

N^o 99.

Verna P. Potts, et al,
vs

b. & b. Nations.

N^o 109.

Central District Court.

N^o

Dawson Commission.

See Vol
March 2/1904

For papers, see P. D. DuMont, et al

Done

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 South McAlester, by James L. Potts 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 James L. Potts et al File No. 109 in the District Court for the Central 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 Central District, Indian Territory, has been attached thereto.

WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this 21 day of March A. D., 1903.

James B. Cassada Clerk.

By _____ Deputy.



MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.

I received this summons this 21st day of March, 1903, at 10 o'clock a.m. and served same by copy, as follows:
Personally on P. S. Moseley, at Muskogee, Indian Territory,
This 21st day of March, 1903, at 10 o'clock a.m.
Witness the Honorable Spencer B. Adams, Chief Judge
of the District Court for the Choctaw and Chickasaw Indian Territory,
at Muskogee, Indian Territory, this 21st day of March, 1903.

By _____ 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
this No. 99-M in the District Court for the Choctaw and Chickasaw Indian Territory,
that the papers, files and proceedings in the case of
and you are further commanded to notify said P. S. Moseley, Governor aforesaid,
complaint will be taken for confessed, and you will make report of the summons instant.

Duplicate
No. 99-M

SUMMONS
IN EQUITY.

Verma & Potts et al
vs.
Choctaw and Chickasaw Nations.

Summons issued 21 day of
March, 1903. Returnable instant.

Marshal's Fees.

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

J. G. Ralls et al
Attorneys for Plaintiff.

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, 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 So. McAlester, by James D. Potts 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 James D. Potts et al File No. 109 in the District Court for the Central 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 Central District, Indian Territory, has been attached thereto.

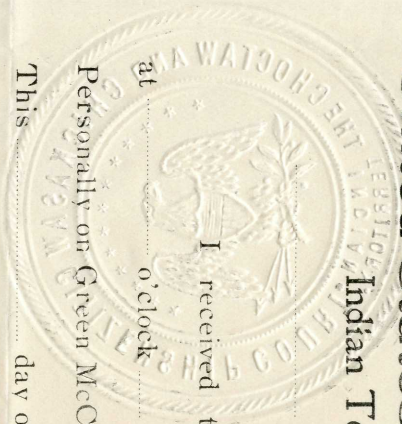
WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this 21 day of March A. D., 1903.



James B. Curran Clerk.
By _____ Deputy.

MARSHAL'S RETURN.

United States of America,
Indian Territory,
DISTRICT.



I received this summons this _____ day 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,
_____ Deputy.

By _____ 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. 102 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 aforesaid,
complaint will be taken for confessed, and you will make return of the summons instantler.

2 duplicati
No 99-m

SUMMONS
IN EQUITY.

Verma D. Potts et al
vs.
Choctaw and Chickasaw Nations.

Summons issued 21 day of
March, 1903. Returnable instantler.

Marshal's Fees.

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

J. S. Ralls et al
Attorneys for Plaintiff. 2.7

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

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, AT SOUTH Mc-
ALESTER, IN THE CENTRAL DISTRICT OF THE INDIAN TERRITORY.

Verna D. Potts et al Plaintiffs,)

-VS-

Number

CHOCTAW NATION AND CHICKASAW NATION,)
Defendants.

APPLICATION FOR TRANSFER OF CITIZENSHIP CASE.

Come now your petitioners

Verna D. Potts,

Mary J. Potts and Mrs Edward Potts


and represent to this Honorable Court that they are bona fide res-
idents of the *Choctaw* nation, of the Indian Territory, and that
they were such residents at and prior to the 10th day of June 1896,
and have remained such residents ever since; and that they are mem-
bers of the Choctaw Tribe of Indians, and entitled to be enrolled
as such.

Your petitioners further show that on the 7th day of Sep-
tember, 1896, they filed their joint application with the Commission
to the five civilized Tribes, asking to be enrolled as members of the
Choctaw Tribe of Indians, which application was made under the pro-
visions of an act of Congress approved June 10th, 1896.

