

Nº 59.

Ophelia B. Edwards,

vs

C. + C. Nations.

Nº

Central District Court.

Nº

Jury Commission.

See Zora P. Lewis Case -

No 58

SUMMONS.

Duplicate

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 Territory, **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, *South Mc Alester*

by *Ophelia E. Edwards et al* and warn **him** that upon **his** failure to answer, ~~the~~

as said Governor, on behalf of said Nation, the

complaint will be taken for confessed, and you will make return of the summons ~~xxxxxx~~

~~xxxxxx~~ **instanter.**

~~xxxxxx~~ Term of said Court.

and you are further commanded to notify said P.S. Mosley, Governor aforesaid, that the papers, files and proceedings in the case of

Ophelia E. Edwards et al, File No. **101**, in the District Court, for the **Civil** 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 **Civil** 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

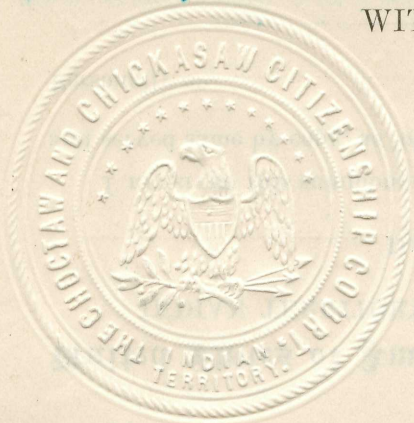
thereof, at **South Mc Alester, I.T.**, aforesaid,

this **19th** day of **March**, A. D. 190**3**

By

James B. Cassada
Clerk.

, Deputy.



MARSHAL'S RETURN.

United States of America,

INDIAN TERRITORY,

ss:

DISTRICT.

I RECEIVED this summons this _____ day of _____, A. D. 190____, at _____ o'clock _____ m.
and served same by copy as follows:

March
South Mc Veefer, T.T.

Personally on _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

With a member of defendant's family over 15 years of age there residing.
And the other persons named in this Summons are "not found in this District."

U. S. Marshal.

By _____, Deputy

Governor of said Nation,

him, as

DUPLICATE.

No. 5-9-m

SUMMONS
IN EQUITY.

Opelia E. Edwards et al
vs.
Chaslam^{us} Chickasaw
Nations

Summons issued the 19 _____ day
of March, 1903

Returnable instant Term, 190____

Returned and filed _____, 190____

Clerk.

By _____, Deputy.

MARSHAL'S FEES.

Services,	-	-	-	-	\$	_____
Miles,	-	-	-	-	\$	_____
Expense,	-	-	-	-	\$	_____
TOTAL,	-	-	-	-	\$	_____

Harley^{us} Lewis
Attorney for Plaintiff.
So. Mc Veefer T.T.

Ophelia S Edwards et al

No 59

Choctaw Denied

+ Ophelia S Edwards

+ David L. Edwards

+ Charles Edwards

+ Lula Stays, or Lula Edwards

+ Martha J. Smith or Martha J. Edwards

5 Denied

SUMMONS.

Duplicati

United States of America,)

INDIAN TERRITORY,)

ss:

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

To the United States Marshal for the Indian Territory, Northern District,

GREETING:

YOU ARE COMMANDED TO SUMMONS Green Mc Curtain, Principal
Chief of the Choctaw Nation,

on behalf of said Nation,
to answer in twenty days after the service of this summons upon him, as

Principal Chief of said Nation,
a complaint in Equity filed against The Choctaw and Chickasaw Nations,

in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, South Mc Alester
by Ophelia E. Edwards et al and warn him that upon his failure to answer, the
as Principal Chief of said Nation, on behalf of said Nation, the
complaint will be taken for confessed, and you will make return of the summons on the

first day of next instanter, Term of said Court.
and you are further commanded to notify said Green Mc Curtain, Principal
Chief aforesaid, that the files, papers and proceedings in the case of
Ophelia E. Edwards et al File No. 101, in the District
Court, for the Central 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 Central
District, Indian Territory, has been attached thereto.

WITNESS the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L.

