Nº59.

Ophelia 5. Edwards.

C.40, Nations.

Cultie District Court. Nº

Dawre Commission.

See Zona P. Lewis Cose. 7658 Duplicule-

United States of America,

INDIAN TERRITORY,

SS:

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

Southern Co the United States Marshal for the Indian Cerritory, ____ District. GREETING: YOU ARE COMMANDED TO SUMMONS P.S. Mosley, Governor of the Chickasaw Nation, on behalf of said Nation,
to answer 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 Nations, in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, Some alash & Edward of al al and warn him that upon his failure to answer, **** said Governor, on behalf of said Nation, the omplaint will be taken for confessed, and you will make return of the summons waxibaxx xxxxxxxxxxxx instanter. and you are further commanded to notify said P.S. Mosley, Governor aforesaid, that the papers, files and proceedings in the case of word that, File No. 101, in the District have been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the Clerk of said Court for said Ceccle. District, has been attached thereto. WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal South Mc Alester, I.T.

By

MARSHAL'S RETURN.

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gontherna.

Ophelia Sédwards tal Choclaw Denied +David L. Edwards + Charles Edwards + Rela Stayes, or Leela Edwards ! + mortha & Smith or martha JEdwards! 5 Denied

Duplicali

United States of America, INDIAN TERRITORY,

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

Co the United States Marshal for the Indian Cerritory, Norther District,

GREETING:

| YOU ARE COMMANDED TO SUMMONS Green we Curtain, Principal | . , |
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| Chief of the Choctaw Nation, | |
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| on behalf of said Wation | |
| on behalf of said Nation, to answer in twenty days after the service of this summons upon him, as | _ |
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| a complaint in Equity filed against The Choctaw and Chickasaw Nations, | - |
| | - |
| in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, Some alust | 7 |
| by Ahrlen & Edward of the that upon his failure to answer, the as Principal Chief of said Nation, on behalf of said Nation, the | |
| by A and warn that upon failure to answer, the | 3.0% |
| complaint will be taken for confessed, and you will make return of the summons on the | 500 |
| | |
| First day of next xxx instanter, Term of said Court. | |
| and you are further commanded to notify said Green Mc Curtain, Principa | 1 |
| Chief aforesaid, that the files, papers and proceedings in the case of | |
| Aphelia & Edwards Et l. File No. 101, in the District | |
| Court, for the Ceulcul District, of the Indian Territory, have been transferred to the Choctaw and Chickasaw Citizenship Court, and | and a |
| that the certificate of the Clerk of said Court for said Cercles | INA. |
| 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 | |
| South We Alester, T.T. | |
| thereof, at, aforesaid, | , |
| thereof, at south Mc Alester, I.T., aforesaid, this 19 day of March, A. D. 190 | - |
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| Musica B Cassen | |
| Clerk. | and a second |
| By Downton | |

MARSHAL'S RETURN.

Anited States of America, indian territory,

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IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, Sitting at South McAlester, Indian Territory.

Officia S. Edevards.

Zora P. Lewis, et. al --- petitioners

--VS--

The Choctaw Nation and Chickasaw Nation, or Respon Tribes of Indians.

PETITION FOR APPEAL.

Your petitioners, Ophelia S. Edwards, for herself and for David L. Edwards, her minor child, Charles Edwards, Lula Hayes who is the same person named as Lula Edwards in the judgment herein appealed from, Martha J. Smith who is the same person named as Martha J. Edwards in the judgment herein appealed from, andrepresent that they are, of right, citizens of the Choctaw Nation and members of the Choctaw Tribe of Indians by blood, but that their rights and privileges and citizenship as members of the Choctaw Tribe of Indians are disputed and denied them by the lawful authorities of the Choctaw Nation.

Your petitioners represent that on the & day of September, IS96 they, together with others not herein named, fitted their proper petitions and in the time required by law before the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, asking that they be enrolled by the said Commission as members of the Choctaw Tribe of Indians by blood.

That thereafter said petition was acted upon by said Commission and the prayer therein contained wash by the said Commission, denied and petitioners' right to be enrolled as members of the Choctaw tribe of Indians refused.

That from the decision of the said Commission your petitioners, together with others, in proper time and in accordance with law, appealed from said decision of said Commission to the United States

Court for the Central District of the Indian Territory, sitting at South McAlester.

That thereafter said United States Court rendered judgment on said appeal directing that all of your petitioners be enrolled as members of the Choctaw Tribe of Indians.

That said cause in said court was styled -- Zora P.

