

Witnesses

For Claimants

Kit Guest	Comanche, II
J. H. Gambler	Comanche, II
Hiram Livingston	Comanche, I, I
J. J. Wharton	" I, I.
Frances Jones	
Thos. Norman	
W. I. Gilbert	

Witnesses

For Nations

J- JK^o107.

Walter W. Jones, et al,

vs

Choctaw Nation.

N^o148.

Southern Dist. Court.

N^o

Dawson Commission.

T-10 J W Sparks
Documents of alignment
in the neighborhood
2) statement - Mrs. Francis Jones
3) letter - Mr. Osmond

Elk. IT Sep. 17, 1902

Dear Sir

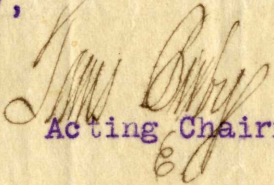
There is none
Wolter. W. James Charles
to be citizen by a court
Judgment he donated
money to beat cattle tax
when citizenship court
meat have his case call up
he says ^{he} wants the
country to stand he wants
no change

Yours Truly

Harriet McDonel

In reply to your letter, you are advised that a careful search of the records of the Commission discloses the name of Walter W. Jones, thirty eight years years of age, as having been listed for enrollment September 22nd, 1898, pursuant to a judgment of the United States Court for the Indian Territory at Ardmore, rendered January 17th, 1898, in court case Number 148. With him are listed his wife, Jennie, and his son, Fitzhugh L. and his daughters Ruby E., Minnie C. and Maud. If this is not the party to whom you refer, it will be necessary for you to furnish the full name, age, and post office address of the person of whom you inquire, and the names of other members of his family who appeared at the same time.

Yours truly,


Acting Chairman.

Walter W. Jones et al No 107

Claret Drury

- + Francis Jones or Frances Jones
- + Mary Melinda Jones
- + Walter W. Jones
- + Fitzhugh Lee Jones
- + Ruby Estella Jones
- + Minnie Clatus Jones
- + Lovie Francis Scott or Lovie Francis Scott
- + Hattie Myrtle Scott
- + Minnie Roberta Scott
- + Arlie McCoy Scott or Archie McCoy Scott
- + James Walter Gamblin
- + Joseph Wilbern Gamblin
- + Indianola Gamblin
- + Amanda Lutoma Gamblin
- + Hattie Lovinia Gamblin
- + John H. Gamblin

No jurisdiction

- Jennie Jones
- Larix Francis Scott
- Emma Gamblin
- Eliya Ann Gamblin, or Eliya Ann Jones
- Brinkley Wilbourn Jones
- Wm Albert Jones
- Rutherford Pittypore Jones
- Amanda Melvina Jones
- Carrie Perricia Jones
- John Gandy Jones

Capitola Jones"
Victoria Jones"
Elizabeth May Jones"
Minnie Mildred Herison (nee Jones), or ^{Minnie Mildred Jones}
Charlie Marion Jones"
Sallie Fisher Jones"
William James Jones"
Garland Rutherford Jones"
Reander Jones" or Reandis Jones"
Willie Rutherford Jones"
Gleinnis Scott"
Robert J. Jones"
Sallie M. Jones"
William Oscar Jones"
George H. Jones"
Walter J. Jones"
Mary A. Jones"
Libburn B. Jones"
Pearlie V. Jones"
Lizzie B. Jones"

1
No further down

THE WHITE HOUSE

MRS. H. F. WHITE, PROPRIETOR

RUSSELLVILLE, ARK.

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the Indians from Georgia to Arkansas some years before I was married to him. I was married to him in 1858. Sam Jones stayed in Arkansas with the Indians & my father. I Jones returned to Georgia. He lived in Georgia until December 1866, when we moved to Peper, Ark. where my husband lived until his death. J. H. Jones was married before he was married to me. His first wife's name was Elizabeth Brown. They had ten children, one of whom was Brinkley W. Jones. He was grown & married when I was married to J. H. Jones. Elizabeth Brown had no Indian blood. Brinkley W. Jones married a white woman whose maiden name I have forgotten. Her first name was Millie. Walter W. Jones, who lives in the Indian Territory is the son of Brinkley & Millie Jones. Walter W. Jones was born in Georgia about 1860.

RUSSELLVILLE, ARK.,

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State of Arkansas }
 Logan County . . . }

My name is Mrs. Francis Jones, I am in my 84 year. My P.O. is Delaware, Ark.

My husband's name was J. S. Jones. He was born & raised in Franklin Co., Georgia, in the being born in the year 1801. He died in Pope Co., Ark. in 1880. I was married to him in Lumpkin Co., Georgia. He was part Cherokee Indian. I do not know how much, though I think he was about a quarter. He was a cousin to Sam Jones, who was the Chief of the Cherokee Indians when they were moved from Georgia to Arkansas, Sam Jones was a half breed, his father being a white man and his mother a full blood Cherokee Indian. I do not know whether my husband was a first, second, or third cousin to Sam Jones; but the relationship was on their father side. My husband helped Sam Jones move

THE WHITE HOUSE

MRS. H. F. WHITE, PROPRIETOR

RUSSELLVILLE, ARK.,

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year 1858. He didn't move to Arkansas when we did; but was raised in Georgia & was married there. He went from Georgia to the Territory about 1893.

All of the children & grandchildren of my husband, J. S. Jones, are now living in the Indian Territory & claiming Cherokee citizenship, except one daughter, & two grandchildren who still live in Georgia.

~~My~~ My husband lived in Mississippi from May until September 1866. He made a crop near Corinth, Miss. while on his way from Georgia to Ark. That is the only time he ever lived in Miss. & I never heard of any of his people living in either Miss. or Ala.

Mrs. Francis ^{Her} Jones.

Witness to name: ^{more} Alice Stitt

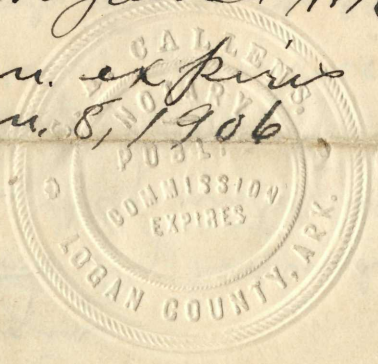
The foregoing affidavit was made in my presence by Mrs. Francis Jones, was

correctly read by me to her, and was thereupon
subscribed & sworn to by her before me,
all done on this 5th day of July, 1904, in
Logan Co. Ark.

C. A. Callens
Notary Public

for Logan Co. Ark.

Com. expires
Jan. 8, 1906



G. I. Jones taken was a Jones of the
maker a Smith. He did know them
first names, do not know which
of them had the Indian blood. My
relations have put me a claim in
the Charles's Nelson for me.

THE WHITE HORSE

Walter W. Jones, et al. T No. 107:

Hiram Livingstone and Kit Guest, witnesses in
the above entitled citizenship case are dead.

Atty took affidavit

I N D E X.

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Before the Honorable Commission to the Five Civilized Tribes.

At _____ Indian Territory.

In the matter of the application)
of Walter W. Jones et als for)
citizaship in the Choctaw tribe or) PETITION.
Nation of Indians.)

Your petitioner, Eliza Ann Gamblin, nee Jones, would most respectfully that she and the members of her family, John. H. Gamblin, aged fifty years; James Walter Gamblin, aged twenty seven years; Joseph Wilburn Gamblin, aged twenty four years; Amanda L. Gamblin, aged twenty two years; Hattie L. Gamblin, aged 18 years, are citizens of the Choctaw Nation or tribe of Indians by blood and intermarriage.

