commissioner.

7-5788

Muskogee, Indian Territory, April 7, 1906.

Charles von Weise,  
Attorney at Law,  
Ardmore, Indian Territory,

Dear Sir:

You are hereby notified that the Secretary of the Interior under date of March 22, 1906, affirmed the decision of this office dated October 31, 1905, denying the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

For your information there is inclosed herewith copy of Departmental letter of March 22, 1906, affirming said decision.

Respectfully,

LM 3/7

Acting Commissioner.



7-5788

Muskogee, Indian Territory, April 7, 1906.

Mansfield, McMurray & Cornish,  
Attorneys for Choctaw and Chickasaw Nations,  
South McAlester, Indian Territory,  
Gentlemen:

You are hereby notified that the Secretary of the Interior under date of March 22, 1906, affirmed the decision of this office dated October 31, 1905, denying the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

For your information there is inclosed herewith copy of Departmental letter of March 22, 1906, affirming said decision.

Respectfully,

LM 1/7

Acting Commissioner.

7-5788

Muskogee, Indian Territory, January 10, 1906.

Charles von Weise,  
Attorney at Law,  
Ardmore, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of January 5, 1906, transmitting motion in the matter of the application of John Lewis Allred for enrollment as a citizen by intermarriage of the Choctaw Nation, attached to which is proof of service of notice of copy thereof upon the attorneys for the Choctaw and Chickasaw Nations.

In compliance with your request the same has this day been transmitted to the Secretary of the Interior for consideration in connection with this case.

Respectfully,

Commissioner.

Muskogee, Indian Territory, January 10, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

On October 31, 1905, a decision was rendered refusing the application of John Lewis Allred for enrollment as a citizen by intermarriage of the Choctaw Nation and on the same date the record in this case was transmitted to the Secretary of the Interior for review.

I have the honor to inclose herewith for consideration in connection with this case a motion of Charles von Weise, attorney for applicant attached to which is proof of service of notice of copy thereof upon the attorneys for the Choctaw and Chickasaw Nations.

Respectfully,

Commissioner.

7-5788.

7-5798

Muskogee, Indian Territory, August 9, 1906.

Charles von Weise,  
Attorney at Law,  
Ardmore, Indian Territory.

Dear Sir:-

Receipt is hereby acknowledged of petition in the matter of the application for the enrollment of John Lewis Allred as an intermarried citizen of the Choctaw Nation.

On October 31, 1905, the Commissioner to the Five Civilized Tribes rendered his decision refusing the application of John Lewis Allred for enrollment as a citizen by intermarriage of the Choctaw Nation, and on March 22, 1906, this action was approved by the Secretary of the Interior.

The petition filed by you has this day been transmitted to the Department.

Respectfully,

Commissioner.

Muskogee, Indian Territory, August 9, 1906.

The Honorable,

The Secretary of the Interior.

Sir:-

On October 31, 1905, the Commissioner to the Five Civilized Tribes rendered his decision refusing the application of John Lewis Allred for enrollment as an intermarried citizen of the Choctaw Nation, and on the same date the record in this case was transmitted to the Department. On March 23, 1906, (I.T.D. 17418-1905, 1204-1906), this action was approved by the Secretary of the Interior.

On January 10, 1906, I transmitted, for consideration in connection with this case, motion filed by Charles von Weise, attorney at law, Ardmore, Indian Territory, to set aside the decision of the Commissioner in this case.

I now have the honor to transmit herewith petition received at this office July 24, 1906, from Charles von Weise, attorney at law, Ardmore, Indian Territory, praying that the Department pass upon his motion of January 8, 1906, giving consideration to the facts contained in said motion.

Respectfully,

Through the Commissioner  
of Indian Affairs.  
7-5738

Commissioner.



K.H.N.

DEPARTMENT OF THE INTERIOR, LLB  
WASHINGTON.

D.C. 3977-1907.  
I.T.D. 15358-1906.

January 16, 1907.

LRS

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

Sir:

Referring to the application of John Lewis Allred for enrollment as a citizen by intermarriage of the Choctaw Nation, the records of the Department show that on March 22, 1906, said application was denied.

On August 29, 1906, a motion was filed by counsel for applicant for review of the action taken therein, and upon an examination of the records it does not appear that any fact or law arises in said application which would justify the disturbing of the decision of the Department at this time, and said motion is hereby denied.

The papers in the case have been sent to the Indian Office for its files.

Respectfully,

Thos Ryan

First Assistant Secretary.

