

Witnesses  
For Claimants

Josiah Broom Ishomingo I.T.  
Wm Rennie Ishomingo I.T.

Nations

J. N° 93.

Seobey, A. E.

vo

Chickasaw Nation.

N° 65.

Panther Dist. Court.

N°

Dawson Commission.

Question of law.

Query.

1. Was and is Lida Mc. Ghee, Chickasaw.
2. When was first marriage under U. S. license.
3. When and what proof is there of 2nd marriage under Chickasaw license.
4. Are applicant and his wife still living together.

S. C. Treadwell.

Attorney -

See N° 99.

Separate writ of error was also made

Wayne, S. F.

8-31-03.

Hon. Geo. A. Mansfield.

Atty. for the Choctaw & Chickasaw  
South McAlester, Ft.

Sir:

You have doubtless reviewed  
my Citizenship Case pending before  
the Hon. Citizenship Court at South  
McAlester. The last time I saw  
Ex Gov. Johnson he told me the  
Nation would not make any fight  
against me & that he would see  
you in my interest. I was forced  
into Court by the Byrd & Harris party  
for my rights, which accounts



for my citizenship being  
questioned. Their reason for treating  
me to all this expense and delay, I  
suppose was purely political, as  
I worked against them in the cam-  
paign for Gov. Co. Other Intern-  
arried Citizens have been approved  
and are taking their allotments, but  
unless there is some way to get  
my case off the citizenship  
docket, it may be many months  
yet before I am allowed to file on  
an allotment, which under  
the present rules adopted by the  
Commission, that of keeping the  
filings secret, may have been



filed an and, according to the  
9 months limit for instituting  
suits, forever lost to me.

The Commission claim they  
do not allow me to file on the  
property of another, but they do.  
Since it is not the desire of the  
Nation to fight my case any  
information or assistance in any  
way you see fit to render me will  
be highly appreciated.

Awaiting your reply, I am  
Very Truly,  
A. E. Seobey.



South McAlester, Indian Territory, September 5, 1903.

Mr. A. E. Scoby,

Wayne, Indian Territory,

Dear Sir:

We are just in receipt of your letter of August 31st, and referring to your citizenship case.

Replying thereto we have to advise you that our instructions are not only to contest those not entitled to citizenship, but to assist those having meritorious claims.

We are not advised as to the facts in connection with your case, but for your information we have to state that without reference to any views which the representatives of the Choctaw and Chickasaw Nations may entertain in regard to any case, the Choctaw and Chickasaw Citizenship Court requires each claimant to prove his case by affirmative and conclusive testimony.

We apprehend that you will have no difficulty in presenting the facts as they exist; and thereafter we feel sure that the Choctaw and Chickasaw Citizenship Court will do exact justice in the premises.

We would suggest that you prepare to submit your case to the Court, and you may rest assured that the representatives of the Choctaw and Chickasaw Nations will be as anxious as your representative for the Court to admit you, if you are entitled to admission under the law and the facts.

With best wishes, we are,

Yours very truly,

Dic.



SUMMONS.

United States of America,

Indian Territory,

Choctaw and Chickasaw Citizenship Court.

SS

The President of the United States of America,

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

GREETING:

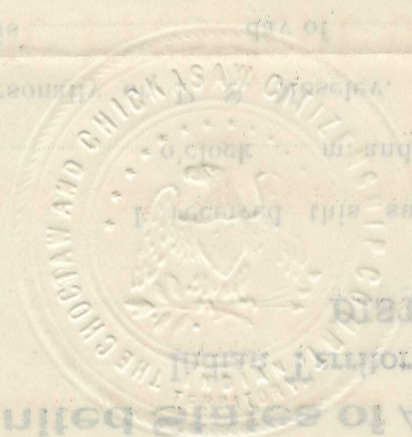
You are hereby Commanded to Summons P. S. Moseley, Governor of the Chickasaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Governor of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at

*Truhomings*, by *William L Shomas 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 *William L Shomas et al* File No. *136* 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. Bassard* Clerk.

