

J. - N^o 66.

Hill, Evans, et al,

vs

Chickasaw Nation.
N^o 12.

Southern Dist. Court.
N^o

Dawson Commission

Consider this case with
J. C. Hill et al.

vs.
Chickasaw Nation.

T. No. 53: Sou. Dist. 16

(see letter in above entitled case)

Refers to J 53

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 Evans Still 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 instant;

And you are further commanded to notify said P. S. Moseley Governor aforesaid, that the papers, files and proceedings in the case of Evans Still et al File No. 12 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 23 day of March A. D., 1903.

Gas B. Bassett Clerk.
By E. L. Beville Deputy.

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

I received this summons this 23rd day of March A. D., 1903,
at 10 o'clock a. m. and served same by copy, as follows:

Personally on P. S. Moseley, at Muskogee, Indian Territory,

This 23rd day of March, 1903, m.

WITNESSE the Honorable Spencer B. Adams, Chief Judge,

By James B. Adams Deputy.

the certificate of the clerk of said court for said
Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that
File No. 13 in the District Court for the Muskogee District of the
that the papers filed and proceedings in the case of Crans Steel et al

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

complaint will be taken for confessed, and you will make return of the summons aforesaid,
and warn him that upon his failure to said Governor to answer on behalf of said nation the

SUMMONS
IN EQUITY.

Crans Steel et al
vs.
Choctaw and Chickasaw Nations.

Summons issued 23 day of
March, 1903. Returnable instant.

Marshal's Fees.

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

Bruce & Bruce
Attorneys for Plaintiff.

Admire
D. S.

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

Evans Hill et al 11066

✓ Evans Hill

✓ Elizabeth Ann Hill

✓ Sampson E. Hill

✓ Clark V. Hill

✓ John F. Brisco or John T. Brisco

✓ J. M. Brisco

✓ Leonard Brisco

✓ Zenna L. Brisco or Zennia L. Brisco

✓ Nellie M. Brisco

✓ Maggie E. Brisco

✓ Thomas W. Brisco

✓ Arthur Brisco

✓ Fannie E. Brisco

✓ John I. Brisco

✓ William Row or William C. Row

✓ Amanda Melissa Row

✓ William Arthur Row

✓ James Thomas Row

Chickensaw Key

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT.

EVANS HILL, et al.,	Petitioners,	}	PETITION.
vs.			
CHOCTAW and CHICKASAW NATIONS,	Defendants.		

Come now the petitioners, Evans Hill, Elizabeth Ann Hill Sampson E. Hill, Clark V. Hill, John F. Brisco, S. M. Brisco, Leonard Brisco, Zerna L. Brisco, Nellie N. Brisco, Maggie E. Brisco, Thomas W. Brisco, Arthur Brisco, Fannie E. Brisco, John S. Brisco, William Row, Amanda Melissa Row, William Arthur Row, James Thomas Row, Dora Belle Rowe, Rosa Lee Row, and John Franklin Row, and respectfully represent and show to the court, that they, and each of them are now, and have been at and since all the dates and times hereinafter mentioned, residents of the Chickasaw Nation, Indian Territory; that they are each and all citizens and members of the Chickasaw Nation or Tribe of Indians; That on the 9th day of September, 1896, they each and all applied to the Commission to the Five Civilized Tribes for enrollment as citizens and members of said Chickasaw Nation or Tribe of Indians; that said commission heard said application, and these petitioners were by the judgment of said commission denied citizenship and enrollment as members of said Chickasaw Tribe of Indians; that thereafter, and within the time prescribed by law these petitioners appealed from said judgment of the Commission to the Five Civilized Tribes, to the United States Court for the Southern District of the Indian Territory, at Ardmore,

wherein said appeal was docketed in a cause styled Evans Hill et al., vs. Chickasaw Nation, and numbered 12.