And your petitioners show that the Choctaw Nation appeared
and filed its answer to said petition, and thereafterwards, to-wit:
on the 2nd day of December, 1896, said Commission rendered a decision
upon said application; and thereafterwards, to-wit: on the 20th
day of January, 1897, an appeal was taken from said decision, to
the United States Court, at South McAlester, for the Central District
of the Indian Territory, and the Choctaw Nation was duly notified
and appeared and answered; and thereafterwards to-wit: on the 24th
day of August, 1897, said cause, which was number *109*, came on

to be heard in said court, and upon a hearing said court rendered a judgment declaring your petitioners to be entitled to be enrolled as members of the Choctaw Tribe of Indians; that said judgment remained in full force and effect, and from said judgment an appeal was taken.

WHEREFORE, your petitioners pray that said cause be transferred from said United States Court to this Honorable Court, and that on a hearing in this court they be adjudged to be members of the Choctaw Tribe of Indians, and your petitioners will ever pray as in duty bound.


Attorney for Petitioner.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT.

_____, having been by me first
duly sworn, according to law, states on oath that _____ is one
of the petitioners above named, and that the statements contained
in said petition are true, as affiant verily believes.

Subscribed and sworn to before me on this the _____ day
of March, A. D., 1903.

Notary Public.

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To Mansfield, McMurray & Cornish, Attorneys of Record
for the Choctaw and Chickasaw Nations:

YOU ARE HEREBY NOTIFIED: That at the expiration of two days
from this date I will file, in the office of the Clerk of the Choc-
taw and Chickasaw Citizenship Court, at South McAlester, in the Cen-
tral District of the Indian Territory, an application in behalf of
Verna D Potts, et al et al., to have transferred and certi-
fied to said Citizenship Court, from the United States Court, at
South McAlester, in the Central District of the Indian Territory,
a certain Citizenship Case, wherein judgment was rendered in favor
of said *Verna D Potts* et al., a copy of which application
is hereto attached.

copy of certificate

J. G. Potts.
Attorney for Applicants.

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IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, AT SOUTH Mc-
ALESTER, IN THE CENTRAL DISTRICT OF THE INDIAN TERRITORY.

Verna D Potts, et al Plaintiffs,)

-vs-

CHOCTAW AND CHICKASAW NATIONS, Defendants. (

Number

APPLICATION FOR TRANSFER OF CITIZENSHIP CASE.

Come now your petitioners, *Verna D. Potts, Mary J. Potts, Mr Edward Potts, Robt. J. Cundiff and Robt Sidney Cundiff.*

ad represent to this Honorable Court that they are bona fide residents of the *Choctaw* Nation, of the Indian Territory, and that they were such residents at and prior to the 10th day of June, 1896, and have remained such residents ever since; and that they are members of the *Choctaw* Tribe of Indians and entitled to be enrolled as such.

Your petitioners further show that on the 7th day of September, 1896, they filed their joint application with the Commission to the Five Civilized Tribes, asking to be enrolled as members of the Choctaw Tribe of Indians, which application was made under the provisions of an act of Congress approved June 10th., 1896.

And your petitioners show that the Choctaw Nation appeared and filed its answer to said petition; and thereafterwards, to-wit: on the 2nd day of December, 1896, said Commission rendered a decision upon said application; and thereafterwards, to-wit: on the 20th day of January, 1897, an appeal was taken from said decision to the United States Court, at South McAlester, for the Central District of the Indian Territory, and the Choctaw Nation was duly notified and appeared and answered; and thereafterwards, to-wit:

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on the 24th day of August, 1897, said cause, which was number
came on to be heard in said court, and upon a hearing, said court
rendered a judgment declaring your petitioners to be entitled to
be enrolled as members of the Choctaw Tribe of Indians; that
said judgment remained in full force and effect, and from said judg-
ment no appeal was taken.

WHEREFORE, your petitioners pray that said cause be trans-
ferred from said United States Court to this Honorable Court, and
that on a hearing in this court they be adjudged to be members of
the Choctaw Tribe of Indians, and your petitioners will ever pray
as in duty bound.