Lewis, et. al. --- VS--- Choctaw Nation, and numbered IOI on the Citizenship Docket of said Court.

Your petitioners pray an appeal from the United States Court for the Central District of the Indian Territory at South McAlester to this Honorable Court and that writ of error be issued directing the Clerk of the United states Court to transmit to the Clerk of this Court the records and original files of all papers in this cause, and that summons be issued and directed to the Choctaw and Chickasaw Nations or Tribes of Indians in accordance with law to the end that this cause may be reviewed by this Honorable Court, and that justice may be done your petitioners. And your petitioners will ever pray.

Attorneys for petitioners.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, SITTING AT SOUTH MCALESTER, SEPTEMBER TERM, 1903.

Ophelia S. Edwards, et al, Plainiffs.

vs.

The Choctaw Nation and the Chickasaw Nation,

Defed antsp

MOTION TO MAKE MORE DEFINITE AND CERTAIN.

Come now the Choctaw and Chicasaw Nations, by Manisfield, McMurray & Cornish, their attorneys and move this Honorable Court to require plaintiffs, Ophelia S. Edwards, et al, to make their application for admittance enrollment filed before the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, more definite and certain in this, to wit:

That they be required to state:

ancestors, through whom they claim the right to be admitted as citizens of the Choctaw Nation complied with the provisions of article fourteen of the treaty of 1830, between the United States and the Choctaw Nation; and if any or all so complied by whom such compliance was made, and how; and

SECOND: Whether they, or any or all of their alleged ance stors, emi rated to the Choctaw Nation, Indian Territory, with the Choctaw Indians residing in the old Choctaw Nation, in the State of Misissippi, in accordance with article three of said treaty of 1830; and if so the name or names of the person or persons so emigrating.

THE CHOCKA W NATION THE CHICKASAW NATION.

BY

COURT, RILLING VI SOUTH NOVITEREN' REL-

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The Chocksw Mation,

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THE CHICKVEVA MELION

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, SITTING AT SOUTH MCALESTER, INDIAN TERRITORY, SEPTEMBER TERM, 1903.

| Ophelia S. Edwards et al, |
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| |
| VS. |
| The Choctaw Mationiandsaw Mation, |
| DEMURRER. |
| Come now the Choctaw and Chickasaw Nations and demur to the |
| petition for citizenship of plaintiffs and for cause state that it does |
| not state facts which, if true, would warrant this Honorable Court in is |
| admitting them as citizens of the Chockew Mation. |
| |
| The CHOCTAV NATION, |
| The CHICKASAW NATION, |
| |
| By Their attorneys. |
| |
| Indian erritory, |
| Central District. |
| I, W. H. Moore, on my oath, state, that on this |
| |
| day of September, 1903, I mailed a copy of the above affidavit to Messrs. |
| day of September, 1903, I mailed a copy of the above affidavit to Messrs. Harley and Lewis, plaintiffs' attorneys of record. |
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Ophelia P. Edwards, et al. le. No. Nations. DEEEE district; the Choctew and ent to enemitte DEN S. Edwards of al. for citizenship facts which, DOW petition

Indian

.aveash of TTTTGLTT record. plaintiffs' attorneys . 17 1903, and Lewis, Harley

Ophelia S. Edwards, et al,

--VS--

The Choctaw and Chickasaw Nations,

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Harley & Lewis, Attorneys for defendants.

Mansfied, McMurray & Cornish, for defendants.

Present and presiding the Honorables Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges.

NOVEMBER 27, 1903. This day this cause coming on to be hears, Defendants being represented by Counsel, and kathax having announced ready for trial the following proceedings were had, to-wit:

Mr. Comish.

If the Court please this is a branch of the Lewis case, and it was suggested at the time that it await the disposition of the Lewis case.

Ophelia S. Edwards, et al,

vs. No. 59.

The Choctaw and Chickasaw Nations,

February 4, 1904.

Mr. Comish:

That is a branch of the Zora P. Lewis case, and out testimony will be offered in the Lewis case number fifty-eight.

JUDGE ADAMS:

Same source.

Mr. Cornish:

Yes sir.

JUDGE ADAMS:

If they are all the same cases, why not bunch them up.

Mr. Harley:

We have no objections.

Mr. Comish:

All the testimony which they have offered was in number fiftyeight, and the testimony which we shall offer is in number fifty-eight.

Mr. Harley:

We are willing that the Court decide all three in one opinion. They are all together and f one is rejected the others will have to be rejected.