By *E. D. B. B. B.* Deputy.



MARSHAL'S RETURN.

United States of America,  
Indian Territory,  
DISTRICT.

Deputy: *John B. ...*  
Clerk: *John B. ...*

I received this summons this *23* day of *March* A. D., 1903,  
at *10* o'clock *m.* and served same by copy, as follows:  
Personally on *P. S. Moseley*, at *Indian Territory*,  
This *23* day of *March*, 1903, *m.*

By *W. H. Spencer* Deputy.  
Witness the Honorable Spencer B. Adams, Chief Judge,  
Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court and that  
File No. *132* in the District Court for the *Choctaw* District of the  
that the papers, files and proceedings in the case of *William S. Moseley et al*

And you are further commanded to notify said *P. S. Moseley* Governor of the  
complaint will be taken for confessed, and you will make return of the summons instanter.

*Copy*  
No. *94-5*  
**SUMMONS**  
IN EQUITY.  
*Wm S. Moseley et al*  
vs.  
Choctaw and Chickasaw Nations.  
Summons issued *23* day of  
March, 1903. Returnable instanter.

**Marshal's Fees.**

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

*Hardy + Franklin*  
Attorneys for Plaintiff.  
*Madril*  
*23*

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



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

A. E. Scoby, .....Plaintiff,

v

The Choctaw and Chickasaw Nations or Tribes of Indians, Defendants.

Comes now your petitioner, A. E. Scoby, and respectfully shows to the court the following facts:

That on the \_\_\_\_\_ day of <sup>Sept</sup> ~~December~~, 1896, and within the time prescribed by Act of Congress approved June the 10th, 1896, conferring jurisdiction in citizenship cases upon the Commission to the Five Civilized Tribes, petitioner herein filed his application to the said Commission to the Five Civilized Tribes for citizenship and membership in the Chickasaw Tribe of Indians by intermarriage; that in due course of time, said Commission heard said application and admitted your petitioner to citizenship in the Chickasaw Tribe or Nation of Indians by intermarriage.

That, thereafter, the Chickasaw Nation appealed from the decision of the Commission to the Five Civilized Tribes to the United States court for the Southern District of the Indian Territory, at Ardmore, said cause being styled in said court, on the citizenship docket, number 65, A. E. Scoby vs. the Chickasaw Nation.

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 the claim of petitioner herein to citizenship in the Chickasaw Nation, and by the judgment and decree of said court, entered on the 10th day of March, 1898, petitioner herein was adjudged to be a citizen of the ~~Choctaw~~ <sup>Chickasaw</sup> Nation, and that your petitioner, from and after the rendition of said judgment, has been entitled to



have his name enrolled upon the official and final citizenship roll of the Chickasaw Nation by said Commission to the Five Civilized Tribes. *That your petitioner married Selia Mc Lee, a Chickasaw by blood which said marriage was in accordance with the Chickasaw Law*

That, thereafter, the said cause, E. A. Scoby, vs. the Chickasaw Nation, was appealed to the Supreme Court of the United States and judgment rendered there confirming the judgment of the United States court for the Southern District of the Indian Territory, at Ardmore.

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 Choctaw and Chickasaw Nations, admitting persons to citizenship and enrollment in said Nations, upon appeal from the Commission to the Five Civilized Tribes, to be null and void, both as to the defendants named in said cause and all other persons claiming citizenship in the Choctaw and Chickasaw Nations, by virtue of judgments rendered in United States courts for the Southern and Central Districts of the Indian Territory, under the Act of Congress of June 10th, 1896.

Your petitioner states that he was not a party to said cause of the Choctaw and Chickasaw Nation or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al, defendants, and is not bound by the judgment rendered therein, and that this court had no power or jurisdiction, under the pleadings and evidence in said cause to set aside or vacate the judgment of the United States court for the Southern District of the Indian Territory, admitting him to citizenship in the Chickasaw Nation, by intermarriage, and that said judgment of said United States court for the Southern District of the Indian Territory, is still in full force and effect.