J. H. Pells

Atty. for Petitioners.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
CENTRAL DISTRICT.

_____, having been by me first duly
sworn, according to law, states on his oath that he is one of the
attorneys for the petitioners above named, and that the statements
contained in said petition are true, as affiant verily believes.

Subscribed and sworn to before me on this the _____ day
of March, A. D., 1903 .

Notary Public.

To Mansfield, McMurray & Cornish, Attorneys of Record for
the Choctaw and Chickasaw Nations:

YOU ARE HEREBY NOTIFIED: That at the expiration of two
days from this date I will file, in the office of the Clerk of the
Choctaw and Chickasaw Citizenship Court, at South McAlester, in the
Central District of the Indian Territory, an application in behalf
of *Verna D. Potts* et al., x to have transferred
and certified to said Citizenship Court, from the United States
Court, at South McAlester, in the Central District of the Indian
Territory, a certain Citizenship Case wherein judgment was ren-
dered in favor of said *Verna D. Potts* et al., a copy of which
application is hereto attached.

J. G. Potts
Attorney for Applicants.

Accepted for filing
of

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IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT,
SITTING AT SOUTH McALESTER.
NOVEMBER TERM 1903.
No. 99.

=====

VERNA D. POTTS, ET AL.,
vS
CHOCTAW AND CHICKASAW NATIONS.

DEMURRER.

COME now the Choctaw and Chickasaw Nations, by Mansfield, McMurray & Cornish, their attorneys, and DEMUR to the application, or petition, filed herin by plaintiffs, for the reason that the same does not state facts sufficient, if true to warrant this Honorable Court in enrolling them as members of the Choctaw Nation.

THE CHOCTAW NATION
THE CHICKASAW NATION.

By _____
Attorneys.

INDIAN TERRITORY,
ss.
CENTRAL DISTRICT.

I, W. H. Moore, on my oath state that I this day mailed a copy of the foregoing demurrer to plaintiffs' attorney of record.

Sworn to and subscribed before me this ___ day of _____
1903.

Notary Public.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT,
SITTING AT SOUTH McALESTER.
NOVEMBER TERM 1903.

=====

VERNA D. POTTS, ET AL.,
vs
CHOCTAW AND CHICKASAW NATIONS.

MOTION TO MAKE MORE
DEFINITE AND CERTAIN.

COME now the Choctaw and Chickasaw Nations, by Mansfield, McMurray & Cornish, their attorneys, and move this Honorable Court to require the plaintiffs to make their application, or petition, more definite and certain, in this, to-wit, that they be required to state:

FIRST. Whether they, or any one, or all of their alleged ancestors, through whom they claim the right to be admitted and enrolled as citizens of the Choctaw nation, complied with the XIV Article of the Treaty of 1830, between the United States and the Choctaw Nation; and if any one, or all so complied, by whom was such compliance made and how.

SECOND. Whether they, or any one, or all of their alleged ancestors emigrated to the Choctaw Nation, Indian Territory, with the Choctaw Indians residing in the old Choctaw Nation, in the State of Mississippi, in accordance with Article III of the Treaty of 1830, and if so the name or names of the person or persons so emigrating.

THE CHOCTAW NATION
THE CHICKASAW NATION.

By _____
Attorneys.

INDIAN TERRITORY,
CENTRAL DISTRICT. ss.

I, W. H. Moore, on my oath state that I this day mailed a copy of the foregoing motion to plaintiffs' attorney of record.

Sworn to and subscribed before me this _____ day of _____
1903.

Notary Public.

BEFORE THE CHOCTAW & CHICKASAW CITIZENSHIP COURT SITTING AT SOUTH
McALESTER? INDIAN TERRITORY, DECEMBER TERM 1903.

December 3, 1903.

Verna D. Potts, et al.,

vs.

Choctaw & Chickasaw Nations.

J. G. Ralls, on behalf of the plaintiffs.

Mansfield, McMurray & Cornish on behalf of the Nations.