That thereafter, in said United States Court for the Southern District of the Indian Territory, at Ardmore, a full, complete and final trial was had of said cause, No. 12, styled as aforesaid, Evans Hill, et al., vs. Chickasaw Nation, and said court therein determined, adjudged and decreed these petitioners, each and all, to be citizens and members of said Chickasaw Nation or Tribes of Indians, and ordered and directed the said Commission to the Five Civilized Tribes to place the names of these petitioners upon the roll of citizenship of the Chickasaw Nation or Tribe of Indians, as members thereof; which said judgment was rendered by and entered of record in said court on the 10 day of March, 1898.

Petitioners further show that by its judgment rendered on the 17th day of December, 1902, in a cause styled The Choctaw and Chickasaw Nations, or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al., defendants, this court adjudged and decreed all the judgments and decisions of the United States Courts in the Indian Territory, admitting to citizenship and enrollment as citizens of the Choctaw and Chickasaw Nations, upon appeal from the Commission to the Five Civilized Tribes, the ten defendants named in said cause in this court, as well as those who had come in and made themselves parties to said cause, and all judgments rendered in favor of all persons similarly situated, null and void.

These petitioners state that they were not parties to said suit or cause of The Choctaw and Chickasaw Nations, or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al., defendants.

That this court did not have the power or jurisdiction under the pleadings and evidence in said cause to set aside or vacate the judgment theretofore rendered in the United States Court for the Southern District of the Indian Territory, at Ardmore, adjudging and establishing the citizenship and membership of these petitioners as citizens and members of the said Chickasaw Tribe or Nation of Indians; and that said judgment of said United States Court for the Southern District of the Indian Territory at Ardmore, declaring and adjudging these petitioners to be citizens and members of the Chickasaw Nation or Tribe of Indians, was not in any way affected, set aside or avoided by said judgment of this court.

These petitioners state, however, that inasmuch as this court has entered its judgment and decree setting aside all the judgment of said United States Court for the Southern District of the Indian Territory, where the parties thereto are similarly situated to the ten defendants named in said cause of The Choctaw and Chickasaw Nations, or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al., defendants, the Commission to the Five Civilized Tribes is denying and will deny to these petitioners all the rights and privileges of members of said Chickasaw Tribe or Nation of Indians; and petitioners will be denied and deprived of all the rights and privileges of members of said Chickasaw Tribe or Nation of Indians, unless the files, papers and proceedings in said cause No. 12, styled Evans Hill, et al., vs. Chickasaw Nation, in the said United States Court for the Southern District of the Indian Territory, at Ardmore, be certified and sent to this court for further proceedings therein:

Now, therefore, these petitioners, still insisting upon their rights as members and citizens of said Chickasaw Nation or Tribe of Indians, and without waiving any of the rights adjudged and decreed to belong to them under and by virtue of said judgment of the ~~Indian Territory~~ said United States Court in and for the Southern District of the Indian Territory, at Ardmore, in said cause No. 12, styled Evans Hill, et al., vs. Chickasaw Nation, most respectfully pray this court for an order or writ of error, ordering and directing the clerk of the United States Court for the Southern District of the Indian Territory, at Ardmore, to certify and transfer to this honorable court all the files, papers and proceedings in said cause, No. 12, styled Evans Hill, et al., vs. Chickasaw Nation, in said court; that the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation be cited and served with process herein, to the end that these petitioners ^Ymay be established in, and not deprived of their rights as members and citizens of said Chickasaw Nation or Tribe of Indians, and for other just and proper relief in the premises.

C. C. C. C.

Attorneys for petitioners.

REGISTERED FOR DEPOSIT.

James D. Jones

Letter in the blank.

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Petition for Appeal.
Edward H. H. H. H.

IN THE CHICKASAW AND CHOCTAW CITIZENSHIP COURT, SITTING AT TISHOMINGO
INDIAN TERRITORY.

Evans Hill, et.al.,.....Plaintiffs,)
-vs.-)
The Chickasaw and Choctaw Nations, //Defendants.)