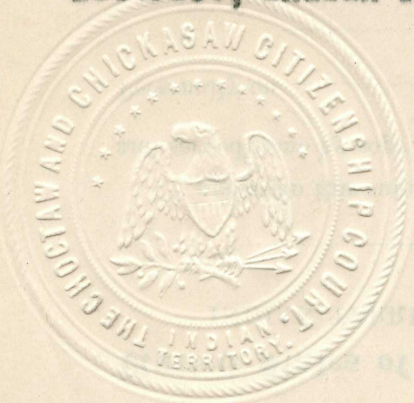
WEAVER and HENRY S. FOOTE, Associate Judges, and the Seal

thereof, at South Mc Alester, I.T., aforesaid,

this 19th day of March, A. D. 1903

By _____, Deputy.

James B. Casson
Clerk.



MARSHAL'S RETURN.

United States of America,
INDIAN TERRITORY,

ss:

DISTRICT.

I received this summons this _____ day of _____, A. D. 190____, at _____ o'clock _____ m. and served same by copy, as follows:

Personally on _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 At Residence of _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

With a member of defendant's family over 15 years of age there residing.

And the other persons named in this Summons are "not found in this District."

U. S. Marshal.

By _____, Deputy.

No. *59-m-*
SUMMONS
IN EQUITY.

Aphelia E. Edwards et al
vs.
Chactaw of Chickasaw Nations

Summons issued the *19* day
of *March*, 190*3*
Returnable *instant* Term, 190____

Returned and filed _____, 190____

Clerk.

By _____, Deputy.

MARSHAL'S FEES.

Services,	-	-	-	-	\$	_____
Miles,	-	-	-	-	\$	_____
Expense,	-	-	-	-	\$	_____
TOTAL,	-	-	-	-	\$	_____

Wiley B. Lewis
So. Wk. Austin 3.7
Attorney for Plaintiff.

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

Ophelia S. Edwards
~~Zora P. Lewis~~, et. al --- petitioners

--VS--

The Choctaw Nation and }
Chickasaw Nation, or } Respondent
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, and represent 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 8 day of September, 1896 they, together with others not herein named, filed 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 was 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 101 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.

Harley V Lewis
Attorneys for petitioners.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP
COURT, SITTING AT SOUTH McALESTER, SEP-
TEMBER TERM, 1903.

Ophelia S. Edwards, et al, Plaintiffs.

vs.

The Choctaw Nation and the
Chickasaw Nation, Defendants.

MOTION TO MAKE MORE DEFINITE AND CERTAIN.

Come now the Choctaw and Chickasaw Nations, by Mansfield, 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:

FIRST: Whether they, or any or all of their alleged 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, emigrated to the Choctaw Nation, Indian Territory, with the Choctaw Indians residing in the old Choctaw Nation, in the State of Mississippi, 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 CHOCTAW NATION
THE CHICKASAW NATION.

BY _____

ATTORNEYS.

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

Ophelia S. Edwards et al,-----Plaintiffs,

vs.

The Choctaw Nation and Chickasaw Nation,-----Defendants.
The Chickasaw Nation,-----Defendants.

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
admitting them as citizens of the Choctaw nation.

The CHOCTAW NATION,
The CHICKASAW NATION,

By _____
Their attorneys.

Indian Territory, SS.
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.

Notary Public.

MOORELY PUBLIC

September, 1902, to be before me this September

Noted and read, District, Attorney of record.
day of September, 1902, I mailed a copy of the above affidavit to Messrs.
I, A. H. Moore, on my own state, that on this

County District,
Inquire "early" 22.

These affidavits

by

Ophelia P. Edwards, et al.

vs
L. & L. Nations.

Demurrer

DEEMER

Attorney

NOTES: THE DISTRICT, SEPTEMBER, 1902, TO BE BEFORE ME THIS SEPTEMBER
IN THE CHICKASAW AND CHICKASAW DISTRICTS, COUNTY, STATE OF SOUTH

Ophelia S. Edwards, et al,

--vs--

The Choctaw and Chickasaw Nations,

---o---

Harley & Lewis, Attorneys for defendants.