Your petitioner further states that she was married to John H? Gamblin on the 10th day of January, 1867, in Ringold, Tulocsa County, State of Georgia.

Your petitioner further states that one Simon P. Jones a white man, married a full-blood Choctaw Indian woman, named Tuska-noga, and had by her as an issue of said marriage, born unto them, among other chikdref, one named James Jones. That said James Jones was married to Peggy Snith and by her ~~had~~ born a child names James L. Jones. That James L. Jones was married to Bettie Brown, now deceased, and later married Frances Gamblin in Georgia in theyear 1869 and of this marriage no issue was born. That by his marriage to Bettie Brown was born, as issue of said marriage, the following children: Brinkley W. Jones, Morgan Jones, now deceased, William Alvert Jones, Frances Marion Jones, deceased, Rutherford Perryman Jones, Mary Melinda Jones, Amanda Melvina Jones, Carrie Pernicia Jones, Eliza Ann Jones, the applicant herein, and John G. Jones.

Your applicant further states that her father, James L. Jones, came West and settled near where the present site of Fort Smith, Arkansas, now stands.

Applicant further states for a number of years she was recognized by the Indian Government as a Choctaw Citizen. That permits were issued under to non-citizens and that she has been for years past, and is now, together with the members of her family, a resident of the Indian Territory.

Wherefore she asks that herself, together with the members of her family hereinbefore named, be enrolled as citizens of the Choctaw tribe or Nation of Indians and be allowed all the rights, privileges and immunities as citizens of such nation.

(Signed) Eliza Ann Gamblin.

Subscribed and sworn to before me this the 20th day of Sept. 1896.

(Signed) U.G. Winn,

Notary Public.

Indian Territory,)
Southern District)

Before me, the undersigned authority, this the 5th day of February, 1903, personally appeared John H. Gamblin, who being by me duly sworn on his oath states, that he had read and was familiar with the contents of the application for citizenship made by Eliza Ann Gamblin, and that the above and foregoing is a true, perfect and literal copy of the same to the best of his knowledge, information and belief.

(Signed) J. H. Gamblin.

Subscribed and sworn to before me this the 5th day of Feby., 1903.

E. N. Bond,

Notary Public.

To the Honorable Commission to the Five Civilized Tribes,

At _____ Indian Territory.

Indian Territory

Southern District.

Your petitioner, Walter W. Jones, would most respectfully represent that he and the members of his family, Fitzhugh Lee Jones, aged six years; Ruby Stella Jones, aged four years and Minnie Clitis Jones, aged one year, are citizens of the Choctaw tribe or Nation of Indians by blood. Your petitioner further states that a white man named Simon P. Jones, married a full-blood Choctaw Indian woman named Tuskanoga, and by her as an issue of said marriage, had born unto them, among other children, a child named James Jones. That said James Jones was married to Peggy Smith and as an issue of this marriage had a child born to them named James L. Jones. That James L. Jones was married to Bettie Brown, now deceased, and later married Frances Gamblin in Georgia in the year 1859. That of this marriage to Frances Gamblin, ~~nee Jones~~, no issue was born. That by the first marriage to Bettie Brown, as issue of this marriage, was born, among other children, Brinkley W. Jones, father of the applicant herein.

Your petitioner further states that James L. Jones was a member of the Indian tribe and with them left Georgia and settled near the present site of the town of Fort Smith, Arkansas. That he has been recognized as a member of the Choctaw tribe or Nation of Indians and has been and is now a resident of the Indian Territory.

Wherefore he asks that himself and his minor children, Fitzhugh Lee Jones, Ruby Stella Jones and Minnie Clitis Jones be enrolled as citizens of the Choctaw tribe or Nation of Indians by blood with all the rights privileges and immunities of citizens of such Nation.

(Signed) Walter W Jones.

Subscribed and sworn to before me this the 20th day of Sept. 1896.

(Signed) U.G.Winn,

Notary Public.

Indian Territory.

Southern District.

Before me, the undersigned authority, this the 5th day of February, 1903, personally appeared John H. Gamblin, who being by me duly sworn on his oath, states, that he had read and was familiar with the contents of the application for citizenship made by Walter WL Jones, and that the above and foregoing is a true, perfect and literal copy of the same to the best of his knowledge, information and belief.

(Signed) J. H. Gamblin.

Subscribed and sworn to before me this the 5th day of February, 1903

E.H.BOND,

Notary Public.

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page. It appears to contain a declaration or affidavit regarding the citizenship application of Walter WL Jones.]

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The Honorable Commission to the Five Civilized Tribes,

At _____ Indian Territory.

Indian Territory,

Southern District.

Your petitioner, Melinda Jones, would most respectfully represent that she is a citizen of the Choctaw tribe or Nation of Indians by blood. That she is a daughter of James L. Jones, and a grand-daughter of Simon P. Jones, who married a full-blood Choctaw Indian woman named Tuskanoga. That she has one child, Lovey Scott, nee Jones. Applicant further states that she is a sister of Eliza Ann Gamblin, Nee Jones, another applicant herein. That her father was a quarter blood Choctaw Indian. That he had all the appearances and look of a quarter blood Choctaw Indian. That he talked the Choctaw language as readily as the English language and that he repeatedly told here of his relations with the Indians and of here descent from Simon P. Jones, hereinbefore mentioned.

Wherefore she asks that she be enrolled as a citizen of the Choctaw tribe of Nation of Indians with all the rights, privileges and immunities of members of such tribe of Indians.

(Signed) Melinda Jones.

Subscribed and sworn to before me this the 20th day of September, 1896.

(Signed)

U.G. Winn,

Notary Public.

Indian Territory
Southern District.

Before me, the undersigned authority, this day personally appeared Hohn H. Gamblin, who being by me duly sworn on his oath states that he had read and was familiar with the contents of the application for citizenship made by Melinda Jones, and that the above and foregoing is a true, perfect and literal copy of the same to the best of his knowledge, information and belief.

(Signed) J.H.Gamblin.

Subscribed and sworn to before me this the 5th day of February, 1903

E.H.Bond

Notary Public.

The Honorable Commission to the Five Civilized Tribes,

At _____ Indian Territory

Indian Territory.

Southern District/

Your petitioner would most respectfully represent that she is a citizen of the Choctaw tribe or Nation of Indians by blood. That she is a daughter of Melinda Jones and a niece of Eliza Ann Gamblin, nee Jones. That she was married to George W. Scott on the _____ day of _____ 1887. That there have been born to her as an issue of this marriage three children: Hattie Myrtle Scott; aged fifteen years; Minnie Roberta Scott, aged three years and Archy McCoy Scott, aged one year. That she has been a resident of the Indian Territory for six years and has been recognized as a citizen by the Choctaw tribe or Nation of Indians.

Wherefore she asks that herself and her three minor children, Hattie Myrtle Scott, Minnie Roberta Scott and Archy McCoy Scott be enrolled as citizens of the Choctaw tribe or Nation of Indians, together with the rights, privileges and immunities of members of such tribe.

(Signed) Lovey Scott.

Subscribed and sworn to before me this the 20th day of September, 1896.

U.C. Winn,

Notary Public.

Indian Territory
Southern District.