Now comes the plaintiffs, Evans Hill and others, and without waiving any rights they have, and without entering their appearance to this cause, except for the purposes of this motion, and still insisting upon all the rights guaranteed to them under the law, and without submitting this case upon the record, but insisting any protesting against the submission of same upon the record, and asked to have this cause dismissed, and shows to the Court that the Choctaw Nation has not been served with process and therefore, this cause is not properly in this Court, and that this Court has no jurisdiction over same and no jurisdiction to entertain any motion therein, except the motion to dismiss .

Evans Hill, and others.

By Court & Court
attys for Piffs

In the Choctaw and Chickasaw Citizenship Court,
Sitting at Tishomingo,
Indian Territory.

Evans Hill et al.....Plaintiffs)
v.)
Choctaw and Chickasaw)
Nations.....Defendants)

Now come the applicants in the above styled and eneitled case and move the court to set aside the judgment heretofore rendered in this cause upon the record as submitted by counsel for the applicants, and grant them a new trial, with permission to take their testimony under the rules of this honorable court, for the following reasons, to wit:

That heretofore, to wit, on the 10th day of June, 1896, an act was passed and approved by the congress of the United States empowering the Commission to the Five Civilized Tribes to hear and determine the rights to citizenship of those claiming citizenship in the Choctaw and Chickasaw Nations, Creek, Cherokee and Seminole Nations, said act of congress providing that ^{after} said Commission had rendered their finding upon the application of those claiming citizenship, either the applicants or the different nations might prosecute an appeal the United States Court for the Central and Southern District of the Indian Territory. That acting under and in accordance with the act of congress and the rules prescribed by the Commission to the Five Civilized Tribes, and subsequently, said application was appealed to the United States Court for the Southern District of the Indian Territory, and judgment therein rendered in favor of the applicants.

That on the 25th day of September, 1902, an act of congress was passed entitled " A supplemental agreement between the Choctaw

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and Chickasaw Nations and the Government of the United States," which created this honorable court, and empowered them to hear and revise affirm and reform the judgments heretofore rendered in the United States Court for the Southern and Central Districts. That acting under and in accordance with the provisions of the supplemental agreement, and the rules of this honorable court, the petitioners herein lodged with the clerk of this court, on the ____ day of _____ 1903, their petition for an appeal which was duly granted, and said cause set down for trial at Tishomingo. That your petitioners were at that time represented by the firm of Cruce, Cruce & Bleakemore, of Ardmore, Indian Territory, who filed a motion without the authority of these applicants, to dismiss said cause, which motion was by this honorable court overruled. That the attorneys for the applicants, at that time announced that they would refuse to introduce any testimony whatever. That upon the refusal of the attorneys for the applicants, to introduce any further testimony, this court ordered the cause to be submitted upon the record then on file in the clerk's office. That because of the fact that this court had held that all the testimony taken before the Commission to the Five Civilized Tribes and in the United States Court, under act of June 10th, 1896, except the affidavits of witnesses who had been taken prior to June 10th, 1896, and the parties who made the affidavits were dead at that time were inadmissible, this court rendered judgment against the applicants herein, adjudging them to be non-citizens of the Chickasaw Nation. That these applicants have at all times been governed by reports made to them by various attorneys over the Indian Territory to the effect that it was absolutely impossible for applicants who had made their application under act of June 10, 1896, and commonly known as court claimants, to obtain justice in this court. That after an investigation they are informed and believe

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that this court will hear their testimony, and if the same is sufficient in law to entitle them to a judgment, that they will render the same in their favor.

Wherefore they pray that the judgment heretofore rendered in this cause be set aside and held for naught and that this cause be placed regularly on the docket for trial and that they be given a reasonable time in which to bring their witnesses before this honorable court to testify, that upon final hearing they have such judgment as the court may, in all right and justice, deem proper.

Attorneys for applicants.

