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#1866
1966

Luthursa Gooch Hubbard
APPLICATION

1966
Lazenby

for

Enrollment with the Eastern Band of Cherokee
Indians of North Carolina

(See instructions on last page)

I hereby make application for enrollment with the Eastern
Band of Cherokee Indians of North Carolina. My name is Bess Carpenter
Lazenby and I reside at Waco, ^{McLennan} ~~McLennan~~ County, Tex; also
make application for the enrollment of my minor children as follows:
No Children

Bess Carpenter Lazenby
1-31-67

State of TEXAS)
County of ^{McLennan} ~~McLennan~~) ss

I, the said Bess Carpenter Lazenby, of lawful age,
being first duly sworn, depose and say:- That my full and correct
name is Bess Carpenter Lazenby; that I am 34 years of age,
and that I now reside at Waco, ^{McLennan} ~~McLennan~~ County, Tex.; and (in case
of married female) that my name prior to my marriage was Bess
Carpenter; that I was born at Hays County, Texas, and
that I have resided at the following places for the periods of time
herein stated:

- Hays County, Texas, two (2) years
- Austin, Travis County, Texas, twentyeight (28) years
- Waco, ^{McLennan} ~~McLennan~~ County, Texas, four (4) years

2. That I am of Eastern Cherokee Indian blood of 1/32nd
degree, and I claim lineal descent from Luthursa Gooch, who
was my Great Great Grandmother (state the relationship), and that
my descent from said ancestor is as follows:

The above named full blooded Indian squaw, Luthursa Gooch,
married one Hardy Hubbard, a white man, in North Carolina and they
they moved to Virginia and thence to Kentucky. They reached Kentucky

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on or about the year 1795. She, Luthursa Gooch Hubbard, and Hardy Hubbard had a son which they named Acie King Hubbard, which son was born in 1786 and died in 1878, age 92 years.

Acie King Hubbard married a Lavieie Harris and moved from Kentucky to Missouri on or about the year 1808.

This move to Missouri was after the death of his father leaving his Indian mother on his father's farm in Madison County, Kentucky.

Acie King Hubbard having a full blooded Indian mother was therefore a half breed Indian. Acie King Hubbard would be my Great Great Grandfather.

Acie King Hubbard had a number of children among whom was Luthursa Hubbard, who was my Great Grand Mother, having been named for Luthursa Gooch. She was quarter breed Eastern Cherokee Indian and Luthursa Gooch, the full blooded Indian squaw was her grandmother. My Great Great Great Grandmother, Luthursa Gooch visited my Great Great Grandfather, Acie King Hubbard, in Missouri about the year 1843, she being at the time 82 years of age, and was seen by one John Hubbard, father of my third cousin, Dr. S.M. Hubbard of Kenedy, Texas.

The information given above was had from Dr. Spencer M. Hubbard, my third cousin who is familiar with the family tree. Said Spencer M. Hubbard being a son of John Hubbard and lives at Kenedy, Texas.

3. That my father's name is (~~was~~) R. Lee Carpenter, and his degree of Indian blood is (~~was~~) None; that my mother's maiden name ~~is~~ (~~was~~) Mollie Musick Cole, and that her degree of Indian blood is (~~was~~) 1/16th degree that she was married to my father on or about February 16, 1887, and that they have since resided at the following places for the periods herein stated:

Hays County, Texas, Seven(7) years

Austin, Texas, Travis County, thirtytwo (32) years

4.. That my paternal grandfather's name was Joseph Carpenter, and his degree of Indian blood was None; that my paternal grandmother's maiden name was Talitha Jones, and her degree of Indian blood was None; that my maternal grandfather's name was O.H.P. Cole, and his degree of Indian blood was None; that my maternal grandmother's maiden name was Mary Ellen Rogers, and her degree of Indian blood was 1/8th degree. (If applicant possesses a degree of Indian blood derived from an ancestor other than Cherokee, a detailed statement of the fact should be set forth separately below);

5. That the following are the facts in relation to the enrollment of my said ancestors with the Eastern Band of Cherokee Indians: (give full details)

Luthursa Gooch Hubbard, my Great Great Great Grand-
mother moved to Madison County, Kentucky in 1795 and thereafter,
following her husbands death, her son Acie King Hubbard moved to
Missouri leaving her on his father's farm and thereby deprived her
of any opportunity to move into Oklahoma with her Indian relatives
and registered for the enrollment of 1820. This information has been
gathered from the family history.

6. That the following are the facts in relation to the affiliation of my said ancestors with the Eastern Band of Cherokee Indians My Great Great Great Grandmother, Luthursa Gooch, who was a full blooded Cherokee Indian squaw was born in North Carolina and lived there with her tribe until her marriage in 1785. Based on family history.