JUDGE WEAVER:

I do not see why we could not try them as the supe, a Court itred the Stephens case.

JUDGE ADAMS:

Unless some attention is called to it in the record than we will lose sight of it.

JUDGE FOOTE:

If they get anything wrong.

JUDGE ADAMS:

At first we did not know what que tions would arise in this case and refused to consolidate, but now the evidence is is and show that they claim through the same source, and it will save a whole lot of work for the stenographer. Mr. Cornish:

Either way w 11 be entirely agreeable with us.

In the Choctaw and Chickasaw Citizenship Court, sitting at Tishomingo, Indian Territory. December Term, 1904.

Ophelia S. Edwards, et al.,

VS.

No. 59.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 3rd day of December, 1904, this cause coming on for final decision, the same having heretofore been submitted upon the law and the evidence and the Court being well and sufficiently advised in the premises, doth find that the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards and Martha J. Smith or Martha J. Edwards, are not entitled to be deemed or declared citizens of the Choctaw Nation, or to enrollment as such, or to any rights whatever flowing therefrom.

petition of the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards, and Martha J. Smith or Martha J. Edwards, be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens, and not entitled to any rights whatever which flow therefrom.

| ****** | Chief | Judg | e. | • • • • | • • • • • | |
|--------|--------|------|--------|-----------|-----------|--|
| ***** | Associ | late | judge | • • • • • | • • • • | |
| | Associ | late | Judge | • • • • • | • • • • | |

Nº59.

Ophelia 5. Edwords.

C.40, Nations.

Central District Court. Nº

Dawre Commission.

See Zona P. Lewis Cose -7658 Duplicali-

United States of America,

INDIAN TERRITORY,

SS:

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

Southern To the United States Marshal for the Indian Cerritory. District. GREETING: YOU ARE COMMANDED TO SUMMONS P.S. Mosley, Governor of the Chickasaw Nation, on behalf of said Nation, to answer 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 Nations, in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, Some alcah L. Edwork et al and warn him that upon his failure to answer, s said Governor, on behalf of said Nation, the complaint will be taken for confessed, and you will make return of the summons xxxxxxxx xxxxxxxxxxxxx instanter. and you are further commanded to notify said P.S. Mosley, Governor aforesaid, that the papers, files and proceedings in the case of work that, File No. 101, in the District court, for the Could District of the Indian Territory, have been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the Clerk of said Court for said Could District, has been attached thereto. WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal South Mc Alester, I.T.

By

MARSHAL'S RETURN.

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| Offilia & Edword et al vs. | M ble | With a member of defendant's family over 15 And the other persons named in this Sum | AXX Matham M | | |
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| Clerk. | brrs | iding. | day of day of day of day of | _day of _day of | 20 |
| By, Deputy. | 2 | 2. 3 | of of | of_ | , A. D. |
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Ophelia SEdwards stal Choclaw Denied + David L. Edwards + Charles Edwards + Riela Stayes, or Liela Edwards ! + mortha & mith or martha / Edwards! 5 Denied

La uplicati

United States of America, INDIAN TERRITORY,

Choctaw and Chickasaw Citizenship Court.

SS:

The President of the United States of America,

Co the United States Marshal for the Indian Cerritory, Norther District,

GREETING:

| YOU ARE COMMANDED TO SUMM | IONS Green we Curtain, Principal |
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| Chief of the Choctaw Nation, | |
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| on hehalf of said Nation. | |
| to answer in twenty days after the service of t | his summons upon him, as |
| Principal Chief of said Nation, | |
| a complaint in Equity filed against | octaw and Chickasaw Nations. |
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| in the Choctaw and Chickasaw Citizenship Court | , in the Indian Territory, Some alustin |
| Whiles & Edwards et a | of upon his failure to answer MIXX |
| by Office & Edward of the the as Principal Chief of said Nation, on | behalf of said Nation, the |
| complaint will be taken for confessed, and yo | u will make return of the summons on the |
| * first day of next xxx instanter, | Term of said Court. |
| and you are further commanded to notif | s and proceedings in the case of |
| Ophilia & Edwards Ef el | File No. ///, in the District |
| court, for the Coulcil Dis | trict, of the Indian Territory, |
| that the certificate of the Clerk of s | aid Court for said Cecluse |
| District, Indian Territory, has been a WITNESS the Honorable | Spencer B. Adams, Chief Judge, Walter L. |
| Character | S. Foote, Associate Judges, and the Seal |
| thereof, at | South Mc Alester, I.T. , aforesaid, |
| | ay of, A. D. 190-3 |
| this | , A. D. 190 |
| 3 July 13 minus | Rus B. Cassen |
| ASSERTED SOMETHING | Clerk. |
| By | |