Indian Territory,
Southern District.

Before me, the undersigned authority, this day personally appeared Evans Hill, who being by me duly sworn on his oath, states that he is one of the applicants in the above styled and entitled cause. That he is acquainted with the several matters and facts set forth in the above and foregoing petition and motion and that they are true to the best of his knowledge, information and belief.

Subscribed and sworn to before me this the ____ day of Sept. 1904.

In the Choctaw and Chickasaw Citizenship Court, sitting at
Tishomingo, in the Southern District of the Indian Territory.

Evans Hill, et al.,

vs.

No. 66.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this day of , 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, Evans Hill, Elizabeth Ann Hill, Sampson E. Hill,
Clark V. Hill, John F. Brisco or John T. Brisco, S. M. Brisco,
Leonard Brisco, Zerma L. Brisco or Zemina L. Brisco, Nollie N.
Brisco, Maggie E. Brisco, Thomas W. Brisco, Arthur Brisco,
Fannie E. Brisco, John S. Brisco, William Row or William C. Row,
Amanda Melissa Row, William Arthur Row, James Thomas Row, Dora
Belle Row, Rosa Lee Row or Rosa Belle Row, and John Franklin
Row, are not entitled to be deemed or declared citizens of the
Chickasaw 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, Evans Hill, Elizabeth Ann Hill,
Sampson E. Hill, Clark V. Hill, John F. Brisco or John T. Brisco,
S. M. Brisco, Leonard Brisco, Zerma L. Brisco or Zemina L. Brisco,
Nollie N. Brisco, Maggie E. Brisco, Thomas W. Brisco, Arthur

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21

Brisco, Fannie E. Brisco, John S. Brisco, William Row or William C. Row, Amanda Melissa Row, William Arthur Row, James Thomas Row, Dora Belle Row, Rosa Lee Row or Rosa Belle Row, and John Franklin Row, be denied, and that they be declared not citizens of the Chickasaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.

Evans Hill, et al.,

vs. No. 12, Judgment, Southern District, March 10, 1898.

Chickasaw Nation.

This day this cause coming on to be heard on this the 10th day of March, upon the pleadings, evidence, Master's report and the exceptions thereto; and it appearing to the court from said Master's report and the evidence herein, that the parties hereinafter named and set forth are Chickasaw Indians by blood, and as such are entitled to citizenship in the Chickasaw Nation or Tribe of Indians; and the court being fully advised as to the whole case, finds that the parties hereinafter named have duly prosecuted their application for citizenship, and have fully met every requirement of law therefor and the court having declared them to be citizens of the Chickasaw Nation. It is therefore considered, adjudged and decreed that the exceptions to the Master's report be overruled and that the plea to the jurisdiction interposed by the defendant is also overruled, and said Master's report is in all things confirmed.

It is therefore, ordered, adjudged and decreed that the following named parties be and the same are hereby admitted to citizenship in the Chickasaw Nation or Tribe of Indians, to-wit:

"Evans Hill, Elizabeth Ann Hill, Sampson E. Hill, Clark V. Hill, John T. Briscoe, Maggie E. Briscoe, S. M. Briscoe, Keonard Briscoe, Zemma L. Briscoe, Nollie N. Briscoe, Thomas W. Briscoe, Arthur Briscoe, Fannie E. Briscoe, John S. Briscoe, W. A. Briscoe, M. L. Briscoe, Dora Gibson, Dora Briscoe, William Gibson, Rena Gibson, Belle Briscoe, Cleaver, James Briscoe, Willia Briscoe, Earl Briscoe, Ettoy Briscoe, Bessie Briscoe, William C. Row, Nancy Ann Row, Amanda Melissa Row, William Arthur Row, James Thomas Row, Dora Belle Row, Rosa Lee Row, John Franklin Row.