But petitioner says that in as much as this court has entered its judgment and decree setting aside all the judgments of said United States courts for the Southern and Central Districts of the Indian Territory, wherein persons not specially made parties thereto, but who were similarly situated to the defendants specially named in said suit of the Choctaw and Chickasaw Nations or Tribes of Indians, plaintiffs, vs. J. T. Riddle, et al, defendants, and the said Commission to the Five Civilized Tribes is denying and will continue to deny the right of petitioner herein to be enrolled as a member of said tribe of Indians, unless the files and proceedings in said cause number 65, styled A. E. Soby vs. the Chickasaw Nation, in said United States court for the Southern District of the Indian Territory, at Ardmore, be certified and sent to this court for further proceedings herein, and unless this court should, by its decree, finally determine and adjudge said petitioner to be a citizen of the Chickasaw Nation, said Commission will refuse to enroll him as such.

Now, therefore, your said petitioner, still insisting upon his rights as a member of said tribe, and the validity and finality of said judgment of the United States court for the Southern District of the Indian Territory, admitting him to citizenship, and without waiving any of the rights adjudged and decreed to belong to him, and conferred upon him by law, under and by virtue of said judgment of the United States court for the Southern District of the Indian Territory, said petitioner most respectfully prays that an order be made in the nature of a writ of error or otherwise, directing the clerk of the United States court for the Southern District of the Indian Territory, at Ardmore, to certify and deliver to this court



all files, papers, documents, evidence and proceedings had in said cause number 65, A. E. Scoby vs. the Chickasaw Nation, heretofore pending in the United States court at Ardmore, and that all proper and necessary writs, ~~xxxxxxx~~ citations and other process be issued by the clerk of this court for service upon the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation, in order that said cause may be fully and completely transferred and lodged with this court for all proper and lawful proceedings therein, and that your petitioner be adjudged to be a citizen by intermarriage of the Chickasaw Nation.

S. C. Treadwell  
Attorneys for Petitioner.

S. C. Treadwell, being by me duly sworn, says that he is one of the attorneys for the petitioner in the above and foregoing petition and that the facts set forth in the same are true and correct, as he verily believes.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_,

1903.

\_\_\_\_\_  
Notary Public.



copy.

O. E. Scooby. Plf.

vs

Cherokee & Chickasaw  
Nations or Tribes of Indians  
Dfs.

Petition



IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT,  
SITTING AT TISHOMINGO, JUNE TERM, 1904.

A. E. Scoby,

vs. No. 93.

Choctaw and Chickasaw Nations.

S. C. Treadwell, attorney for plaintiff.

Mansfield, McMurray & Cornish, for Defendants.

Present and presiding the Honorables Walter L. Weaver and  
Henry S. Fouts, Associate Judges.

JUNE 21, 1904. This day this cause coming on to  
be heard, both plaintiff and defendants being represented  
by counsel and both having announced ready for trial, the  
following proceedings were had, to-wit:

JUDGE WEAVER:

That is the case in which Mr. Treadwell said the  
case would be turned over to your firm.

Mr. Burris:

Yes sir.

JUDGE WEAVER:

What is the situation of them.

Mr. Burris:

That is the same case.

JUDGE WEAVER:

This number ninety-three can be stricken from the docket  
if it is evidently the same case.

Mr. Cornish:

Yessir case case.

JUDGE WEAVER:

Number ninety-three will be stricken from the docket for  
the reason that the same issues are made in number ninety-nine  
Sam parties and same issues.



In the Choctaw and Chickasaw Citizenship Court, sitting at  
Tishomingo, in the Southern District of the Indian Territory,  
June Term, 1904.

A. E. Scoby,

vs. No. 93.

Choctaw and Chickasaw Nations.

ORDER OF DISMISSAL.

On this June 30th, 1904, this cause coming on for  
decision, and it appearing to the Court that the appli-  
cant herein, A. E. Scoby is the identical person whose  
rights were passed upon and finally adjudicated in the  
case of Arthur E. Scoby vs. Choctaw and Chickasaw Nations,  
number 99, and it is the opinion of the Court that the  
petition in this cause should be dismissed, AND IT IS SO  
ORDERED.