This cause coming on to be heard on this day the following proceedings were had:

Mr. Ralls:

States that it is agreeable with him to have the record in the case of P. D. Durant, et al., transferred to this case.

- - - - -

Nancy Lee Cundiff, a witness on behalf of the plaintiffs, after being duly sworn testified as follows:

Direct examination by Mr. Ralls.

- Q What is your name? A Nancy Lee Cundiff.
Q How old are you? A Seventy-three.
Q What was your maiden name? A Durant.
Q What was the name of your father? A Durant.
Q What was his first name? A Jefferson.
Q What was the name of your mother? A Maiden name?
Q Yes? A Margaret Brothers.
Q You are the same person who testified here in the case of P. D. Durant, et al? A Yes, sir.
Q Are you acquainted with Verna D. Potts? A Yes; that is my brother.
Q She is present in the court room? A Yes, sir.
Q Is she married? A Yes, sir.
Q What is the name of her husband? A W. G. Potts.
Q How old is your daughter? A She is thirty-eight.
Q Has she any children? A Yes, sir.
Q What are their names? A Mary Jane, Edward and Sam.
Q Were you before the Choctaw council in 1895? A Yes, sir.
Q Did you make application there? A Yes, sir.
Q Who is Mattie Lee Armstrong? A That is my daughter.
Q She was in the application with you? A Yes, sir.
Q What was the names of her children? A Viney and Latha m, I don't think she had them at ~~Six~~ Council.

- Q What was the name of your grandfather on your father's side?
A I don't know what they called him-I don't know my grandfather.
- Q You don't remember ever seeing him? A If I did I don't remember anything about it.
- Q You remember your grandmother? A On my father's side?
- Q Yes? A I may have seen her but I was very small.
- Q Did you ever live in the Choctaw Nation? A I never lived in the Choctaw Nation only here at Durant.
- Q You never did live ~~xxxx~~ here before that? A Well, I lived here with others but I never did own a place here until then.
- Q Did your father ever live in the Choctaw Nation? A I can't tell you whether you would call it living-he stayed there a good deal of his time.
- Q Did he ever have a home and have his family in the Choctaw Nation? A I don't think only that time there at Doaksville.
- Q When was that? A That was in 1847.
- Q Did he have any brothers or sisters? A Yes, sir.
- Q How many sisters? A I don't know--there was six I believe.
- Q How many brothers? A Three.
- Q To what race of people did your father belong? A What race of people?
- Q Yes? A Belonged to the Indians I reckon.
- Q To what tribe of Indians? A Choctaw.
- Q Do you know whether he spoke any Indian language? A Yes; he spoke that very well.
- Q What language was it? A Choctaw.
- Q Did you ever hear him in any conversation with any person speaking the Choctaw language? A Yes; I have heard him.
- Q Who were they? A I can't tell you who they were; I could not tell you the Indians he talked to.
- Q Where was it you heard him? A In Houston County, Texas and Brown County.
- Q Did you ever hear him at any other place? A No, sir; I never went with father much.
- Q Where did he die? A He died in Leon County.

Judge Adams:

- Q What state? A Texas.

Mr. Ralls:

- Q State whether or not his appearance indicated that he had Indian blood in him? A Yes; he appeared to have it.
- Q Did you ever talk with him or hear him make any statements about his parents that you remember of? A No, sir; I never heard him say; I heard my mother say more about it than anybody and I don't think she knewed it. He roamed around so much.
- Q Did you ever hear him say anything about the race of people to which he belonged?

Mr. Cornish:

The Choctaw and Chickasaw Nations object to the question and the answer sought to be elicited by it on the theory that it is not competent to prove blood and racial status by hearsay evidence.

Judge Adams:

Proceed.

Mr. Ralls:

- Q Did you ever hear him make any statements in regard to that?
A I heard him talk some about it.
- Q What did he claim? A He claimed to be Choctaw.
- Q Where were you born? A I think I was born in Mississippi.
- Q You remember anything about Mississippi yourself? A Yes; I remember something about it. I went to school there.
- Q What part of Mississippi did you live in? A We lived in the South part but from where I came to Texas was Tishomingo County.
- Q What part Choctaw did your father claim to be? A I never heard him say. I have heard Judge Durant say what part he was.
- Q Is Judge Durant a Choctaw? A Yes, sir.
- Q You applied to the Dawes Commission in 1896? A Yes, sir.
- Q You were admitted there? A Yes, sir.
- Q And no appeal was taken? A No, sir.