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

It is further ordered and decreed and adjudged that the following named persons be rejected, to-wit: R. L. Gibson and J. E. Cleaver

The clerk of this court is hereby ordered and directed ~~xxxxxx~~ to certify a copy of this judgment to the Dawes Commission and said Commission is hereby directed to place the names of the above named persons who are admitted to citizenship upon the rolls of citizenship for the Chickasaw Tribe of Indians.

To all of which the defendant in open court excepts.

Evans Hill , et al.,

vs. No. 12, Judgment, Southern District, May 27, 1899.

Chickasaw Nation.

This day came on to be heard on a motion to correct the judgment heretofore rendered in this cause, and it appearing to the court that the names of W. A. Briscoe, M. L. Briscoe, Dora Gibson, Dora Exe Briscoe, William Gibson, Rena Gibson, Belle Briscoe Cleaver, James Briscoe, Willis Briscoe? Earl Briscoe? Ettoy Briscoe & Bessie Briscoe were added by counsel after appeal was perfected, and the papers filed in this court as admitted by said counsel, and the court being of the opinion that the court had no jurisdiction over said parties by reason of their not being parties to this action, and said names ought not to have been contained in said judgment. It is therefore ordered, adjudged and decreed by the court that said judgment in this cause be so corrected and modified so as to eliminate said named parties from the same, and that said judgment remain in full force as to the other parties contained therein and it is further ordered that the Chickasaw Nation have judgment against axxx the parties herein named for all costs incurred by reason hereof, that said parties be rejected and denied citizenship in the Chickasaw Nation, and the clerk is directed to furnish a certified copy of this judgment at once to the Dawes Commission so that the judgment heretofore entered may be corrected by said Commission.

Eans Hill, et al.,

vs. No. 12, Judgment, Southern District, May 27, 1899.

Chickasaw Nation.

This day came on to be heard a motion to correct the judgment ~~heretofore~~ heretofore rendered in this cause, and it appearing to the court that the names of W. A. Briscoe, M. L. Briscoe, Dora Gibson, Dora Briscoe, William Gibson, Rena Gibson, Belle Briscoe, Cleaver James Briscoe, Willis Briscoe, Earl Briscoe, Etoy Briscoe and Bessie Briscoe were added by counsel after appeal was perfected and the papers filed in this court, as admitted by said counsel, and the court being of the opinion that the court had no jurisdiction over said parties by reason of their not being parties to this action, and that said names ought not to have been contained in said judgment:

It is therefore ordered, adjudged and decreed by the court that the said judgment in this cause be so corrected and modified as to eliminate said names and parties from the same and that said judgment remain in full force as to the other parties contained therein. And it is further ordered that the Chickasaw Nation have judgment against the parties herein named for all costs incurred by reason hereof; that said parties be refused and denied citizenship in the Chickasaw Nation.

And the clerk is directed to furnish a certified copy of this judgment at once to the Dawes Commission so that the judgment heretofore entered may be corrected by said Commission.

Gilbert, Low & Gilbert,
Attorneys at Law,
Chickasha, Indian Territory.

Duncan, Ind. Ter. September, 7, 1904.

Me ssrs. Mansfield, McMurry & Cornish,
South McAlester, Ind. Ter.

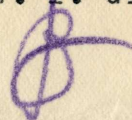
Gentlemen:

You will please find enclosed a copy of a motion
which I shall file in the cause of Evans Hill et al v. Choctaw
and Chickasaw Nation on the 9th instant.

Kindly acknowledge receipt of this copy and
blige.

Very truly,

W. I. Gilbert.



~~Evans Hill vs. Chickoson Nation~~

U. No 12

Series No 14

May 24, 1899:

Order Name pro tunc
order correcting judgment by
striking therefrom the names
of W. A. Briscoe, M. L. Briscoe,
Lora Gibson, Lora Briscoe,
William Gibson, Rena Gibson,
Belle Briscoe Cleaver, James Briscoe,
Willis Briscoe, Earl Briscoe,
Etay Briscoe, Bessie Briscoe

Evans Hill et al.

vs

Bailey, et al.