Before me, the undersigned authority, this day personally appeared J. T. Wharton, who being by me duly sworn on his oath states: My name is J.T.Wharton; I am a resident of the Southern district of the Indian Territory. I am personally acquainted with the applicants for citizenship herein. I knew the father of Eliza Ann Gamblin and Melinda Jones. His name was James L. Jones. I was acquainted with him about twenty seven years. He resided at that time in my vicinity in Arkansas. He was dark complected and had high cheek bones and long black hair and had all the appearances of being a quarter blood Indian. He spoke the Choctaw language fluently and related to me that he was a Choctaw Indian of the quarter blood, and I believed him to be a Choctaw Indian of the quarter blood.

(Signed J.T.Wharton.

Subscribed and sworn to before me this the 20th day of Spt. 1896.

(Signed) U.G.Winn.

1868
Poek, Co Ark

State of Arkansas,,

Yell County

Before me, the undersigned authority, this day personally appeared Frances Jones, who being by me duly sworn on her oath states: My name is Frances Jones. My maiden name was Frances Gamblin. I was married to James L. Jones in the year 1859. He was a quarter blood Choctaw Indian and spoke the Choctaw language fluently and was known as "Choctaw Jim", and recognized as a Choctaw Indian. He had all the appearances and features of a quarter blood Choctaw Indian.

(Signed) Frances Jones.

Subscribed and sworn to before me this the 20th day of Sept., 1896.

Notary Public.

Indian Territory,
Southern District.

Before me, the undersigned authority, this day personally appeared John H. Gamblin, who being by me duly sworn on oath states that he had read and was familiar with the affidavits filed in support of the application of Walter WL Jones et als, for citizenship in the Choctaw tribe or Nation of Indians and that the foregoing affidavits of himself, J.T.Warton, Hiram Livingston, Kit Guest, and Frances Jones are true, perfect and literal copies of said original affidavits to the best of his knowledge, information and belief.

(Signed) J. H. Gamblin,

Subscribed and sworn to before me this the 5th day of February, 1903.

(Signed) E.H.Bond,

Notary Public.

101
H

Indian Territory)
) ss
Southern District)

Before me, the undersigned authority, this day personally appeared U.G.Winn, who being duly sworn on his oath states: That he was one of the attorneys who presented the case of Walter W.Jones, et. al., vs. the Choctaw Nation, before the Dawes Commission; that he was at that time connected with A.F.Pyeatt, who is now practicing at Pauls Valley, I.T.

That said application contained the following names, to-wit:

Francis Jones, Mary Melinda Jones, Walter W Jones and his wife Jennie Jones, and their minor children, to-wit;-Fitzhugh Lee, Ruby Estella and Cletus. Also Lovie Francis Scott and her children, to-wit; Hattie Myrtle, Minnie Roberta, Archie McCoy Scott.

Also Ann Gamblin and her husband, John H. Gamblin, and their children, to-wit;-James Walter Gamblin, Joseph Wilburn Gamblin, ~~Anna~~ Amanda Lutoma Gamblin, and Hattie Lovena Gamblin. Also Joseph Wilburn Gamblin and his wife, Emma Gamblin and their Minor Child, Indianola Gamblin.

That all of said names were in the original application duly filed in the above styled and numbered cause-under the style of the case known as Walter W. Jones-et al-vs-the Choctaw Nation.

That said application was denied by the Dawes Commission-and duly prosecuted on appeal to this the Court in and for the Southern District ~~and~~ in ad for the Southern District, of the Indian Territory, within sixty days from the rendition of the Judgment by the said Commission in this case. That the Clerk of this Court made an order on said Commission, to forward all papers in this cause to this court for action on appeal.

That all of said papers were duly forwarded by said commission, to the Clerk of this Court-under the above styled and numbers cause

And all of said original applications were before this Court and acted upon by this Court at the calling of said Cause for trial.

That said original papers were finally destroyed by fire, and cannot now be had. But that a true copy of all of said applications were duly filed with said Dawes Commission and the Gov. of the Choctaw Tribe or Nation of Indians-and are now or ought to be-in possession of the said Dawes Commission-or their attorneys. That said Copies of said applications were by myself and A.F.Pyeatt made and filed in person by the said A.F.Pyeatt-with the said Commission and the Gov. of the said Choctaw Nation.

(Signed) U.G.Winn,

Subscribed and sworn to before me this the 15th day of Jan. 1900.

W.R.Bleakmore,

Notary Public /

Indian Territory

+

Chickasaw Nation

+

ss/

Before me the undersigned authority, this day

appeared, J.H.Gamblin, of Comanche, I.T., who being duly sworn, on his oath states, that he is one of the applicants in the case of Walter W.Jones, et al. vs. the Choctaw Nation; that said application in said cause were prepared at my place, and in my presence by U.G. Winn; that the applicants in said cause consisted of the following named persons: Francis Jones, Mary Melinda Jones, Walter W.Jones, Jennie Jones, Fitzhugh Lee Jones, Ruby Estella Jones, and Clectus Jones, Lovie Francis Scott, Hattie Myrtle Scott, Minnie Roberta Scott, Archie McCoy Scott, and Ann Gamblin, John H. Gamblin, James Walter Gamblin, Joseph Wilburn Gamblin, Indianola Gamblin, Amanda Lutoma Gamblin, and Hattie Livena Gamblin, and Emma Gamblin. All the above facts are personally well known to me. After the same had been denied by the commission, and the papers forwarded to this court, I had occasion frequently to review said applications and know of my own knowledge that they were all before this court at the calling of this cause for trial, and when acted upon by this court.

(Signed) J.H.Gamblin,

Subscribed and sworn to before me this 15th day of January, 1900.

W. R. Bleakmore.

Notary Public.

Indian Territory
Southern District

Before me, the undersigned authority, this day
the 5th day of February 1903, personally appeared John H. Gamblin,
who being by me duly sworn on his oath states that he had read and
was familiar with the contents of the application for citizenship
made by Lovey Scott, and that the above and foregoing is a true, per-
fect and literal copy of the same to the best of his knowledge,
information and belief.

(Signed) J.H. Gamblin.

Subscribed and sworn to before me this the 5th day of Feb. 1903.

E. H. Bond

Notary Public.

The Honorable Commission to the Five Civilized Tribes,

at _____ Indian Territory.

Indian Territory.

Southern District.

Your petitioner, Joseph Wilburn Gamblin, would most respectfully represent that he is a citizen of the Choctaw tribe or Nation of Indian by blood. That he is the son of Eliza Ann Gamblin, nee Jones, and a nephew of Melinda Jones. That on the 2nd day of April, 1895, he was duly and legally married to Emma P. Dorrance and as an issue of said marriage there has been born to them one child, named Indianola Gamblin, aged two months, and is living. That he has been a resident of the Indian Territory for six years.

Wherefore petitioner asks that he and his wife, Emma Gamblin, and their child, Indianola Gamblin, be enrolled as Members of the Choctaw tribe or Nation of Indians and that they be entitled to all the benefits, privileges, rights and immunities of members of such tribe.

(Signed) Joseph Wilburn Gamblin.

Subscribed and sworn to before me this the 20th day of September, 1896.

U.G. Winn,

Notary Public.

Indian Territory

Southern District.

Before me, the undersigned authority, this the 5th day of February 1903, personally appeared Joseph Wilburn Gamblin, who being by me duly sworn on his oath states that he read and is familiar with the contents of the applications of himself for citizenship in the Choctaw tribe or Nation of Indians and that the foregoing is a true, perfect and literal copy of said application to the best of the affiants knowledge, information and belief.