Through the Commissioner  
of Indian Affairs.  
6 inc. to Ind. Of.

7-5788

Muskogee, Indian Territory, February 1, 1907.

John Lewis Allred,  
Tecumseh, Oklahoma.

Dear Sir:

You are hereby notified that on January 16, 1907,  
the Secretary of the Interior denied the motion for rehearing  
the application for your enrollment as a citizen by inter-  
marriage of the Choctaw Nation.

Respectfully,

Commissioner.

7-5788

Muskogee, Indian Territory, February 1, 1907.

Carr & Roberts,

Attorneys at Law,

Pauls Valley, Indian Territory.

Gentlemen:

You are hereby notified that on January 16, 1907,  
the Secretary of the Interior denied the motion for re-  
hearing the application for the enrollment of John Lewis  
Allred as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-5788

Muskogee, Indian Territory, February 1, 1907.

Charles von Weise,

Attorney at Law,

Ardmore, Indian Territory.

Dear Sir:

You are hereby notified that on January 16, 1907,  
the Secretary of the Interior denied the motion for re-  
hearing the application for the enrollment of John Lewis  
Allred as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner.

7-5788

Muskogee, Indian Territory, February 1, 1907.

Mansfield, McMurray & Cornish,

Attorneys for Choctaw and Chickasaw Nations,

South McAlester, Indian Territory.

Gentlemen:

You are hereby notified that on January 16, 1907,  
the Secretary of the Interior denied the motion for re-  
hearing the application for the enrollment of John Lewis  
Allred as an intermarried citizen of the Choctaw Nation.

Respectfully,

Commissioner.



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

In the matter of the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

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

It appears from the record herein that on May 8, 1893, the applicant, John Lewis Allred, was married, in accordance with the laws, customs and usages of the Chickasaw Nation, to Lizzie Stidham, a recognized ~~Chickasaw~~ and enrolled citizen by blood of the Choctaw Nation whose name (as Lizzie Whitner) appears as No. 14508 upon a list prepared by the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on May 20, 1903; that at the date of said marriage, both persons above mentioned were residents in good faith of the Chickasaw Nation; that they lived together continuously as husband and wife inside Nation for about eight months, when they separated and were subsequently divorced; and that thereafter the applicant was married to Mollie Smith, a non-citizen white woman with whom he has since resided.

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J.L. Allred vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 376), original application was made to said Commission for the admission of the applicant to citizenship in the Choctaw Nation, as a citizen by intermarriage, which application was, on December 2, 1896, granted by said Commission from which decision no appeal was taken.

It further appears from the record herein that said applicant left the Indian Territory on March 11, 1897 or 1898, voluntarily abandoning his residence in the Choctaw-Chickasaw country, Indian Territory, since which time he has resided and become an actual resident of the Territory of Oklahoma.

Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship....."

I am, therefore, of the opinion that the application made for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation should be denied, under the provisions of the Act of Congress above cited, and it is so ordered.

Tams Bixby  
Commissioner.

Muskogee, Indian Territory,  
Oct 31 1905

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

In the matter of the application for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation.

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

It appears from the record herein that on May 8, 1893, the applicant, John Lewis Allred, was married, in accordance with the laws, customs and usages of the Chickasaw Nation, to Lizzie Stidham, a recognized ~~Chickasaw~~ and enrolled citizen by blood of the Choctaw Nation whose name (as Lizzie Whitner) appears as No. 14508 upon a list prepared by the Commission to the Five Civilized Tribes under the provisions of the Act of Congress approved July 1, 1902 (32 Stats., 641), of persons entitled to enrollment as citizens by blood of the Choctaw Nation, and approved by the Secretary of the Interior on May 20, 1903; that at the date of said marriage, both persons above mentioned were residents in good faith of the Chickasaw Nation; that they lived together continuously as husband and wife in said Nation for about eight months, when they separated and were subsequently divorced; and that thereafter the applicant was married to Mollie Smith, a non-citizen white woman with whom he has since resided.

It appears from the records of the Commission to the Five Civilized Tribes that on September 9, 1896, in the case entitled "J.L. Allred vs. Choctaw Nation," (1896 Choctaw Citizenship Docket, case No. 376), original application was made to said Commission for the admission of the applicant to citizenship in the Choctaw Nation, as a citizen by intermarriage, which application was, on December 2, 1896, granted by said Commission from which decision no appeal was taken.