Chickasaw Nation.

Court No. 12

Dawes No. 214

Complaint filed and notice of appeal issued by the Clerk of the Court Dec. 14, 1896.

Original application and other papers received from the Dawes Commission and filed Feb. 3, 1897.

The judgment of the Court, rendered March 10, 1898, admits thirty-four parties to citizenship, twelve of whom were not named in said original application, viz:

W. A. Briscoe,

Belle Briscoe Cleaver,

M. L. Briscoe,

James Briscoe,

Dora Gibson,

Willis Briscoe,

Dora Briscoe

Earl Briscoe,

William Gibson,

Etoy Briscoe,

Rena Gibson,

Bessie Briscoe.

A slip of paper containing the above twelve names, together with the names of R. L. Gibson and G. E. Cleaver, has been pasted onto the bottom of the third page of said original application, following the line, - "John S. Briscoe, their child, aged 5 years."

The certified copy of said application filed with the Authorities of the Chickasaw Nation in 1896, which accompanies this report, marked "Exhibit B", corresponds with, and is similar to, the original application, except as to the slip containing the fourteen additional names. No evidence accompanies either the original application or copy thereof relating to the fourteen parties named.

Of the twenty-two parties admitted to citizenship whose names appear in the original application to the Dawes Commission, three are intermarried white persons, viz: Elizabeth Ann Hill, wife of

(18)

Evans Hill; S. M. Briscoe, nee Morrison, wife of John T. Briscoe and William C. Row, husband of Nancy ANN Row, nee Briscoe.

There is, in the application, no allegation that either, or any, of them married under Chickasaw laws and, as the master's report is missing from the papers, it is impossible to ascertain the facts from the records.

This case has been appealed to, and is now pending in, the United States Supreme Court. *A. Walcott*

"EXHIBIT B"

The papers constituting this Exhibit have been detached from this report for use by the Court in the further consideration of the case to which they relate.

They will be found in a jacket endorsed:

EXHIBIT B

Report on Chickasaw Cases,
in the Southern District Court.

B1

To the Honorable Dawes Commission: Hon. Henry L. Dawes, Chairman.

Evans Hill, et al.,		
vs		Application for Enrollment as Citizens.
Chickasaw Nation.		

In compliance with an Act of the Chickasaw Legislature, approved December 22, 1894, the Plaintiffs in this action, acting under said law, filed their claims for citizenship with the Court of Claims established by said Act, and on the 21st day of February, 1895, said case came on for a hearing upon the evidence therein adduced by plaintiffs, which said evidence was taken down and recorded as the law directs; that at the final deposition of said case by the said Court of Claims, and on the 21st day of February, 1895, said Court issued to these Plaintiffs the following certificate, to-wit:

Certificate of Citizenship Issued to Mr. Evans Hill by the court of Claim
Tishomingo, Ind.Ter., Choctaw Nation.

February 21st, 1895.

This is to certify that Mr. Evans Hill has presented his affidavits, proving his identity, and we do, after examining all the lawful evidence, decide that Mr. Evans Hill and his heirs are Chickasaws by blood and are entitled to all the rights and privileges.

Names of heirs, viz:

Sampson E. Hill,
Clark V. Hill,
Elizabeth Ann Hill.

Given under my hand this 21st day of Feby., 1895.

	(Signed) C. A. BURRIS, Chairman.
Attest:	W. H. BOURLAND,
R. H. NICHOLS, Clerk.	J. BROWN, Committee.

That upon the issuance of said certificate as above stated, to the plaintiff herein, Judge A. A. Burris, Chairman of said Court of Claims, then asked Plaintiff as to his other heirs--that is to say- the heirs of his brothers and sisters. Upon request of said Judge Burris, the

following names were handed to the Court of Claims as the immediate and legal heirs, and were to share in the benefits of the Chickasaw Indians the same as these plaintiffs. These persons are J.T.Briscoe and his heirs, W.A.Briscoe and his heirs, and Hannie Row and her heirs. That upon being advised in the premises as to persons entitled to citizenship the same as the plaintiffs in this cause, the Court of Claims thereupon issued an additional certificate through its clerk, R.H.Nichols, which was handed to this plaintiff, and is as follows:

Office of

THE COURT OF CLAIMS.