(Signed) Joseph Wilburn Gamblin.

Subscribed and sworn to before me this the 5th day of February, 1903

E.H. Bond,

Notary Public.

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Indian Territory
Southern District.

Befre me, the undersigned authority, this day personally appeared Kit Guest, who being by me duly sworn on his oath states: My name is Kit Guest; my age eighty three years. I am acquainted with the applicants for citizenship herein. I was well acquainted with James L. Jones, the father of Eliza Ann and Melinda Jones, applicants herein. I knew him for fifty six years. He was an Indian of about one-quarter blood and was reputed to be a Choctaw Indian and was lived in the community in which he lived as "Choctaw Jim". He had all the appearances of an Indian and repeatedly told me that he was a member of the Choctaw tribe of Indians.

(Signed) Kit Guest.

Subscribed and sworn to before me this the 20th days of September, 1896.

U.G.Winn,

Notary Public.

Indian Territory,
Southern District.

Beofore me, the undersigned authority, this day personally appeard John H. Gamblin, who being duly sworn by me on his oath says: My name is John H. Gamblin; I am a resident of the Southern District of the Indian Territory and one of the applicants in the above styled and entitled cause. I am the husband of Eliza Ann Gamblin, nee Jones. I knew her father James L. Jones and her grandfather James Jones. James L. Jones was a quarter blood Choctaw Indian. I knew him for forty years and talked with him repeatedly about his ancestry and know he was a Choctaw Indian. He spoke the Choctaw Language fluently. I was with him at one time and went over the camping ground where he was camping when he first came from Georgia on the road coming to the Indian Territory. It was on the St. Francis River near Crawley's ridge, in Arkansas. I knew his father, James Jones, for about two years. He showed to be one-half blodd Choctaw Indian.

(Signed) John H. Gamblin.

Subscribed and sworn to before me this the 20th day of September, 1896

U.G.Winn.

Notary Public.

Indian Territory,
Southern District.

Before me, the undersigned authority, this day personally appeared Hiram Livingston, who being by me duly sworn on oath says: My name is Hiram Livingston; my age eight three years. I was personally acquainted with Simon P. Jones who married a full blood Choctaw Indian woman named Tuskanoga. He had, as issue of that marriage, one child, James Jones, who was married to Peggy Smith, and there was born as and issue of that marriage, James L. Jones and I came to the Territory with James L. Jones, the father of Eliza Ann Gamblin, nee Jones, and Melinda Jones. I know him to have been a quarter blood Choctaw Indian and was so recognized by the members of that tribe. Simon P. Jones, a grandfather of James L. Jones was a Scotchman.

(Signed) Hiram Livingston.

Subscribed and sworn to before me this the ____ day of _____ 1896.

U.C.Winn,

Notary Public.

Indian Territory }
 } ss
Chickasaw Nation }

I, Thomas Norman, solemnly swear, that I represented, in connection with other attorneys, the applicants in the case styled Walter W. Jones et al. vs. Choctaw Nation.

My connection with this case was after the appeal was taken. The papers in this case disclosed about the following facts: Some parties by the name of Jones filed an application for themselves, and their families, and the names of the parties were all presented, but I do not remember the names at present. Also some parties by the name of Scott, claiming to be relatives of the Jones, had their application in also, but I do not remember the names of the Scott family, though they were all set out in the application, they claiming to be relatives of the other parties, and their names were presented in the application also; but I do not remember their names now. These applications were all securely attached together, and were styled Walter W. Jones et al vs. Choctaw Nation. All of these applications, and the evidence in all of these cases was joined together under the style of Walter W. Jones et al vs. The Choctaw Nation; were presented to the Master in Chancery as one case, and were passed upon by the court as one case; they all came from the Dawes Commission as one case; that filed and styled as above. My recollection is there were about twenty parties named in the case, but as I said above, I do not remember the names of them.

(Signed) Thos. Norman?

Subscribed and sworn to before me this 15th day of January, 1900

W.R. Bleakmore,

Noraty Public.

Indian Territory)
) ss.
Southern District)

Before me the undersigned authority this day personally appeared W.I.Gilbert, who being duly sworn on his oath states that he was one of the attorneys in the case of Walter W. Jones et al, vs. The Choctaw Nation.

That he was employed as an attorney in said case after the applications therein had been rejected by the Dawes Commission, and the time for an appeal had been reached. That he was personally acquainted with all of the applicants therein and was familiar with the pleadings. That it contained the names of the following named persons, to-wit: Francis Jones, Mary Malinda Jones, Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones, and Cletus Jones. Also Lovie Francis Scott, Ann Gamblin, John H. Gamblin, James Walter Gamblin, Joseph Wilburn Gamblin, Amanda Lutoma Gamblin, Hattie Gamblin, Emma Gamblin, Indianola Gamblin, That he saw the papers in said case and was present when the said application was presented to the Court and that all of said applications were then and there presented to the Court. That in as far as any other names that might be placed in said Judgment are concerned he has no knowledge whatever of when and how they might have been placed there.

(Signed) W.I.Gilbert.

Subscribed and sworn to before me this the 15th day of Jan. 1900.

W.R. Bleakmore,
Notary Public.

IN THE UNITED STATES COURT FOR THE SOUTHERN DISTRICT

AT ARDMORE.

Walter W Jones, et al.)
Plaintiffs,)
Vs.)) No. 148.
Choctaw Nation,)
Defendant)

MOTION TO CORRECT JUDGMENT.

- - o - -

Comes now the defendant, the Choctaw Nation, and shows to the Court that in the judgment heretofore rendered in this cause the names of forty-five persons were included, and by the ~~xxxxxx~~ terms of said judgment forty-five persons were admitted to citizenship in the Choctaw Nation.

And defendant shows to the Court that application was made under the style of Walter W. Jones et al, vs. Choctaw Nation for admission to citizenship, in the Choctaw Nation of the following named persons only: Walter W. Jones, his wife Jennie V. Jones, and their three children Fitzhugh L., Rubie and Mamie Cletis Jones, That the names of none of the other parties which have been included in the judgment aforesaid were included in said application for citizenship which was filed with the Commission to the Five Civilized Tribes; that said cause was appealed by plaintiffs to this Court and that notice of appeal, was served upon the Choctaw Nation and that in said notice of appeal no mention was made of any parties save the five persons above named; and defendant says that the forty persons whose names have been erroneously included in said judgment have been fraudulently included therein or have been placed therein by mistake or accident on the part of the plaintiffs

and without the knowledge of this defendant; that defendant was not apprized that the names of said parties had been included in said judgment until the month of March, 1899.

And defendant says that this Court had no jurisdiction to admit said persons to citizenship in the Choctaw Nation for the reason that said persons had filed no application before the commission to the Five Civilized Tribes as directed by laws

Wherefore, the premises considered, defendant prays that the names of all of said parties, except the five hereinbefore named, shall be stricken from the said judgment, and that said judgment be to this extent modified and reformed.

Attorneys for Defendant.

Walter W. Jones, et al.

Vs. No. 148 Judgment, Southern Dist. Jan. 17, 1898.

Choctaw Nation.

This cause coming on to be heard on this the 17th day of January, 1898, upon the pleadings, evidence, Master's report and exceptions thereto and it appearing to the court therefrom that the parties hereinafter named are entitled to citizenship in the Choctaw Nation of Indians are to have their names enrolled on the rolls of said Nation as members thereof, and it appearing further that they have complied with the laws in the prosecution of the application for citizenship, and have fully made every requirement therefor.