It further appears from the record herein that said applicant left the Indian Territory on March 11, 1897 or 1898, voluntarily abandoning his residence in the Choctaw-Chickasaw country, Indian Territory, since which time he has resided and become an actual resident of the Territory of Oklahoma.

Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides:

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship....."

I am, therefore, of the opinion that the application made for the enrollment of John Lewis Allred as a citizen by intermarriage of the Choctaw Nation should be denied, under the provisions of the Act of Congress above cited, and it is so ordered.

TAMM BIRBY  
Commissioner.

Muskogee, Indian Territory,  
Oct 31 1905

7-5788

Muskogee, Indian Territory, August 9, 1904.

Carr & Roberts,  
Attorneys at Law,  
Pauls Valley, Indian Territory.

Gentlemen :-

Receipt is hereby acknowledged of your letter of the 4th inst., enclosing a statement of J. L. Allred, and giving certain other information, which has enabled the Commission to identify him as having been admitted by the Commission to the Five Civilized Tribes, as an inter-married citizen, in 1896.

You are requested to immediately furnish the Commission with the full given names, and the age, of J. L. Allred, also his post-office address, the names of his parents, and whether living or dead.

You are further advised that before the enrollment of J. L. Allred can be given further consideration it will be necessary for him to appear before the Commission, for the purpose of an examination under oath. Such appearance may be made before the Commission at its office in Muskogee, Indian Territory, at any time, or at the Choctaw Land Office of the Commission, at Atoka, Indian Territory, September 6 and 7, 1904, or at the Chickasaw Land Office of the Commission, at Tishomingo, Indian Territory, September 8 and 9, 1904.

Respectfully,

Commissioner in Charge

Choctaw 5788

Muskogee, Indian Territory, August 19, 1904.

Carr & Roberts,

Attorneys at Law,

Pauls Valley, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of August 13 giving information relative to the age of J. L. Allred, his full name, and the names of his parents, and this information has been made a matter of record.

Respectfully,

11

Chairman.

Choctaw 5788

Muskogee, Indian Territory, October 26, 1904.

Carr & Roberts,

Attorneys at Law,

Pauls Valley, Indian Territory,

Gentlemen:

Receipt is hereby acknowledged of your letter of October 24, asking the status of the application of John L. Allred for enrollment as an intermarried citizen of the Choctaw Nation and in reply you are advised that the Commission has not yet passed upon the application of John L. Allred for enrollment as an intermarried citizen of the Choctaw Nation, but as soon as a decision is reached in this case you and the applicant will be notified of the action taken therein.

You are advised that on September 8, 1904, John L. Allred appeared before the Commission at Tishomingo, Indian Territory, and testified relative to his intermarried status on September 25, 1902.

Respectfully,

Chairman.



7-5788

Muskogee, Indian Territory, December 27, 1905.

Charles von Weise,  
Attorney at Law,  
Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 20, 1905, in which you ask the status of the application of John Lewis Allred for enrollment as a citizen by intermarriage of the Choctaw Nation, and his children Velma and Lina Allred as citizens of the Choctaw Nation.

In reply to your letter you are advised that on October 31, 1905, a decision was rendered refusing the application of John Lewis Allred for enrollment as an intermarried citizen of the Choctaw Nation, and on the same date the record therein was transmitted to the Secretary of the Interior. This office has not yet been informed of Departmental action thereon.

It does not appear that application has been made by or on behalf of Velma and Lina Allred, for enrollment as citizens of the Choctaw Nation.

Respectfully,

Commissioner.

7-5788

Muskogee, Indian Territory, December 29, 1905.

Charles von Weise,

Attorney at Law,

Ardmore, Indian Territory,

Dear Sir:

Receipt is hereby acknowledged of your letter of December 26, 1905, asking that you be entered as attorney of record in the matter of the application for enrollment as an intermarried citizen of the Choctaw Nation of John Lewis Allred, and your name has been entered as attorney in this case.

You are advised that on October 31, 1905, a decision was rendered refusing the application of John Lewis Allred for enrollment as a citizen of the Choctaw Nation, but this office has not yet been notified of Departmental action thereon. You will be informed of such action as is taken by the Department in this case.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

G.R.  
LLB

D.C. 11753-1906.  
I.T.D. 17418-1905.  
1204-1906.

March 22, 1906.