Tishomingo, I.T., Chickasaw Nation,

Feb. 21st, 1895.

This is to certify that Mr. Evans Hill has presented his affidavits proving his identify, and we, after examining all the lawful evidence, do hereby decide that Mr. Evans Hill and all his heirs, viz.

Sampson E. Hill,
Clark V. Hill,
Elizabeth Ann Hill,
J. T. Briscoe and his heirs,
W. A. Briscoe and his heirs
Nana Roe

are Chickasaws by blood and are entitled to all the rights and privileges of same.

Given under our hand this the 21st day of Feb'y, 1895.

Attest:

(Signed) C. A. BURRIS, Chairman.

R. H. NICHOLS, Clerk.

W. H. BOURLAND, |
J. BROWN, | Committee.

Said plaintiffs state that they are descendants of Charley Matlock, a Chickasaw Indian by blood, who resided in the state of Tenn.; that said plaintiffs, about the year 1860, came from Tennessee to the Chickasaw Nation, where they and their families and legal heirs have resided, and do still reside; that, notwithstanding the fact that the citizenship of said plaintiffs was disputed, yet they and eachn of them complied with the laws of the Chickasaw Nation, of which country they were

residents, the same as if they had been duly recognized by said tribe of Indians; that they and each of them have, since they came to this country enjoyed all of the privileges, except the right of suffrage, known to the Chickasaw tribe of Indians; that immediately after the passage of said Act creating said Court, plaintiffs filed their case in said court, in order that their rights might be established and their citizenship finally adjudicated and determined; that after the issuance of said certificate, as aforesaid, plaintiffs continued, and do yet to this day, enjoy all the privileges of Chickasaw Indians.

And plaintiffs further state that, in compliance with the Act creating the Court of Claims to try cases of citizenship in the Chickasaw Nation, and after the adjudication of these plaintiffs' claim, the said Court sent and delivered this case, together with many others, to the Chickasaw legislature for its approval, as required in said act; that when said case came before the legislature, duly assembled, the then District Attorney for the Chickasaw Nation complained of irregularities, and upon his motion to dismiss said case, the same was then acted upon adversely by the legislature, without that body, or either of them, ever having examined into the merits of the case.

The names of the persons petitioned to be enrolled are as follows:

Evans Hill;
 Elizabeth Ann Hill, his wife;
 Sampson E. Hill, aged 20 years, their son;
 Clark V. Hill, their son, aged 9 years.
 John F. Briscoe, husband of S.M. Briscoe, nee Morrison, who
 were legally married in February, 1874;
 Leonard Briscoe, their child, aged 21 years;
 Emma L. Briscoe, their child, aged 20 years;
 Nolie N. Briscoe, their child, aged 17 years;
 Maggie E. Briscoe, their child, aged 15 years;
 Thomas W. Briscoe, their child, aged 12 years;
 Arthur, their child, aged 10 years;
 Fannie E. Briscoe, their child, aged 8 years;
 John S. Briscoe, their child, aged 5 years;
 William C. Row, husband of Nancy Ann Row, nee Briscoe, who
 is a sister to John T. Briscoe, whose mother was
 Betsy Ann Briscoe, and sister of Evans Hill, the
 plaintiff in this case;
 Amanda Melissa Row, their daughter, aged 18 years;
 William Arthur Row, their son, aged 15 years;
 James Thomas Row, their son, aged 13 years;
 Dora Bell Row, their daughter, aged 8 years;
 Rose Lee Row, their daughter, aged 5 years;
 John Franklin Row, their son, aged two years;
 John Melton Penn, the husband of Amanda Melissa Row, who
 were legally married in June, 1895.