It is therefore ordered, decreed and adjudged that the exception to the master's report be overruled and the Master's report be confirmed in all respects and that the following named parties be and the same are hereby admitted to citizenship in the Choctaw Nation of Indians as citizens thereof, and their names be enrolled on the rolls of the said Nation, to-wit:

Francis Jones, Brinkley Wilbourn Jones, William Albert Jones, Rutherford Penymore Jones, Mary Melinda Jones, Amanda Melvina Jones, Carrie Pernicia Jones, Eliza Ann Jones, Johh Grady Jones, Walter W. Jones, Fitzhugh Lee Jones, Ruby Estella Jones, Minnie Cletus Jones, Capitola Jones, Victoria Jones, Elizabeth May Jones, Minnie Mildred Jones, Charlie Marion Jones, Sallie Fisher, Jones, William James Jones, Garland Rutherford Jones, Reandies Jones, Nellie Rutherford Jones, Lovis Francis Scott, Hattie Myrtle Scott, Minne Roberta Scott, Alice McCoy Scott, Glennis Scott, James Walter Gamblin, Joseph Wilbern Gamblin, Indianola Gamblin, Amanda Lutoma Gamblin, Hattie Lovinia Gamblin, Robert J. Jones, Sallie M. Jones, William Oscar Jones, Geo. D. Jones, Water J. Jones, Mary A. Jones, Lilburn B. Jones, Pearlie V. Jones, Lizzie B. Jones, John H. Gamblin.

It is further ordered, decreed and adjudged that all the said parties possess and be permitted to exercise and enjoy all the rights/ privileges and immunities of citizens and members of the said Choctaw Nation of Indians.

And the clerk is hereby ordered and directed to send a certified copy of this judgment to the Dawes Commission forthwith.

Walter W. Jones, et al.

Vs. No. 148 Judgment, Southern District, March 24, 1898.

Choctaw Nation.

This cause coming on to be heard on this the 24th day of March, 1898 upon the application of plaintiffs to have the judgment heretofore rendered in this case corrected in so far as it relates to Jennie Jones, , Lovie Francis Scott, and Emma Gamlin, and it appearing to the court after a due consideration of the law and evidence that said judgment should be corrected and said parties admitted to citizenship in the Choctaw Nation and enrollment therein:

It is therefore ordered, decreed, and adjudged by the court that the said judgment be amended in so far as it relates to Jennie Jones, Lovie Francis Scott, and Emma Gamlin, and that said parties be and the same are hereby admitted to citizenship in the Choctaw Nation, with all the rights, privileges, and immunities of citizens and members thereof.

And the clerk of this court is hereby ordered to certify a copy of this judgment to the Dawes Commission.

Walter W. Jones, et al.

Vs. No. 128 Judgment, Southern Dist. Oct. 15, 1898.

The Choctaw Nation.

This cause coming on to be heard on this the 15th day of October, 1898, upon the motion of the plaintiffs herein to have the judgment heretofore rendered in this cause corrected as to the names of Mrs. Eliza Ann Gamblin, and Mrs. Minnie Mildred Henson, And it appearing to the Court, that these parties were admitted to citizenship in th Choctaw Nation under the judgment as Eliza Ann Jones, (her maiden name), and Minnie Mildred Jones (her maiden name), whereas at the time of applying for citizenship they had married, and their names were then Mrs. Eliza Ann Gamblin and Mrs. Minne Mildred Henson, and that the erroneous naming of these parties in the drafting of the r esipe of the judgment herein, and through no fault of the applicants applicants ~~wakaxxxxxx~~ whatever.

And it appearing that t he said correction should, in justice to the above parties be made, in order that said judgment should speak the truth.

It is th efore ordered, decreed and adj dged, that the judgment heretofore rendered in this cause on the 17th day of Jan. 1898 be amended and corrected as to the names of Eliza Ann Jones, and Minnie Mildred Jones, so that these parties be admitted in their true names, which are Mrs. Eliza Ann Gamblin, and Mrs. Mildred Henson.

And the clerk of this court is ordered to certify a copy of this judgment to the Dawes Commision, and said Commisi on is ordered and directed to enroll said parties in accordance with the amendments herein.

Hosew Townsend, Judge.

Walter W. Jones, et al.

Vs. No. 148 Judgment, Southern Dist. Jan 25, 1900.

Choctaw Nation.

On this 17th day of January, 1900, came on to be heard in open court the motion of defendant herein to correct nunc pro tunc the judgments heretofore rendered on the 17th day of January, 1898, the 24th day of March 1898, and the 15th day of October, 1898, for the reason that the names of certain parties, not included in the application to the Commission to the Five Civilized Tribes, have been erroneously included therein, and admitted to citizenship in the Choctaw Nation, and both parties appear, and the court having heard said motion and being well and fully advised in the premises, doth find that the following names have been erroneously and by mistake included in said judgment, and said parties by mistake admitted to citizenship in the Choctaw Nation to-wit Brinkley Wilbourn, Jones, William Ablert Jones, Rutherford Pennymore Jones, Amanda Melvina Jones, Carrie Pernicia Jones, Eliza Ann Jones, John Grady Jones, Capitola Jones, Victoria Jones, Elizabeth May Jones, Minnie Mildred Jones, Charlie Marion Jones, Sallie Fisher Jones, William James Jones, Garland Rutherford Jones, Reandis Jones, Nellie Rutherford Jones, Glennis Scott, Robert J. Jones, Sallie M. Jones, William Oscar Jones, George D. Jones, Walter J. Jones, Mary A. Jones, Lilburn B. Jones, Pearl V. Jones, Lizzie B. Jones, Mrs. Minnie Mildred Henson, It is therefore by the court considered, ordered and adjudged that the names of all the parties aforesaid be stricken from the judgments heretofore rendered herein, and that none of said parties be admitted to citizenship in the Choctaw Nation under or by virtue of the judgment herein, and this judgment is rendered nunc pro tunc as of the date of the original judgment herein. To which judgment of the court, plaintiffs in open court excepted.

Walter W. Jones,)
))
 Vs.))
))
Choctaw Nation)

On this day came on to be heard the petition of plaintiffs to substitute the record in the above entitled and numbered cause. And the Court being fully advised in the premises finds that due notice has been served on the attorneys for defendant; that papers offered for substitution are true and correct copies in every respect of the original record, papers, and evidence made and filed in this cause.

It is therefore considered, ordered and adjudged that said papers be filed in this cause, and that the same are in all respects true and correct, and constitute the record in this cause, including pleadings, evidence and all papers heretofore destroyed.

South McAlester, Indian Territory, June 19, 1903.

Walter W. Jones, et al,

vs. T. No. 107. Southern District No. 148.

Choctaw Nation.

LETTER OF INSTRUCTIONS.

TO _____.

The office files of the papers in this case are herewith delivered and you are directed to make an investigation of the same along the lines indicated, returning the same together with your written report and exhibits attached thereto at the earliest practicable date.