Mansfield, 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 heard, Defendants being represented by Counsel, and ~~having~~
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 disposit-
ion of the Lewis case.

Ophelia S. Edwards, et al,

vs. No. 59.

The Choctaw and Chickasaw Nations,

February 4, 1904.

Mr. Cornish:

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. Cornish:

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 if 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,^e Court itred the Stephens case.

JUDGE ADAMS:

Unless some attention is called to it in the record ~~thxx~~ 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 in 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 ll 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.

IT IS 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.

No 59.

Ophelia B. Edwards,

vs

C. & C. Nations.

No

Central District Court.

No

Jury Commission.

See Zora P. Lewis Case -

No 58

SUMMONS.

Duplicate

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 Territory, **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 alster*

by *Ophelia E. Edwards et al* and warn **him** that upon **his** failure to answer, ~~xxx~~

as said Governor, on behalf of said Nation, the complaint will be taken for confessed, and you will make return of the summons ~~xxxxxx~~

~~xxxxxx~~ **instanter.**

~~xxxxxx~~ Term of said Court.

and you are further commanded to notify said P.S. Mosley, Governor aforesaid, that the papers, files and proceedings in the case of

Ophelia E. Edwards et al, File No. **101**, in the District Court, for the **Civil** 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 **Civil** 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

thereof, at **South Mc Alester, I.T.**, aforesaid,

this **19th** day of **March**, A. D. 190**3**

By *James B. Cassada*, Deputy.

Clerk.



MARSHAL'S RETURN.

United States of America,
INDIAN TERRITORY,

ss:

DISTRICT.

I RECEIVED this summons this _____ day of _____, A. D. 190____, at _____ o'clock _____ m.
and served same by copy, as follows:

South Mc Veefer, T.T.

Personally on _____ at _____ Ind. Ter. this _____ day of _____ 190____ o'clock _____ m.

" _____ at _____ Ind. Ter. this _____ day of _____ 190____ o'clock _____ m.

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DUPLICATE.

No. 5-9-M

SUMMONS
IN EQUITY.

Opelia E. Edwards et al
vs.
Chaslam^{2d} Chickasaw
Nationals

Summons issued the 19 _____ day
of March _____, 1903

Returnable instant Term, 190____

Returned and filed _____, 190____

Clerk.

By _____, Deputy.

MARSHAL'S FEES.

Services,	-	-	-	-	\$	_____
Miles,	-	-	-	-	\$	_____
Expense,	-	-	-	-	\$	_____
TOTAL,	-	-	-	-	\$	_____

Harley^{2d} Lewis
Attorney for Plaintiff.
So. Mc Alester 3-7

Ophelia S Edwards et al

No 59

Choctaw Denied

+ Ophelia S Edwards

+ David L. Edwards

+ Charles Edwards

+ Lula Stays, or Lula Edwards

+ Martha J. Smith or Martha J. Edwards

5 Denied

SUMMONS.

Duplicati

United States of America,
INDIAN TERRITORY,
Choctaw and Chickasaw Citizenship Court.

SS:

The President of the United States of America,

To the United States Marshal for the Indian Territory, Northern District,

GREETING:

YOU ARE COMMANDED TO SUMMONS Green Mc Curtain, Principal
Chief of the Choctaw Nation,

on behalf of said Nation,
to answer in twenty days after the service of this summons upon him, as
Principal Chief of said Nation,
a complaint in Equity filed against The Choctaw and Chickasaw Nations,

in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, Some district
by Ophelia E. Edwards et al and warn him that upon his failure to answer, the
as Principal Chief of said Nation, on behalf of said Nation, the
complaint will be taken for confessed, and you will make return of the summons on the
first day of next instant, Term of said Court.

and you are further commanded to notify said Green Mc Curtain, Principal
Chief aforesaid, that the files, papers and proceedings in the case of
Ophelia E. Edwards et al File No. 101, in the District
Court, for the Central 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 Central
District, Indian Territory, has been attached thereto.

WITNESS the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L.

WEAVER and HENRY S. FOOTE, Associate Judges, and the Seal
thereof, at South Mc Alester, I.T., aforesaid,
this 19th day of March, A. D. 1903

By _____, Deputy.