Wherefore, The above premises being considered, plaintiffs, ask that they be given an impartial hearing before said commission, and ask that they, under the testimony adduced in this cause, be admitted to citizenship in the Chickasaw Tribe of Indians, and that their names be placed upon the roll now being prepared by this Honorable Commission.

(Signed) ARTHUR WALCOTT

Attorney for Plaintiffs.

I, Evans Hill, one of the plaintiffs in the above cause, being first duly sworn, on oath say that the facts and allegations contained in the foregoing application are true.

(Signed) EVANS HILL

Subscribed and sworn to before me on this the 31st day of August, 1896.

(Signed) T. C. BRIDGMAN

Notary public

(Seal)

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon Thomas B. Cabinass, and Alexander H. Montgomery, United States Commissioners authorized by Act of Congress of June the 4th, 1896, to hear and determine claims for citizenship in the Chickasaw Nation:

Gentlemen:

The undersigned, your petitioners, William Carrell Row and Nancy Ann Row, of Bailey, Pickens County, Chickasaw Nation, Indian Territory, for and on behalf of ourselves and our heirs, this day make this application to you for the purpose of being placed on the revised roll of Chickasaw Indians, and for those entitled to share in the distribution of funds and allotments of land in the Chickasaw Nation, by virtue of their Chickasaw blood, and we herewith submit the affidavits of

in support of said claims, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted.

Witnesses:

WM. A. PROCTOR

P. H. SIMPSON.

W. C. ROW

her
NANCY A. x ROW
mark

m Enrollment of Family with Relationship, as follows:

Names	Ages	Relationship.
William Carroll Row	44	Husband of Nancy Ann Row
Nancy Ann Row	38	Daughter of Netsey A. Briscoe
Amanda Malisa Row	18	Daughter of Nancy Ann & Wm.C.Row
William Arthur Row	15	Son " "
James Thomas Row	13	" " "
Dora Bell Row	8	Daughter " "
Rosa-Lee Row	5	" " "
John Franklin Row	2	" " "
John Melton Row	25	Son-in-law of Wm.C.and Nancy A.Row (Husband of Amanda Malisa Row,named above)

Witness our hands this 22nd day of August, 1896.

(Signed) W. C. Row

Witnesses:

WM. A. PROCTOR

P. H. SIMPSON

her
Nancy A. x Row
mark

sworn to and subscribed before me this 24th day of August, 1896.
(Seal) Wm. A. Proctor, Notary Public.

Evans Hill et al

vs

Chickasaw Nation

A R G U M E N T.

This case, Gentlemen of the Commission, stands upon the same footing as to the action of the court of Claims of the Chickasaw Nation, as other cases submitted to you. These plaintiffs, as is shown in their petition, have complied with all of the laws of the Chickasaw Nation in filing their claims before the Court of Claims, established by an Act of the legislature, immediately after said Act was passed and became in force and effect. This case, like all others, was submitted purely upon the testimony which might be adduced upon the hearing before the said Court of Claims as to whether or not these plaintiffs were Indian citizens by blood. We think it is clearly shown by the affidavits which are submitted herewith for your consideration, that the plaintiffs are the direct and lawful descendants of Charley Matlock, who is clearly proven to have been a Chickasaw Indian by blood. We also submit for your consideration, Gentlemen of the Commission, a certified copy of the evidence and of the action of the said Court of Claims in this matter.

Respectfully submitted

Arthur Walcott

Attorney for Plaintiffs.

I, Arthur Walcott, the attorney for plaintiffs in the above cause, do swear that the above and foregoing is a true and correct copy of all the papers of every description in the above cause.

(Signed) Arthur Walcott

Subscribed and sworn to before me this 2nd day of Sept. 1896.

(Signed) T. C. Bridgman

(Seal)

Notary Public