This cause as originally presented to the Commission to the Five Civilized Tribes was in the form of several separate petitions, and under the head of Walter W. Jones, et al vs. Choctaw Nation, each petition being accompanied by the affidavit of J. H. Gamblin to the effect that the contents of the petitions were true and correct. The applicants were all denied by the Commission to the Five Civilized Tribes, and appeal was taken to the United States Court for the Southern District of the Indian Territory. The judgment as originally rendered by the

Southern District Court in this cause January 17, 1898, admitted forty-seven persons to citizenship in the Choctaw Nation, the supplemental judgment of March 24, 1898 admitted three additional persons. By an order of the Southern District Court of October 15, 1898, the judgment as therefore rendered was corrected as to the names of certain persons therein. The entire number of persons as originally admitted by the judgment of the Southern District Court being fifty. It was contended after the rendition of this judgment by the Choctaw Nation, that the only parties applicant in this cause were Walter W. Jones, his wife Jennie V. Jones and their children Fitzhugh L., Rubie and Mamie Cletus Jones. A motion was made to the Court to correct the judgment as theretofore rendered, by striking therefrom the names of all persons admitted with the exception of Walter W. Jones, his wife Jennie V. Jones, and their three minor children. On January 25, 1900 an order was issued by the United States Court for the Southern District correcting the judgment by eliminating therefrom the names of all persons admitted with the exception of twenty-one persons whose names appear in the substituted papers upon which this cause was adjudicated by the Southern District Court. In the petition for the writ of error to the Choctaw and Chickasaw Citizenship Court there are included the names of the twenty-one persons remaining in the

judgment after the order correcting the same, and all of the persons who were eliminated from the original judgment of January 17, 1898, also join in the petition for writ of error in an endeavor to make themselves parties to the suit for the purpose of having their status as citizens of the Choctaw Nation determined. Aside from those persons who were eliminated from the judgment as originally rendered, there is a question as to whether the other persons included in the judgment of the Southern District Court with the exception of Walter W. Jones, his wife Jennie V. Jones, and their three children, Fitzhugh L., Rubie and Mamie Cletus Jones were ever parties applicant before the Southern District Court on appeal from the decision of the Dawes Commission..

The record in this case will show that the applicants by blood claim their right to recognition and enrollment as citizens of the Choctaw Nation by reason of being the descendants of an alleged Choctaw woman by the name of Tuskanoga, through her son James Jones, and through him by his son James L. Jones, and his children. There is no indication or intimation in the record that any of the ancestors of these applicants were ever residents of Alabama or Mississippi or of the Choctaw Nation, Indian

Judge Lewis says this is Greek name

Territory. The family apparently originated in the State of Georgia.

Our theory of this case is that it is entirely fraudulent; that the alleged ancestor of these applicants, Tuskanoga was not a Choctaw woman, but may possibly have been a Creek Indian and resided in the State of Georgia. As far as able to ascertain from the record James L. Jones, who married Bettie Brown must have been born in the State of Georgia^{ia} about 1830. It is a fair presumption that his father was married about 1810, and that Tuskanoga could not have been born later than 1795. This woman would then have been thirty-five years of age at the time of the ratification of the Choctaw treaty of 1830. There is nothing in the records of the government of the Choctaw Indians who were beneficiaries under any of the articles of the treaty of 1830 indicating that there was any woman by the name of Tuskanoga a member of the Choctaw tribe at that time. In fact the name itself would seem to indicate its Creek origin, as none of the Choctaw names end in "oga."

The evidence in support of the application consists entirely of ex-parte affidavits filed as exhibits with the petition to the Dawes Commission

Comanche

Kit Guest in her affidavit of September 20, 1896 alleges that she is 83 years of age; and personally acquainted with the applicants; knew James L. Jones who was reputed to be a Choctaw Indian, and was known in the community in which he lived as "Choctaw Jim". He had all the appearance of an Indian, and repeatedly told the affiant that he was a member of the Choctaw tribe. The testimony of this affiant is merely her personal judgment as to how she considered James L. Jones. It is more than probable that the affiant never executed this affidavit or had any knowledge of its execution. The post office address of the affiant is not given, and the affidavit is not of enough materiality to warrant any further investigation.

John H. Gamblin, one of the applicants by intermarriage in his affidavit of September 20, 1896 alleges that he knew James L. Jones, and his father James Jones; that James L. Jones was a one-fourth blood Choctaw Indian, and that he, the affiant had often talked with him about his ancestry; that he spoke the Choctaw language fluently, and that his father James Jones showed to be about a one half blood Choctaw Indian. This affidavit is little more than the expression of an opinion by John H. Gamblin as to the Choctaw blood and descend-

ants of his father-in-law, James L. Jones. The most remarkable part of the affidavit is that the affiant, a white man is able to testify that his father-in-law spoke the Choctaw language fluently. The affiant himself evidently has no knowledge of the Choctaw language, and his affidavit is considered of but little or no materiality.

Dead

Hiram Livingston in his affidavit, which is undated gives his age as 83 years and alleges that he knew Simon P. Jones, who married a full blood Indian woman named Tuskanoga. The affiant then attempts to trace the descendants of Tuskanoga to the present applicants, and concludes with the remarkable statement that Simon P. Jones, the husband of Tuskanoga was a Scotchman. The only construction to be placed upon this affidavit is that it is entirely fraudulent; that if there ever was such a person as Hiram Livingston, he did not execute this affidavit. In this affidavit is the first intimation that Simon P. Jones was a Scotchman, and it does not appear what material good such a statement will have on the rights of the applicants. It is also to be noted that the affiant testifies that he knew that Simon P. Jones and Tuska^a~~n~~oga had as an issue of their marriage a child names James Jones. Assuming that his age of eighty-three is correct, Simon P. Jones was married and his child James Jones must have been four or five years of age before the af-

fiant himself came into this world. You will endeavor to ascertain if there ever was such a person as Hiram Livingston and if he is living, and if practicable secure from him a statement as to the manner in which this affidavit was originally procured, and his specific knowledge of the persons referred to in the affidavit.

J. T. Whorton in his ex-parte affidavit of September 20, 1896 merely alleges that he is personally acquainted with the applicants, and knew James L. Jones when he resided in Arkansas. The remainder of the affidavit is merely an expression by the affiant of his judgment of James L. Jones being a Choctaw Indian. The affidavit is wholly immaterial and not worthy of further investigation.

^{e Jones}
Francis [^] in her affidavit of September 20, 1896 alleges that her maiden name was Francis Gambelin, and that she was married to James L. Jones in 1859; that he had the appearance and features of a one fourth blood Choctaw Indian, and was known as "Choctaw Jim". This affiant is the second wife of James L. Jones, through whom these applicants claim, and she should, if any of the witnesses can do so be able to testify as to the Choctaw descent of her

husband. Her affidavit is however merely her opinion as to the appearance of her deceased husband, and is considered of no materiality. ^{HP} It is to be specially noted that all of the foregoing ex-parte affidavits bear the date of September 20, 1896, and were sworn to and executed before U. G. Winn, a Notary Public for the Southern District of the Indian Territory. The expiration of the time within which the Commission to the Five Civilized Tribes could receive original petition for citizenship in the Choctaw Nation expired September 10, 1896, these affidavit^s could not have been included and made a part of the original petition.

The loss and destruction of the original papers in this case and the several attempts of the attorneys for the applicants to substitute papers which could not possibly be copies of the originals certainly places the claims of these applicants in a very suspicious light. Apparently there has been an endeavor since the institution of this case to obtain the admission of these persons without an investigation as to their legitimate rights.

In the absence of any specific testimony, and on the assumption that the case is based upon

fraud, you will ascertain if practicable from the persons living in the vicinity of these people any fact that they may have gathered relative to their ancestry and descent. The majority of the applicants are now living in the neighborhood of Elk, Indian Territory, and you can probably obtain information from Janet McDonel of that place as to their present residence.