Mr. Cornish:

We object. In the first place it is not competent in this case and in the second place, if competent, the record is the best evidence.

Mr. Ralls:

I simply wish to identify her as being the same person.

Mr. Cornish:

She is not a party to the case.

Mr. Ralls:

But she is a relative of these persons and her right has been adjudicated.

Mr. Cornish:

If that is true the adjudication of her status would have no effect here at all.

Mr. Ralls:

It seems to me that it would have some effect as she is the plaintiffs' mother.

Mr. Cornish:

She is contested; that is why the Dawes Commission cannot give any certificate.

Mr. Ralls:

The Secretary has passed upon it; he has directed the Dawes Commission to go ahead and enroll these persons and Mr. Cornish knows that. I was a party to that controversy myself. That request was made and was very promptly turned down by the Secretary of the Interior.

Judge Adams:

You have identified her.

Mr. Ralls:

- Q You are the same person mentioned in the act of the Choctaw Council approved November 8, 1895, by Jeff Gardner, Principal Chief of the Choctaw Nation? A Yes, sir.
- Q That was your daughter and granddaughter named their with you? A Yes, sir.
- Q Where did your daughter Mrs. Po tts live? A She lived here at Durant or right close there.
- Q Are her children living? A Yes, sir.
- Q Her husband is also living? A Yes, sir.
- Q How long have they lived in the Choctaw Nation Mrs. Cundiff? A A I think ever since 1896.
- Q Is your husband living or dead? A My husband is dead.
- Q When did he die? A He died in 1891.
- Q 1901 you mean? A Yes, sir.
- Q He was a white man? A Yes, sir.
- Q Did you say your mother was a white woman? A Yes, sir.
- Q Did you learn from your father what your grandmother was? A ~~YOU~~ asked ~~me~~ me that a while ago-she was part Indian blood.
- Q What family did she belong to; did you learn from him who she was before she was married? A Yes, sir.
- Q Who was she? A My mother said she was a Pitchlyn.

Judge Foote:

- Q What was she? Az Said she was a Pitchlyn before she married-some calls them Peachlin.

Mr. Ralls:

- Q P. D. Durant here is your brother? A Yes, sir.

Cross examination by Mr. Cornish.

- Q Your name is Nancy Lee Cundiff? A Yes, sir.
- Q How old are you? A Seventy-three.
- Q Then you were born in 1830? A Yes sir.
- Q Well, now; where were you born? A I think in Mississippi.
- Q In what county in Mississippi? A I don't know; I can't tell you much about the counties. I don't think there was much counties in them days and times.
- Q Where were you living in Mississippi when you can first remember? A I think I lived in Tishomingo County.
- Q What was your nearest town or point? A I can't tell you.
- Q How old were you when you left Mississippi? A I was about 16.
- Q What was the county-seat of the county at that time? A Jocinto.
- Q How far did you live from there? A Twenty miles.
- Q In what direction? A I don't remember no direction.
- Q Mrs. Cundiff you say your father's name was Durant? A Yes, sir.
- Q How don't you know of your own personal knowledge that your father never called himself Durant in his life time? A Yes; he called himself Durant; some said he took off the "T" but he went by both.
- Q Don't you know of your own personal knowledge that your father never called himself D-u-r-a-n-t and that none of the members of your family ever called themselves Durant until certain members