James B. Casson
Clerk.



MARSHAL'S RETURN.

United States of America,
INDIAN TERRITORY,

ss:

DISTRICT.

I received this summons this _____ day of _____, A. D. 190____, at _____ o'clock _____ m.
and served same by copy, as follows:

Personally on _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
At Residence of _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.
" _____ at _____ Ind. Ter. this _____ day of _____ 190____, o'clock _____ m.

With a member of defendant's family over 15 years of age there residing.

And the other persons named in this Summons are "not found in this District."

U. S. Marshal.

By _____, Deputy.

No. *59-m-*
SUMMONS
IN EQUITY.

Aphelia E. Edwards et al
vs.
Chactaw of Chickasaw Nations

Summons issued the *19* day
of *March*, 190*3*
Returnable *instant* Term, 190____

Returned and filed _____, 190____

Clerk.

By _____, Deputy.

MARSHAL'S FEES.

Services, - - - - \$ _____
Miles, - - - - \$ _____
Expense, - - - - \$ _____
TOTAL, - - - - \$ _____

Wiley B. Lewis
So. 2nd District 3.7
Attorney for Plaintiff.

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

Ophelia S. Edwards
~~Zora P. Lewis~~, et. al --- petitioners

--VS--

The Choctaw Nation and }
Chickasaw Nation, or } Respondent
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, and represent 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 8 day of September, 1896 they, together with others not herein named, filed 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 was 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 101 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.

Harley V Lewis
Attorneys for petitioners.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP
COURT, SITTING AT SOUTH McALESTER, SEP-
TEMBER TERM, 1903.

Ophelia S. Edwards, et al, Plaintiffs.

vs.

The Choctaw Nation and the
Chickasaw Nation, Defendants.

MOTION TO MAKE MORE DEFINITE AND CERTAIN.

Come now the Choctaw and Chickasaw Nations, by Mansfield, 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:

FIRST: Whether they, or any or all of their alleged 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, emigrated to the Choctaw Nation, Indian Territory, with the Choctaw Indians residing in the old Choctaw Nation, in the State of Mississippi, 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 CHOCTAW NATION
THE CHICKASAW NATION.

BY _____

ATTORNEYS.

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

Ophelia S. Edwards et al,-----Plaintiffs,
vs.

The Choctaw Nation and Chickasaw Nation,-----Defendants.
The Chickasaw Nation,-----Defendants.

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
admitting them as citizens of the Choctaw nation.

The CHOCTAW NATION,
The CHICKASAW NATION,

By _____
Their attorneys.

Indian Territory, SS.
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.

Notary Public.

Official Copy

Received and acknowledged by the undersigned on the 1st day of September, 1902.

Notary Public, District of Columbia.

My commission expires on the 1st day of September, 1903.

I, W. H. Moore, on my oath, depose that on this

1st day of September, 1902, I witnessed and signed the foregoing

instrument.

Notary Public, District of Columbia.

BY

THE CHICKASAW NATION

THE CHOCTAW NATION

Demise

Ophelia P. Edwards, et al.

vs
L. & C. Nations

DECEASED

Notary Public

Notary Public, District of Columbia, on the 1st day of September, 1902.

Ophelia S. Edwards, et al,

--vs--

The Choctaw and Chickasaw Nations,

---o---

Harley & Lewis, Attorneys for defendants.

Mansfield, 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 heard, Defendants being represented by Counsel, and ~~both~~
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 disposit-
ion of the Lewis case.

Ophelia S. Edwards, et al,

vs. No. 59.

The Choctaw and Chickasaw Nations,

February 4, 1904.

Mr. Cornish:

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. Cornish:

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 if one is rejected the others will have to be rejected.

JUDGE WEAVER:

I do not see why we could not try them as the Supreme Court tried the Stephens case.

JUDGE ADAMS:

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

JUDGE FOOTE:

If they get anything wrong.

JUDGE ADAMS:

At first we did not know what questions would arise in this case and refused to consolidate, but now the evidence is in 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 ll be entirely agreeable with us.

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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.

IT IS 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.