.....  
Chief Judge.

.....  
Associate Judge.

.....  
Associate Judge.



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,

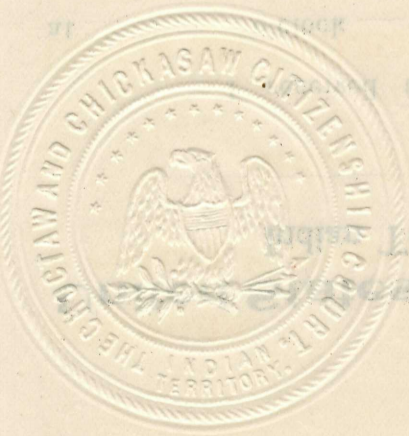
GREETING:

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 A. E. Seaby

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 A. E. Seaby File No. 65- in the District Court for the Southem 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 Southem 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.



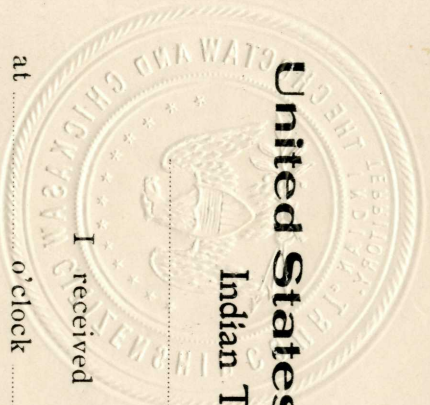
James B. Cassady Clerk.

By ..... Deputy.



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.

WITNESS the Honorable Spencer B. Adams, Chief Judge,

By \_\_\_\_\_ Deputy.

the certificate of the clerk of said court for said \_\_\_\_\_ District, Indian Territory,  
Indian Territory, has been transferred to the Choctaw and Chickasaw Citizenship Court, and that  
file No. \_\_\_\_\_ in the District Court for the \_\_\_\_\_ District of the  
that the papers, files and proceedings in the case of \_\_\_\_\_  
And you are further commanded to notify said Green McCurtain, Principal Chief of said  
complaint will be taken for confessed, and you will make return of the summons instanter;

Duplicate  
No 93-7

SUMMONS  
IN EQUITY.

A. E. Sealy  
vs.  
Choctaw and Chickasaw Nations.

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

Marshal's Fees.

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

S. C. Bradwell  
Attorneys for Plaintiff.  
Leishonians J. T.

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



A. E. Scooby. } T. Nos. 93 and 99. Sou. Dist. No. 65.  
vs. }  
Chickasaw Nation

A. E. Scooby, a white man first married to Lila Mc. Ghee, an alleged Chickasaw by blood, and subsequently married the same woman under a Chickasaw license.

Question of second marriage.

1. Was and is Lila Mc. Ghee, a Chickasaw.
2. When was first marriage
3. When and what proof is there of second marriage under Chickasaw license
4. Are applicant and his wife still living together.

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Admitted by Oaves Commission  
Admitted by U. S. Court, Sou. Dist. March, 11, 1898.



SUMMONS.

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

ss

The President of the United States of America,

To the United States Marshal for the Indian Territory, 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 A. E. Sealy.

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 A. E. Sealy File No. 65- in the District Court for the southen 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 southen 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.

James B. Cussler Clerk.  
By \_\_\_\_\_ Deputy.





MARSHAL'S RETURN.

United States of America,  
Indian Territory,  
DISTRICT.

*[Handwritten signature]*  
Clerk

I received this summons this 23 day of March A. D. 1903 at 5 o'clock m. and served same by copy, as follows:

Personally on P. S. Moseley, at Indian Territory,  
This 23 day of March, 1903, at Muskogee, Indian Territory.