- cam to the Choctaw Nation about ten years ago and made the acquaintance of the Choctaw Durant family and that before that time they were known and known only and called themselves and called themselves only by the name of D-u-r-e-n; don't you know that of your own personal knowledge? A No, sir; I don't know that; I heard them called the other.
- Q What was your father's name according to the way you spell it? A Jefferson Durant.
- Q Don't you know that your father was one of the wealthiest men that lived in his county in the state of Texas when he died? A No, sir.
- Q Don't you know that he was one of the largest land owners when he lived in that county? A I know he owned a good deal of land.
- Q Don't you know that there is now pending in the state of Texas a law suit over your father's estate in which proceedings the name of your father and the names of all the members of this family is given both in and out of the court and in the records and proceedings of the court as Duren, don't you know that? A No, sir; I don't know nothing about the law suit.
- Q Don't you know that there is a law suit pending in the courts of the state of Texas to remove William H. Cundiff as the administrator of your father's estate and to appoint someone else? A I don't know anything about that now but he held that until he died in 1891.
- Q Don't you know that there is a law suit pending over your father's estate? A No, sir.
- Q Don't you know that your father always called himself and was always called by everybody else up to the time of his death and that his name appeared in all of the records which were made in connection with him and his business as Jesse, J-e-s-s-e Durant, D-u-r-a-n-t? A No, sir; I don't know; he had it both ways. Some times one way and some times another.
- Q Then he did have it both ways? A Yes, sir.
- Q Don't you know and are you not willing to say to the court that he was some times called Jesse? A I reckon he was.
- Q Don't you know that? A No, sir; I don't particularly know it. I never was with my father much. I don't know nothing about his dealings.
- Q Who is Maggie E., or May B. Duren who married a man named Butts? A Her name was Lou.
- Q Who was Lou, a female member of your family, whose daughter was she? A I reckon that was my sister.
- Q Did she marry a man named Ward? A No, sir.
- Q Married a man named Butts? A No, sir.
- Q The one that married Butts? A I don't know.
- Q You know there is such a person? A Yes, sir.
- Q Whose daughter was the woman Lou who married a man named Butts? A That was my sister's daughter.
- Q That was the daughter of P. D. Durant in this case? A Yes, sir.
- Q When did she marry Butts? A I can't tell you.
- Q About when? A I can't tell you; it might be ten or twelve years ago.
- Q Were you present at the time of the marriage? A No, sir.
- Q Were you anywhere about there? A No, sir.
- Q You were living somewhere else? A Yes; I lived way off.
- Q In what year did your father die? A He died in 1864.
- Q In what county did he die? A Leon County.
- Q How much land did your father own at the time of his death? A I don't know.

- Q Were you living with him at that time? A No, sir.
- Q How old a man was he when he died in 1869? A I reckon he was 63.
- Q He died in '69 and was 63 years old at that time; then he was born in the year 1806, that would be correct? A No, sir.
- Q In what year was he born? A I think he must have been born in 1801.
- Q Then your knowledge as you get it from the family is that he was born in 1801? A Yes, sir.
- Q He was a man between sixty and seventy years old when he died in 1869? A I said he was sixty-three.
- Q Where were you living at that time? A I was living in Houston County.
- Q Does that adjoin Leon County? A No, sir.
- Q How long had your father lived in the county where he died before he died? A I don't think he lived there long.
- Q What county did he live in before he came to Leon County? A I think Cherokee.
- Q He owned land in Cherokee county? A I don't know.
- Q Were you not living with him when he lived there? A No, sir.
- Q Where did you marry? A Houston County.
- Q Where did he live before he lived in Cherokee County? A He lived in Cherokee County twice.
- Q Before he first went to Cherokee County where did he live? A In Red River County.
- Q How long did he live in Red River county? A Hardly a year.
- Q Where did he live before that? A In Doaksville he stayed a little while.
- Q That is in Red River county Texas? A Yes, sir.
- Q He stayed in Doaksville while he was living in Red River County, Texas? A He stayed at Doaksville before he went to Red River.
- Q Did he own land there? A Yes, sir.
- Q Did he make a crop there? A Yes; but he sold it out.
- Q Whose land did he live on? A A man by the name of Doak I think.
- Q In what year was that? A '47.
- Q Now when did he live in Houston County? A He went from there to Cherokee county and from Cherokee county he went to Houston.
- Q He owned land in Houston county? A I don't know; I reckon he did.
- Q You were married in Houston county? A Yes, sir.
- Q In what year? A I was married in 1853.
- Q In what counties have you lived in the state of Texas taking it from the time you were married up to the time you came to this country beginning with Houston county; you were married in Houston County? A Yes, sir.
- Q What other counties did you live in? A I never lived anywhere until I came to Wise county.
- Q Just the two? A Yes, sir.
- Q You were married in Houston county ~~xx~~ in 1853 and lived there continuously until what year? A 1881.
- Q Your husband and you owned land in Houston County from the time of your marriage until 1881? A I reckon he did.
- Q In 1881 you came to wise county? A Yes, sir.
- Q And lived there continuously until you came to this country a few years ago? A Until I came to Durant.
- Q You lived in Wise county until what year? A '98 or '97.