MARSHAL'S RETURN.

| Definition of this summons this day of the family one of defendant's family over 15 years of age there residing. By MARSHALS FEES. I Except this summons this and served same by copy, as follows: Personally on. At Residence of the persons named in this Summons are "not found in this District." And the other persons named in this Summons are "not found in this District." MARSHALS FEES. No peputy. MARSHALS FEES. | |
|--|---------------------------------------|
| I RECEIVED this summons this order personally on at the Residence of the persons named in the persons named in the character of the persons named in the | |
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| Deputy. | |
| MARSHAL'S FEES. D. 190 | |
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| nse, \$ | |
| Total, \$ | |
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| Attorney for Plaintiff. State al Attorney for Plaintiff. State al Attorney for Plaintiff. B B B B B B B B B B B B B B B B B B B | |

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT,
Sitting at South McAlester, Indian Territory.

Officia S. Edwards.

Lowis, et. al --- petitioners

--VS--

The Choctaw Nation and Chickasaw Nation, or Tribes of Indians.

PETITION FOR APPEAL.

Your petitioners, Ophelia S. Edwards, for herself and for David L. Edwards, her minor child, Charles Edwards, Lula Hayes who is the same person named as Lula Edwards in the judgment herein appealed from, Martha J. Smith who is the same person named as Martha J. Edwards in the judgment herein appealed from, andrepresent that they are, of right, citizens of the Choctaw Nation and members of the Choctaw Tribe of Indians by blood, but that their rights and privileges and citizenship as members of the Choctaw Tribe of Indians are disputed and denied them by the lawful authorities of the Choctaw Nation.

Your petitioners represent that on the & day of September, IS96 they, together with others not herein named, filled their proper petitions and in the time required by law before the Commission to the Five Civilized Tribes, commonly known as the Dawes Commission, asking that they be enrolled by the said Commission as members of the Choctaw Tribe of Indians by blood.

That thereafter said petition was acted upon by said Commission and the prayer therein contained wash by the said Commission, denied and petitioners' right to be enrolled as members of the Choctaw tribe of Indians refused.

That from the decision of the said Commission your petitioners, together with others, in proper time and in accordance with law, appealed from said decision of said Commission to the United States

Court for the Central District of the Indian Territory, sitting at South McAlester.

That thereafter said United States Court rendered judgment on said appeal directing that all of your petitioners be enrolled as members of the Choctaw Tribe of Indians.

That said cause in said court was styled -- Zora P.

Lewis, et. al. ---VS--- Choctaw Nation, and numbered IOI on the Citizenship Docket of said Court.

Your petitioners pray an appeal from the United States Court for the Central District of the Indian Territory at South McAlester to this Honorable Court and that writ of error be issued directing the Clerk of the United states Court to transmit to the Clerk of this Court the records and original files of all papers in this cause, and that summons be issued and directed to the Choctaw and Chickasaw Nations or Tribes of Indians in accordance with law to the end that this cause may be reviewed by this Honorable Court, and that justice may be done your petitioners. And your petitioners will ever pray.

Attorneys for petitioners.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, SITTING AT SOUTH MCALESTER, SEPTEMBER TERM, 1903.

Ophelia S. Edwards, et al, Plainiffs.

vs.

The Choctaw Nation and the Chickasaw Nation,

Defed antso

MOTION TO MAKE MORE DEFINITE AND CERTAIN.

Come now the Choctew and Chicasaw Nations, by Manefield, McMurray & Cornish, their attorneys and move this Honorable Court to require plaintiffs, Ophelia S. Edwards, et al, to make their application for admittance enrollment filed before the Commission to the Five Civilized Tribes, under the Act of Congress of June 10, 1896, more definite and certain in this, to wit:

That they be required to state:

ancestors, through whom they claim the right to be admitted as citizens of the Choctaw Nation complied with the provisions of article fourteen of the treaty of 1830, between the United States and the Choctaw Nation; and if any or all so complied by whom such compliance was made, and how; and

SECOND: Whether they, or any or all of their alleged ancestors, emi rated to the Choctaw Nation, Indian Territory, with the Choctaw Indians residing in the old Choctaw Nation, in the State of Misissippi, in accordance with article three of said treaty of 1830; and if so the name or names of the person or persons so emigrating.