Yours very truly,

WALTER W. JONES ,ET AL.

Application states that one Simon P. Jones, a white man, married a full blood Choctaw Indian woman named Muskanoga, and had by her, among other children, one son named James Jones. That said James Jones married Peggy Smith, and had by her a child named James L. Jones. That James L. Jones married Bettie Brown now deceased, and had by her the following children: Brinkley W. Jones, Morgan Jones (deceased), William Alvert Jones, Francis Marion Jones, (deceased), Rutherford Perryman Jones, Mary Melinda Jones, Amanda Melvina Jones, Carried Pernicia Jones, Eliza Ann Jones, and John G. Jones. Applicants father, James L. Jones, came west and settled near the present site of Ft. Smith, Ark. For a number of years the applicants were recognized as Choctaw citizens by the Indian government; permits were issued in their names to tenants. Applicants have been for years past and are now residents of the Indian Territory. Pray enrollment.

WALTER W. JONES applies for himself and his family. Gives the same pedigree of the family as that given above and says that he is a son of Brinkley W. Jones. Further says that James L. Jones was a member of the Choctaw Indian tribe and that he left the State of Georgia with them. That he settled near the present site of Ft. Smith.

Application was denied by Com
The judgment of the Dawes Commission is not shown. Case was appealed to the United States Court for the Southern District. The Court admitted all of the applicants, but afterwards by a nunc pro tunc entry struck the names of about two thirds of them from the judgment.

###.###.###.###.###.###.###.###.###.###

AFFIDAVITS BEFORE DAWES COMMISSION.

KIT GUEST says that he is 83 years old; that he knows the applicants herein; that he was well acquainted with James L. Jones; knew him for fifty years. He was about a quarter blood Indian reputed to be of the Choctaw tribe. Was known in the community as "Choctaw Jim". He had the appearance of an Indian, and frequently told affiant that he was a Choctaw.

JOHN H. GAMBLIN, one of the applicants says that he is the husband of Eliza Ann Gamblin, nee Jones. Knew her father, James L. Jones and her grandfather, James Jones. James L. was a quarter blood Choctaw. Affiant knew him for forty years and talked to him repeatedly about his Indian ancestry. He spoke the Choctaw language fluently. Affiant was with him once and went

over the camping grounds where he had camped on his way from Georgia to the Indian Territory. It was on the St. Francis River near Crawleys Ridge in Arkansas. Knew James L. Jones father, James Kones, for about two years. James showed to be about a half blood Choctaw Indian. Indian.

HYRAM LIVINGSTON says that he is 83 years old; was personally acquainted with Simon P. Jones who married a full blood Choctaw Indian woman named Tuskanoga. James Jones was his son by that marriage. The latter married Peggy Smith. James L. Jones was a child born of that marriage. James L. Jones and affiant came to the Territory together. Knows him to have been a quarter blood Choctaw Indian recognized by the members of the tribe. Simon P. Jones, ^{father} of James L. Jones, was a Scotchman.

J. T. WHARTON says that he knows the applicants herein. He knew James L. Jones for about 27 years. He lived in affiants vicinity in Arkansas. He had all the appearance and characteristics of a quarter blood Indian. He spoke the Choctaw language fluently, and said that he was a Choctaw.

FRANCIS JONES says that her maiden name was Francis Gamblin; she was married to James L. Jones in the year 1859. He was a quarter blood Choctaw Indian and spoke the Choctaw language fluently, and was known as "Choctaw Jim". He was recognized as an Indian of the Choctaw tribe, and had all the features and characteristics of one.

#####

There are no depositions.

The evidence is not sufficient to prove anything.

One witness says that Simon P. Jones, from whom all the applicants claim, was a Scotchman. Who ever heard of a Scotchman named Jones?

All the witnesses are standing witnesses, except the applicants themselves.

2/12/02

SUMMONS.

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 hereby Commanded to Summons Green McCurtain, Principal Chief of the Choctaw Nation, to answer on behalf of said nation, 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 nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at Tishomingo, by Walter W. Jones, et al,

and warn him that upon his failure as said Principal Chief to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instanter;

And you are further commanded to notify said Green McCurtain, Principal Chief aforesaid, that the papers, files and proceedings in the case of Walter W. Jones, et al, File No. 148 in the District Court for the Southern District of the Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the clerk of said court for said Southern 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 McAlester, Indian Territory, aforesaid, this 24th day of March A. D., 1903.



By } Jas B. Bassada Clerk.
E. D. Berritt Deputy.

MAKSHAG.S BETUBA

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

I received this summons this _____ of _____ A. D., 1903,
at _____ o'clock _____ m. and served same by copy, as follows:
Personally on Green McCurtain, at _____ Indian Territory,
This _____ day of _____, 1903, _____ m.

By _____ Deputy.

Loefly
No. *107-5*

**SUMMONS
INEQUITY.**

walter w Jones et al
vs.
Choctaw and Chickasaw Nations.

Summons issued *20* day of
March, 1903. Returnable instanter.

Marshal's Fees.

Service	-	\$.....
Miles	-	\$.....
Expenses	-	\$.....
TOTAL		\$.....

Silbert & Silbert
Attorneys for Plaintiff.
Duncan & Co.

Choctaw and Chickasaw Citizenship Court,
Indian Territory,
United States of America,
SUMMONS.

SUMMONS.

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, Southern District,

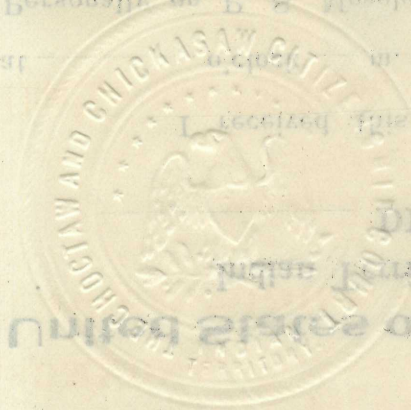
GREETING:

You are hereby Commanded to Summons P. S. Moseley, Governor of the Chickasaw Nation, to answer on behalf of said nation, 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 nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at Tishomingo, by Walter W. Jones, et al, and warn him that upon his failure as said Governor to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instanter;

And you are further commanded to notify said P. S. Moseley Governor aforesaid, that the papers, files and proceedings in the case of Walter W. Jones, et al, File No. 148 in the District Court for the Southern District of the Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that the certificate of the clerk of said court for said Southern 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 McAlester, Indian Territory, aforesaid, this 24th day of March A. D., 1903.

gas B. Bassada Clerk.
By E. L. Berrett Deputy.



MARSHAL'S RETURN

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

By } *W. B. Bennett*
Deputy }
} *W. B. Bennett*
} *Clk.*

I received this summons this *24* day of *March* of *1903* A. D. 1903,
at *11* o'clock *am.* and served same by copy, as follows: *through* this *8457*

Personally on P. S. Moseley, at *Wagoner* and the *Seal* thereof, at Indian Territory,

This *24* day of *March*, 1903, *11* m.

WITNESS the Honorable Spencer B. Adams, Chief Judge,

By *W. B. Bennett* Deputy.

the certificate of the clerk of said court for said *Southern* District, Indian Territory,

Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that

File No. *143* in the District Court for the *Southern* District of the

that the papers, files and proceedings in the case of *Walter V. Jones, et al.*

And you are further commanded to notify said P. S. Moseley, Governor, of the said

complaint will be taken for confessed, and you will make return of the summons instanter.

and warn him that upon his failure to said Governor to answer on behalf of said nation, the

6 copy
No. *107-2*

SUMMONS
IN EQUITY.