AND THAT I myself have affiliated with said Eastern Band as follows;

I have never had an opportunity to affiliate or associate with them.

7. That the following are names and places of residence of my relatives who were heretofore enrolled with the Eastern Band of Cherokee Indians of North Carolina;

<u>Name</u>	<u>Relationship</u>	<u>Residence</u>
None to my	knowledge	

8. That my said ancestors contributed toward the purchase of the Qualla Boundary and other lands of said Eastern Band as follows:

I have no information on this

9. That No Children is the father of my children and his degree of Cherokee Indian blood is . the degree of

Cherokee Indian blood of my children is as follows:

No Children

10. That No Children is the mother of my children and her degree of Cherokee Indian blood is .
The degree of Cherokee Indian blood of my children is as follows:

No Children

11. That the ages and places of residence of my said children are as follows:

No Children

Less Carpenter Rozendy
Signature of Applicant.

Subscribed and sworn to before me
this 29th day of April 1926.

Ryle Wick
Notary Public in and for
McLennan ~~McLellan~~ County, Texas

(SEAL)

My commission expires June 1, 1927.

FRED A. BAKER

ENROLLING COMMISSION

JAMES E. HENDERSON

UNITED STATES
DEPARTMENT OF THE INTERIOR
Indian Field Service

Cherokee, N. C. Aug. 16, 1927.

Mrs. Bess C. Lazenby,
Waco, Texas.

The Enrolling Commission has received your appeal from its decision dated.....~~January 31,~~....., 1927, rejecting your application for the reasons stated in its notice to you, for the enrollment of yourself (and minor children) with the Eastern Band of Cherokee Indians of North Carolina.

In order that you may have ample opportunity to be heard in the matter of your appeal, and to make such additional showing as you may wish as to your right to enrollment, you are hereby notified that you will be given a period of thirty days from the date hereof within which to submit additional evidence in person, by attorney, or by affidavit. If you desire, the testimony of yourself and such witnesses as you may wish to summon in your behalf will be taken before the Enrolling Commission at the Cherokee Indian Agency, Cherokee, North Carolina, at a time to be designated by it.

In accordance with the rules and regulations promulgated by the Secretary of the Interior, such additional evidence as you may care to submit will be filed in the office of the Commission at the Cherokee Indian Agency, Cherokee, North Carolina, with the record in your case for subsequent transmission to the Department upon the completion of the Enrollment, for review and final action.

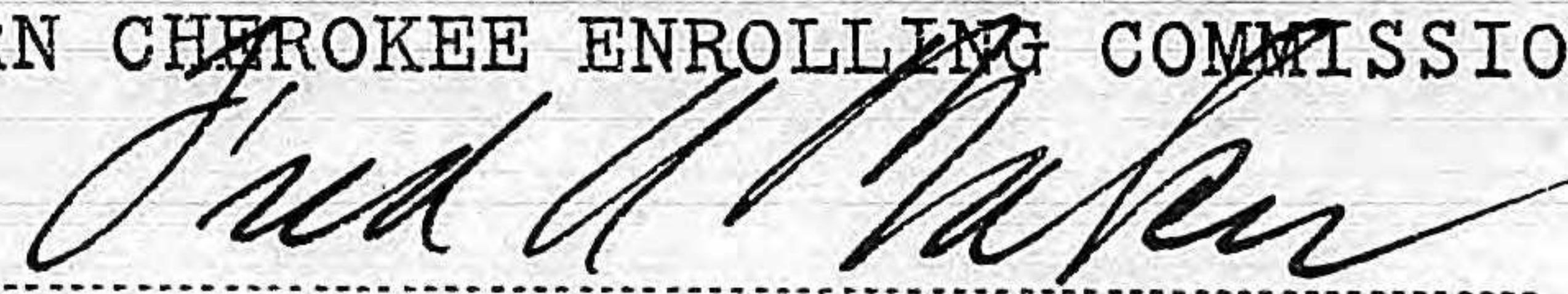
If you desire to submit any additional evidence by affidavit, or to be heard in person or by attorney, you should take immediate steps to submit your evidence or to notify the Commission either personally or by letter that you desire to be heard.

Under present instructions, this will be the last opportunity you will be given to present your case to the Enrolling Commission.

Very respectfully,

EASTERN CHEROKEE ENROLLING COMMISSION

By.....



For the Commission.