WITNESS the Honorable Spencer B. Adams, Chief Judge,

By *[Signature]* Deputy.

the certificate of the clerk of said court for said District, Indian Territory, Indian Territory, has been transmitted to the Choctaw and Chickasaw Citizenship Court, and that file No. 92 in the District Court for the District of the that the papers, files and proceedings in the case of *[Signature]* 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 instanter;

*Duplicate*  
No 937

SUMMONS  
IN EQUITY.

*A. E. Seely*  
vs.  
Choctaw and Chickasaw Nations.

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

Marshal's Fees.

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

*S. C. Bradwell*  
Attorneys for Plaintiff.  
*Lishovings 2.7*

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



I N D E X.

Application to Commission	1
Affidavit of Josiah Broom	2
Affidavit of Wm. Rennie	3
Report of Master in Chancery	4
Assignment of Errors	5
Judgment, U. S. Court	



Application of E. A. Scoby for citizenship  
in the Chickasaw Nation.

To the Hon. Dawes Com. to the Five Civilized  
Tribes of Indians.

A. E. Scoby being duly sworn on oath deposes  
and says my name is A. E. Scoby, age            mt post  
of gice address is Tishomingo, I. T.   The grounds of  
my application are as follows , to-wit:

On the            s day of            189    I  
was lawfully married to Lila McGhee, a Chickasaw  
Indian by blood, and we have lived together in and  
near Tishomingo as husband and wife since said mar-  
riage.   That said marriage was performed according  
to the customs and usages of the Chickasaw law.

And as evidence to be used in said case a  
copy of the marriage record together with the affidav  
its of            and

Wherefore I pray that said   Com. allow my claim  
as a citizen of said Nation And that I have and enjoy  
every right and privilege of a Chickasaw Indian by  
blood.

(Signed) A. E. Scoby.



In the matter of  
E. A. Scoby  
vs. Affidavit of Josiah Broom.  
Chickasaw Nation.

Josiah Broom being first duly sworn  
says on oath. My name is Josiah Broom, age \_\_\_\_\_,  
post office Tishomingo. I am a Chickasaw Indian by  
blood and have always been recognized as such.

For a number of years I have known Lelia  
McGee, now Lelia Scoby, the wife of E. A. Scoby. She  
is a Chickasaw Indian by blood and has always been  
recognized as such.

(Signed) Josiah Broom.

Subscribed and sworn to before me this the \_\_\_\_\_  
day of \_\_\_\_\_, 1896.

(Signed) U. M. Lucas,  
Notary Public.



In the matter of

A. E. Scoby,

vs.

Chickasaw Nation/

Wm. Rennie being duly sworn deposes and says. My name is Wm. Rennie. age        post office Tishomingo, I. T.

I am a Chickasaw Indian by blood and have always been recognized as such.

I have known Lelia ~~Scoby~~ McGhee, nee Lelia Scoby, the wife of A. E. Scoby for a number of years, and I have known her to be a Chickasaw Indian by blood. She has always been recognized as an Indian by blood and her children are all recognized as Indians.

(Signed) Wm. Rennie.

Subscribed and sworn to before me this    b    day  
of        , 1896.

(Signed) ★ U. M. Lucas

Notary Public.



IN THE UNITED STATES COURT, SOUTHERN DISTRICT,  
INDIAN TERRITORY, AT ARDMORE.

E. A. Scoby,

vs.

Chickasaw Nation.

On this day this cause came on to be heard before the undersigned master in chancery, and after having duly considered the same and the evidence in support thereof, I am of the opinion that the applicant E. A. Scoby is a citizen of the Chickasaw Nation and entitled to be enrolled as such citizen, and I so report.

W. H. L. Campbell.

Master in Chancery.



IN THE UNITED STATES COURT FOR THE SOUTHERN DISTRICT  
OF THE INDIAN TERRITORY AT ARDMORE.

E. A. Scoby, Plaintiff.

vs. ASSIGNMENT OF ERRORS.

CHICKASAW NATION, DEFENDANT.

The defendant in this action in connection with his petition for appeal makes the following assignment of errors, which he avers occurred upon the trial of the cause, to-wit:

First. The court erred in holding that the act of Congress creating a Commission to pass upon the citizenship of applicants Chickasaw Nation and their rights to appeal to said court was constitutional.