Walter Jones et al
vs.
Choctaw and Chickasaw Nations.

Summons issued *24* day of
March, 1903. Returnable instanter.

Marshal's Fees.

Service	-	-	-	\$
Miles	-	-	-	\$
Expenses	-	-	-	\$
TOTAL				\$

Gilbert + Gilbert
Attorneys for Plaintiff.
Duncan

25.

Choctaw and Chickasaw Citizenship Court.

Indian Territory,

United States of America,

SUMMONS.

SUBPCENA.

Choctaw and Chickasaw Citizenship Court,

INDIAN TERRITORY,

Southern District

Copy

The President of the United States of America,

To _____

_____, Greeting:

We command you, that all and singular business and excuses being laid aside, you, and each of you, appear and attend before the Judges of the Choctaw and Chickasaw Citizenship Court in the Indian Territory, _____, at a Court to be held at its Court Room *at Tushomingo*

_____, in the Indian Territory, on the *30* day of *June*, 190*4*

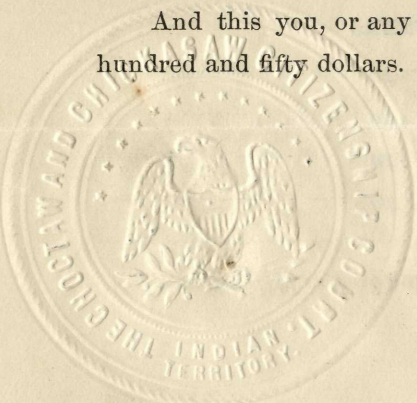
at *10* o'clock *a*. m. to testify and give evidence in a certain cause pending in said Court, then and there to be tried, between *Walter W. Jones et al*, Plaintiff, and *Choctaw and Chickasaw Nations*, Defendant, on the part of *defendants*

And this you, or any of you, are not to omit, upon the penalty upon you, and every one of you, of two hundred and fifty dollars.

Witness, the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L. WEAVER and HENRY S. FOOTE, Associate Judges of said Court, and the Seal thereof, at *Tushomingo*, Indian Territory, this *23rd* day of *June*, A. D. 190*4*

James B. Casson
Clerk.

By _____, Deputy.



SUBPENA.

Choctaw and Chickasaw Citizenship Court,

INDIAN TERRITORY,

Southern District

The President of the United States of America,

To

....., Greeting:

We command you, that all and singular business and excuses being laid aside, you, and each of you, appear and attend before the Judges of the Choctaw and Chickasaw Citizenship Court in the Indian Territory,, at a Court to be held at its Court Room, *at Tuskumings*, in the Indian Territory, on the *30* day of *June*, 190*4*, at *10* o'clock *A.* m., to testify and give evidence in a certain cause pending in said Court, then and there to be tried, between *Walter Jones et al*, Plaintiff, and *Choctaw and Chickasaw Nations*, Defendant, on the part of *defendants*

And this you, or any of you, are not to omit, upon the penalty upon you, and every one of you, of two hundred and fifty dollars.

Witness, the Honorable SPENCER B. ADAMS, Chief Judge, WALTER L. WEAVER and HENRY S. FOOTE, Associate Judges of said Court, and the Seal thereof, at *Tuskumings*, Indian Territory, this *23rd* day of *June*, A. D. 190*4*

James B. Cassada
Clerk.
By, Deputy.



GEORGE A. MANSFIELD
J. F. McMURRAY
MELVEN CORNISH

LAW OFFICES OF
MANSFIELD, McMURRAY & CORNISH.

GENERAL COUNSEL FOR
THE CHOCTAW NATION
THE CHICKASAW NATION

Tuskanoga

Nashomingo, D. P. 6/23/04

Mr. G. Rosen winkle

So M. Klester & P

Dear Rosey:

The applicants in the Walter
W. Jones case claim the name of
their Choctaw ancestor to have been
Tuskanoga, a woman.

Our information is that this is
a Cherokee name.

Please go at once to see Rev. W.
A. Duncan or some other suitable
person and if you can get such
evidence for us do so. We
enclose subpoena in blank

The case is set for June 30 and

therefore the matter must be
attended to promptly
yours truly

Richard Murray
6 5 4 3 2 1
7 8 9 10 11 12
13 14 15 16 17 18
19 20 21 22 23 24
25 26 27 28 29 30
31 32 33 34 35 36

Wassieil Murray Cornish

Richard Murray

MERRICK CORNISH
J. F. MURRAY
GEORGE A. MURRAY

MURRAY, MURRAY & CORNISH

LAW OFFICES OF

THE CHICKAWA NATION
THE CROSTON NATION
FOR DEEDS, CONVEYANCES

Apprentice

Walter W. Jones, et al.,)
 vs)) No. 148
 Choctaw Nation)

On this 17th day of January 1900 came on to be heard in open Court the motion of defendant herein to correct nunc pro tunc the judgments heretofore rendered on the 17th day of January 1898, the 24th day of March 1898 and the 15th day of October 1898, for the reason that the names of certain parties not included in the application to the Commission to the Five Civilized Tribes had been erroneously included therein and admitted to citizenship in the Choctaw Nation. And both parties appear. And the Court having heard said motion and being well and fully advised in the premises doth find that the following names have been erroneously and by mistake included in said judgments and said parties by mistake admitted to citizenship in the Choctaw Nation, to-wit: Brinkley Wilbourn Jones, William Albert Jones, Rutherford Pennymore Jones, Amanda Melvina Jones, Carrie Pernicia Jones, Eliza Ann Jones, John Gandy Jones, Capitola Jones, Victoria Jones, Elizabeth May Jones, Minnie Mildred Jones, Charlie Marvin Jones, Sallie Fisher Jones, William James Jones, Garland Rutherford Jones, Reandis Jones, Nellie Rutherford Jones, Glennis Scott, Robert J. Jones, Sallie M. Jones, William Oscar Jones, Geo. D. Jones, Elter J. Jones, Mary A. Jones, Lilburn B. Jones, Pearlie V. Jones, Lizzie B. Jones Mrs. Minnie Mildred Henson.

It is, therefore, by the Court considered, ordered and adjudged that the names of all the parties aforesaid be stricken from the judgments heretofore rendered herein and that none of said parties be admitted to citizenship in the Choctaw Nation under or by virtue of the judgments herein. And this judgment is rendered nunc pro tunc as of the date of the original judgment herein. To which judgment of the Court plaintiffs in open Court excepted.

born 1790
Simon P. Jones
(white man)
married
Tuskamogaw
(full blood)

~~Walter W. Jones et al.~~

born 1810
James Jones
married
Peggy Smith

off Georgia
born 1830
James L. Jones
married
1st. Bettie Brown

2d. Frances Gambelin

Brinkley W. Jones } Walter W. Jones }
4 { Rudy Stella
Minnie Elsie

1
2
Morgan Jones

3
William Albert Jones

4
Francis Marion Jones

5
Rutherford Perryman Jones

6
Mary Melinda Jones } Lovey Scott }
3 { Hattie
Minnie
Arch
Mel

7
Amanda Melvin Jones

8
Carrie Peruvia Jones

9
Eliza Ann Jones + James Walter
Joseph Wilburn }
John H. Schumlin + Amanda L. } 6
Hattie L.

10
John S. Jones