THE CHICKASAW NATION.

BY

COURT, SILLING VI SOLIH NCVITERIES, REL-IN LHE CHOCLVA VED CHICKVEVA CILINERELI

Plainiffs 120 Edwards, et Ophelia S.

The Chockew Hatton,

Sphelia Elwo To de anoida Monda and anoida was and anoida was anoida was a sout of anoida was anoida was a sout of anoida was anoida was a sout a sout anoida was a sout anoida was a sout anoida was a sout a sout a sout a sout anoida was a sout anoida was a sout a sout a sout a sout a sout a sout anoida was a sout a

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THE CHICKYSVA MALION

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, SITTING AT SOUTH MCALESTER, INDIAN TERRITORY, SEPTIMBER TERM, 1903. Ophelia S. Edwards et al, ---------Plaintiffs. VS. The Choctaw Nationiandsaw Mation, ----4 -- Defendants The Chickasaw Nation, ----DEMURRER. Come now the Choctaw and Chickasaw Nations and demir to the petition for citizenship of plaintiffs and for cause state that it does not state facts which, if true, would werrant this Honorable Court in admitting them as citizens of the Chockew vation. The CHOCTAW NATION, The CHICKASAW NATION. By Their attorneys. Indian erritory,

Central District.

I, W. H. Moore, on my oath, state, that on this day of September, 1903, I mailed a copy of the above affidavit to Messrs. Harley and Lewis, plaintiffs' attorneys of record.

Subscribed and sworn to before me this September _____, 1903.

Motary Public.

E A

Ophelia P. Edwards, et al, le. + Co. Nations.

Indian

.araasM of Plaintiffs 1803,

Ophelia S. Edwards, et al,

--VS--

The Choctaw and Chickasaw Nations,

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Harley & Lewis, Attorneys for defendants.

Mansfied, McMurray & Cornish, for defendants.

Present and presiding the Honorables Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges.

NOVEMBER 27, 1903. This day this cause coming on to be hears, Defendants being represented by Counsel, and kathax having announced ready for trial the following proceedings were had, to-wit:

Mr. Cornish.

If the Court please this is a branch of the Lewis case, and it was suggested at the time that it await the disposition of the Lewis case.

Ophelia S. Edwards, et al.,

vs. No. 59.

The Choctaw and Chickasaw Nations,

February 4, 1904.

Mr. Comish:

That is a branch of the Zora P. Lawis case, and out testimony will be offered in the Lewis case number fifty-eight.

JUDGE ADAMS:

Same source.

Mr. Comish:

Yes sir.

JUDGE ADAMS:

If they are all the same cases, why not bunch them up.

Mr. Harley:

We have no objections.

Mr. Comish:

All the testimony which they have offered was in number fiftyeight, and the testimony which we shall offer is in number fifty-eight.

Mr. Harley:

We are willing that the Court decide all three in one opinion. They are all together and f one is rejected the others will have to be rejected.

JUDGE WEAVER:

I do not see why we could not try them as the Supe, a Court itred the Stephens case.

JUDGE ADAMS:

Unless some attention is called to it in the record

JUDGE FOOTE:

If they get anything wrong.

JUDGE ADAMS:

At first we did not know what que tions would arise in this case and refused to consolidate, but now the evidence is is and show that they claim through the same source, and it will save a whole lot of work for the stenographer.

Mr. Cornish:

Rither way w 11 be entirely agreeable with us.

In the Choctaw and Chickasaw Citizenship Court, sitting at Tishomingo, Indian Territory. December Term, 1904.

Ophelia S. Edwards, et al.,

VS.

No. 59.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 3rd day of December, 1904, this cause coming on for final decision, the same having heretofore been submitted upon the law and the evidence and the Court being well and sufficiently advised in the premises, doth find that the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards and Martha J. Smith or Martha J. Edwards, are not entitled to be deemed or declared citizens of the Choctaw Nation, or to enrollment as such, or to any rights whatever flowing therefrom.

ITIS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs, Ophelia S. Edwards, David L. Edwards, Charles Edwards, Lula Hayes or Lula Edwards, and Martha J. Smith or Martha J. Edwards, be denied, and that they be declared not citizens of the Choctaw Nation and not entitled to enrollment as such citizens, and not entitled to any rights whatever which flow therefrom.

| ••••• | Chief Judge. | | |
|-------|------------------|-----------|--------|
| ••••• | Associate Judge. | | ••••• |
| | Associate Judge. | • • • • • | •••••• |