

Emmett Kennedy

(3 Feb 1876 – 27 May 1890)

Kennedy. At W.M. College, Westminster, Md., Emmett, grandson of the late Col. P.P. Pitchlyn, aged 14 years. Funeral from his grandmother's residence, 1104 Sixth street northwest, Thursday afternoon at 3 o'clock.

The Evening Star, December 10, 1891

Was He A Choctaw?

An Interesting Point Raised by an Administrator of an Estate

An interesting question is involved in an equity suit filed by A.F. Fox, administrator of the estate of Emmett Kennedy, agt. Thomas Pitchlynn and others by Messrs. Edwards and Barnard, the object being to determine who are the distributees of a fund in his hands, whether it should be under the laws of the District or under those of the Choctaw nation.

The bill states that Kennedy was born on the 3d day of February 1876, at Caddo, in the Indian territory. His parents were citizens of the Choctaw nation, his mother being Rhoda Pitchlynn Kennedy, a daughter of the late Peter P. Pitchlynn, who for many years was the representative of his people in this District. On information he avers that interstate's father and mother both departed this life while residents of and domiciled in the said Indian territory; and on the 21st day of December, 1888, and while the said interstate was about twelve years of age, and still residing in the Indian territory, he was appointed his guardian by the court here; that said interstate was brought to this district, and while temporarily at school at Westminster, Md., to wit, May 27, 1890, departed this life, and subsequently complainant was appointed his administrator; that while guardian complainant received for him from the estate of his grandfather, said Peter P. Pitchlynn, in this District, the sum of \$8,525.94, being a portion of the moneys awarded by the United States to the Choctaw people, as he is informed; that this money was held by complainant, and invested for his ward, and he paid out various sums for his benefit during his life and on his death complainant received the residue of all said funds as his administrator, and after passing his final account in this court, holding a special term for Orphans' Court business, which was approved October 16, 1891, he still has remaining in his hands for distribution the sum of \$7,287.70

The bill states that he is ready and anxious to distribute the funds, and he claims that the legal domicile of the said interstate at the time of his death was in the District of Columbia, and that his said estate should be distributed in accordance with the laws of distribution in said District; but he is informed that some of the defendants claim that the said decedent, being a member of the Choctaw nation, had, in contemplation of law, his legal domicile in said nation, or in the said Indian territory, at the date of his death, and that his estate must necessarily be distributed as provided by the laws of said territory.

The defendants are the uncles, aunts and cousins of the intestate, some of the full blood and some of the half blood.