ENROLLING COMMISSION:

Fred A. Baker

James E. Henderson

#1966

DEPARTMENT OF THE INTERIOR
U. S. INDIAN FIELD SERVICE

Cherokee, N. C. Jan. 31, 1927

Miss Bess C. Lazenby, Waco, Texas, McLennan County

The enrolling committee has examined your application for enrollment with the Eastern Band of Cherokee Indians of North Carolina, and from the information contained therein it does not feel justified in recommending you for acceptance as an enrolled member of the band. Your application is, therefore, rejected for the reasons checked below:

- * 1. The applicant's ancestors have not been enrolled as members of the Eastern Band of Cherokee Indians.
- * 2. The applicant, or parents, were not in the State of North Carolina at the time of the Award October 23, 1874.
- * 3. The applicant, or parents, were not enrolled in 1868, or since that date.
- * 4. Proper degree of affiliation and association with the Eastern Band of Cherokee Indians is not shown by the record.
- * 5. The applicant was not recognized by the tribe as a member thereof.
- * 6. No contribution is shown to have been made toward the purchase of the Qualla Boundary or other tribal lands.
- 7. The applicant, or parents, were enrolled as Western Cherokees.
- 8. Any right the applicant, or the ancestors through whom he claims, may have acquired by reason of residence in the State of North Carolina in October 1874, or by reason of enrollment with the Eastern Band prior to that date, has been lost through non-affiliation.
- 9. The parents of the applicant, one of them being white, were married since June 7, 1897, and the applicant was born apart from the Indian community.

Thirty days is allowed in which to appeal to the Secretary of the Interior from this decision. Any appeal taken must be prepared in proper form and filed in this Office, so that all papers in the case may be forwarded at the same time. The committee has no forms for use in making appeal, and no information as to the method of preparing the same. A separate appeal in typewritten form, if possible, is required in each case.

Very respectfully,


MEMBER OF THE ENROLLING COMMISSION
FOR THE COMMISSION.

Cherokee Indian Agency,
Cherokee, N.C.
December 18, 1926.

Hon. Tom Connally, M.C.
House of Representatives,
Washington, D.C.

My dear Mr. Connally:-

I have the honor to acknowledge receipt of your letter of December 15, 1926 in regard to the application of Mrs. Bessie Carpenter Lazenby for enrollment with the Eastern Band of Cherokee Indians of North Carolina, she being a descendant of Lathursia Gooch, an alleged full blood Cherokee Indian.

The records of this office show that on September 30, 1926 we wrote you in regard to this matter in part as follows, "I wish to advise that there is an application filed by her on file and in the next few months it will be taken up for consideration in the regular course of office procedure."

"The fact that we have over 11,000 applications to consider makes it impossible for us to say when we shall reach any particular case."

For your information I will say that we have on file the applications of eighty eight persons claiming right to enrollment through Lathursia Gooch, whose husband was Hardy Hubbard, a white man.

It is hoped that we will reach these applications for consideration within the next few months.

Very respectfully,

James E. Henderson,
Member of Enrollment Commission.

TOM CONNALLY
11TH TEXAS DISTRICT

COMMITTEE ON
FOREIGN AFFAIRS

Congress of the United States
House of Representatives
Washington, D. C.

December 15, 1926.

In Re: Lathursia Gooch,
Cherokee Indian.

Cherokee Commission,

Cherokee, N. C.

My dear Sirs:

I wrote you under date of August 30, 1926,
inquiring as to whether any claim had been filed on be-
half of Mrs. Bessie Carpenter Lazenby, or on behalf of
any descendants of Lathursia Gooch, who was a fullblood
Cherokee Indian.

Thanking you for information regarding such a
claim, I am

Sincerely,



Cherokee Indian Agency,
Cherokee, North Carolina,
September 2, 1926.

Hon. Tom Connally, M.C.
House of Representatives,
Washington, D.C.

My dear Sir:-

In reply to your letter of August 30, 1926, requesting information in regard to the application for enrollment of Mrs. Bessie Carpenter Lazenby of 1505 Pine Ave. Waco, Texas, for membership in the Eastern Band of Cherokee Indians, I wish to advise that there is an application signed by her on file, and in the next few months, it will be taken up for consideration in the regular course of office procedure.

The fact that we have over eleven thousand applications to consider, makes it impossible for us to say when we shall reach any particular case, but at the proper time, Mrs. Lazenby will be given thirty days notice to appear in person or by attorney to present any additional evidence.

Very respectfully,

James E. Henderson,
Enrolling Commissioner.

TOM CONNALLY
11TH TEXAS DISTRICT

COMMITTEE ON
FOREIGN AFFAIRS

Congress of the United States
House of Representatives
Washington, D. C.

Marlin, Texas,

August 30th, 1926.

Cherokee Commission,
Cherokee, N. C.

In Re: Lathursia Gooch,
Cherokee Indian.

My dear Sirs:

Mrs. Bessie Carpenter Lazenby of 1505 Pine Ave. Waco, Texas is a great, great, great grand-daughter of Lathursia Gooch who was a full blood Cherokee Indian. She desires to assert her rights as such under the Act of June 4th, 1924 as amended by the Act of March 3rd, 1925, in the matter of allotments of land and money.