Second. The court erred in overruling the plea to the jurisdiction of the Dawes Commission and said court to pass upon the citizenship of the applicants herein.

Third. The Court erred in holding that the laws customs and usages of the Chickasaw Nation did not control and govern the admission of applicants to citizenship.

Fourth. The court erred in holding that the Chickasaw Nation did not have a right to pass a law relative to citizenship in the Chickasaw Nation, when said law in any way modified or changed a treaty of said Chickasaw Nation with the United States.

Fifth. The court erred in holding that the applicant herein who had failed to comply with the laws of the Chickasaw Nation regulating his citizenship therein was still entitled to all the rights and immunities of a citizen and entitled to be ~~enrolled~~ enrolled as such.



Sixth. The Court erred in holding that it was unnecessary for the applicant in order to retain his citizenship in the Chickasaw Nation which he acquired by the laws of said Nation by marriage into the said tribe to further comply with the laws of said Nation by not again marrying any United States citizen.

Seventh. The court erred in holding that a United States citizen could marry a Chickasaw Indian by blood according to their laws and become a citizen thereof, and after the death of said Chickasaw Indian that the said citizen of the United States could marry another another United States citizen according to the laws of the Chickasaw Nation and thereby confer the right of citizenship in the Chickasaw Nation upon the second spouse and the issue thereof and so on to all the succeeding issue.

Eighth. The court erred in holding that the United States citizens acquiring citizenship in the Chickasaw Nation did not forfeit his right to citizenship by again marrying a United States citizen.

Ninth. The Court erred in holding that a United States citizen who had married a Chickasaw Indian and acquired citizenship in said Nation by reason of said marriage, did not forfeit the same when he had been divorced from his Indian wife.

Tenth: The Court erred in holding that any United States citizen divorced from an Indian wife had the right to confer citizenship in the Chickasaw Nation upon the second wife who was a United States citizen and the issue thereof.

Eleventh. The court erred in holding that where a United States citizen had married an Indian citizen according to the laws of the Chickasaw Nation



and the Indian citizen died and the United States citizen could confer the right of citizenship in the Chickasaw Nation on the issue of the second marriage with a United States citizen not in accordance with the laws of the Chickasaw Nation.

Twelveth, The court erred in holding that when a United States citizen whose Chickasaw wife had either died or been divorced from him, and he had then married a United States citizen, that the issue of said second marriage by marrying according to the Chickasaw laws could confer citizenship upon the spouse and the children of said issue.

Thirteenth, The court erred in that after the papers in this case were destroyed an order was made that such papers be substituted within a certain date during the same term of court in which said order was made.

Fourteenth, The court erred in overruling defendants exceptions to the report of the Master in Chancery.

Fifteenth, The Court erred in granting this decree upon the substituted pleadings and evidence of the plaintiff, alone, the pleadings of both the plaintiff and defendant having been destroyed.

Sixteenth, The court erred in granting a decree upon the report of the Master in Chancery alone.

Seventeenth, The Court erred in overruling the motion of the defendant for a new trial.

Eighteenth. The court erred in referring this cause to a master in chancery.

Nineteenth. The court erred in granting a decree for the plaintiffs in this case.

(Signed) Wm. B. Johnson,  
Attorney for Chickasaw Nation.



E. A. Scoby,

Vs. No. Judgment, Souther, Dist. March 11, 1898.

Chickasaw Nation.

On this day this cause came on to be heard on the report of the Master in Chancery and the exceptions thereto, John Hinkle, and after having ~~examined~~ examined said report and the evidence in support thereof, the court is of the opinion that said report ought to be confirmed.

Wherefore it is adjudged and decreed by the court that said report of the Master in Chancery be and the same is hereby confirmed, and it is hereby adjudged and decreed by the court that said E. A. Scoby is a citizen of the Chickasaw Nation and entitled to be enrolled as such citizen., to all of which the Chickasaw Nation excepts.

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