LRS

Commissioner to the Five Civilized Tribes,  
Muskogee, Indian Territory,

Sir:

October 31, 1905, you transmitted the record in re application of John Lewis Allred for his enrollment as a citizen by intermarriage of the Choctaw Nation, including your decision of the same date, denying said application, on the ground that applicant voluntarily abandoned his residence in the Choctaw-Chickasaw country on March 11, 1897 or 1898, and was not a bona fide resident on June 28, 1898, of the nation in which he claimed citizenship.

January 10, 1906, you transmitted a motion to set aside your decision of above date, on the ground that applicant's removal to Oklahoma Territory in 1897 or 1898, was not such a removal as would bar him from enrollment under the provisions of section 21 of the act of June 28, 1898, and that there is nothing in the laws of the Choctaw and Chickasaw nations that bars his right to enrollment on the ground of nonresidence. For the purpose of this decision it is unnecessary to decide whether the Choctaw Nation recognized any law of expatriation.

The record shows that John Lewis Allred, a white man, was married in pursuance of a Chickasaw tribal license on May 8, 1893, to Lizzie Stidham, duly enrolled as Lizzie Whitner, apposite No. 14508 upon the approved roll of citizens by blood of the Choctaw Nation, both parties at the time of said marriage being residents of the Chickasaw Nation, and that they lived together continuously as husband and wife for eight months, when they separated and were subsequently divorced. The husband afterwards married a noncitizen white woman, and in April, 1897, or 1898, removed to Oklahoma Territory, where he established a permanent residence, entered into business, declared he was a citizen of Oklahoma, and voted at the elections therein.

The laws of the Choctaw Nation as to intermarriage, adopted November 9, 1875 (see Choctaw Laws and Constitution, edition 1887, page 171), requires that any white man, desiring to marry a Choctaw woman, citizen of the Choctaw Nation, shall be and is hereby required to obtain a license for the same from one of the circuit clerks or judges of a court or record, etc. "The white man must marry in the nation he wishes to become a member of by intermarriage according to its laws and regulations, and reside therein thereafter with his wife." (See Lula B. Trahern vs. Choctaw and Chickasaw nations, reported 11th annual report, Commission to the Five Civilized Tribes, page 132).

No claim is made that applicant was married to a Choctaw

woman in accordance with Choctaw law and thereafter resided with her in the Choctaw Nation, but the evidence is clear that applicant was married to a Choctaw woman in the Chickasaw Nation under a Chickasaw law, and that he resided with said Choctaw woman in the Chickasaw Nation.

The motion to set aside your decision of October 31, 1905, denying the application of John Lewis Allred for enrollment as an intermarried citizen of the Choctaw Nation is hereby denied, and your decision of said date is hereby affirmed, upon the ground that applicant was not married to a Choctaw woman in accordance with the laws, customs and usages of the Choctaw Nation.

You will so advise applicant's attorney of record, Charles von Weise.

A copy of the Indian Office letter, recommending affirmance of your decision, is inclosed.

Respectfully,

THOS. RYAN,  
First Assistant Secretary.

1 inclosure.

COPY.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
WASHINGTON. December 13, 1905.

LAND:

88440-1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner to the Five Civilized Tribes dated October 31, 1905, transmitting the record of the application for enrollment as a citizen by intermarriage of the Choctaw Nation by John Lewis Allred.

October 31, 1905, the Commissioner decided adversely to the applicant.

The record shows that on May 8, 1893, the applicant was married in accordance with the laws, customs, and usages, of the Chickasaw Nation, to Lizzie Stidham, a recognized and enrolled citizen by blood of the Choctaw Nation whose name (as Lizzie Whitner) appears at No. 14508 on a list of citizens by blood of the Choctaw Nation approved by the Department May 20, 1903; that at the date of the marriage both persons were residents in good faith of the Chickasaw Nation; that they lived together continuously as husband and wife in that Nation for about eight months when they separated and were subsequently divorced; and that after the applicant was married to Mollie Smith, a non-citizen white woman with whom he has since resided.

It further appears that on December 2, 1896, the applicant was, by the Commission to the Five Civilized Tribes, admitted as a citizen by intermarriage of the Choctaw Nation and that no appeal was taken from that decision.

It further appears that on March 11, 1897 or 1898, the applicant left the Indian Territory, abandoning his residence in the Choctaw-Chickasaw country, since which time he has resided and become an actual resident of the Territory of Oklahoma.

In view of the record and of Section 21 of the Act of June 28, 1898 (30 Stats., 495), the approval of the Commissioner's decision adverse to the applicant is recommended.

Very respectfully,

C. F. Larrabee,  
Acting Commissioner.

MMM

C