Will you please advise me whether or not any claim has been filed on behalf of Mrs. Lazenby as such heir or on behalf of any other descendants of said Lathursia Gooch.

Sincerely,

Tom Connally
Chairman

grandmother; that the said Luthursa Gooch was born in North Carolina in the year 1761, was lawfully married in the year 1785 to one Hardy Hubbard in the State of North Carolina; that they continued to live in said State for a number of years, removing to Virginia and thence to Kentucky in the year 1795; that prior to their removal from North Carolina, there was born to the couple a son which they named Asie King Hubbard, which son was born in 1786 and died in 1878; that said Asie King Hubbard was married to Lavicie Harris in 1804 and they removed to Missouri about 1808, settling at Old Franklin across the Missouri River from Booneville, which removal was after the death of Hardy Hubbard, husband of Luthursa Gooch Hubbard. During the residence of Asie King Hubbard in Missouri, he was visited by his mother, Luthursa Gooch Hubbard, who was then eighty-two years of age; Luthursa Gooch Hubbard returning to Kentucky and remaining until her death. That there was born to Asie King Hubbard and wife on January 25th, 1812, a daughter whom they named Luthursa Hubbard, which said daughter married Jeremiah Rogers in 1834, and they removed to Bastrop County, Texas, in 1850. On February 28th, 1838, there was born to the said Luthursa Hubbard Rogers and Jeremiah Rogers, a daughter, Mary Ellen Rogers, who became the wife of O. H. P. Cole in December, 1856, and after his death in 1874, the wife of John Gatlin in 1876. On the 7th day of October, 1868, there was born to the said Mary Ellen Rogers Cole and O. H. P. Cole, a daughter, whom they named Mollie Musick Cole, and who married R. E. L. Carpenter in the year 1887. To the last mentioned union there was born, among other children, a daughter, who is this Petitioner. The said Luthursa Hubbard Rogers was the grand-daughter of Luthursa Gooch Hubbard, and the daughter of Asie King Hubbard, and was well known in Bastrop County, Texas, as part Indian. The above named Asie King Hubbard and Lavicie Harris Hubbard remained in Missouri until the death of Asie King Hubbard in 1878. It is from Luthursa Gooch Hubbard, the full blooded Cherokee Indian Squaw, that the hereinabove named Petitioner claims descent, as evidenced by ap-

plication and affidavits accompanying this Petition and made a part hereof. This Petitioner claims 1/32 degree Cherokee Indian blood.

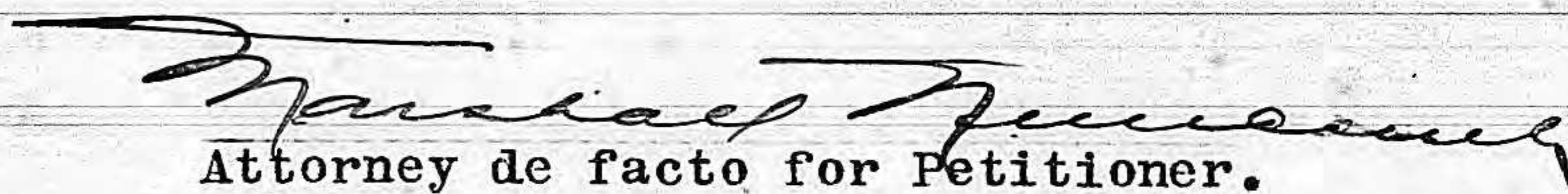
This Petitioner respectfully requests a review of her claim as presented herewith by the Honorable Secretary of Interior, and would further petition as follows:-

That in the event the Secretary of Interior is unable under the foregoing Petition and claims presented therewith to enroll this Petitioner as a Member of the Eastern Band of Cherokee Indians of North Carolina, this Petitioner would pray for directions from this Department of Government as to the proper channels for said claim, and would especially invite the attention of the Secretary of the Interior to the following facts:-

That WHEREAS, in the year 1820 the United States Government removed a portion of the Eastern Band of Cherokee Indians into Oklahoma (Indian Territory) and there allotted the Indians of said Band certain lands.

That WHEREAS, the hereinabove named Luthursa Gooch Hubbard, full blooded Cherokee Indian Squaw, was never allotted any such lands in Oklahoma, nor have any of her descendants received any such allotments.

WHEREFORE, by reason of her Indian heritage, this Petitioner maintains that Luthursa Gooch Hubbard was justly entitled to allotments of lands and moneys from the United States Government and that by reason of such failure on the part of the United States Government, this Petitioner as a descendant of the said Luthursa Gooch Hubbard is entitled to such allotments as shown by application and affidavits accompanying this Petition.


 Attorney de facto for Petitioner.