- Q Your husband owned land in Wise county from the time of your removal there until you moved away? A I think he did.
- Q You were living in Wise county in the state of Texas when you made your application to the Choctaw Council? A Yes, sir.
- Q You were living in Wise county when you made application to the Dawes Commission in 1896? A Yes, sir.
- Q You were living there up until you moved here in 1898? A Yes, sir.
- Q You were living on land which your husband owned in Wise county Texas at the time you made application? A Yes, sir.
- Q You do not speak the Choctaw language do you? A No, sir.
- Q You don't understand it? A No, sir.
- Q You don't understand any Indian language do you? A No, sir; I don't understand any now; I use to could understand a little.
- Q How much could you understand? A Not much.
- Q To what extent did you know the language? A Not to much extent.
- Q You don't know whether these people were talking Choctaw, Chickasaw, Cherokee of your own knowledge? A No, sir; I did not know of my own knowledge.
- Q You say that when you can first remember you were living in Tishomingo County in the state of Mississippi? A Yes, sir.
- Q Don't you know and did you not know at that time that this was where the Chickasaws lived? A I knew there was Chickasaws and Choctaws too.
- Q Don't you know that that was the Chickasaw country? A I don't know it yet.
- Q Then you did not hear that at that time? A No, sir.
- Q And did not know that? A No, sir; we never stayed there long.
- Q Who had charge of the business before Council when you made application? A I can't remember that.
- Q Was it not a man named Armstrong? A Yes, sir.
- Q Who married your daughter? A Yes, sir.
- Q He was the business man that managed the affair? A He was one.
- Q A man named Alex Durant was employed by you and your people was he not; he was your attorney? A I reckon they employed him.
- Q You know him Mrs. Cundiff? A Yes; I know Alex Durant.
- Q You know he represented you before the Council and was your attorney there? A No, I don't know that he was the attorney.
- Q Don't you know that Alex Durant was your attorney before the Dawes Commission? A I know he attended to things, I did not know he was a lawyer.
- Q You know that Alex Durant attended to things before Council and before the Dawes Commission in 1896? A I don't know that he attended to things before the Dawes Commission.
- Q You say that you heard from Alex Durant what part Choctaw you were? A Yes, sir.

Re-direct examination by Mr. palls.

- Q Was Alex a brother of the Durant family? A Yes, sir.
- Q Do you know whether he was related to your father's father? A I can't tell you only what he said; he said he was.
- Q What did he say about it?

Mr. Cornish:

We certainly object to what Alex Durant, her attorney, said-- that he claimed that these people were kin to him.

Judge Adams:

Q H

Have you proven the kinship?

Mr. Cornish:

This woman states positively that he don't know anything about it except what Durant said to her.

Mr. Ralls:

The witness by whom we expect to prove the relationship is sick at Durant and cannot be here. We have a witness here by the name of Jones but I don't know what he knows about the relationship.

Judge Adams:

Is the man living whose statement you propose to prove?

Mr. Ralls:

No sir; he is dead.

Judge Adams:

It is not competent now.

Mr. Ralls:

We except to the court's ruling.

Judge Adams:

We don't permit any exceptions to the ruling of the court in the record.

Mr. Ralls:

Q This man A. R. Durant was a recognized Choctaw was he? A Yes, sir.

Q How long has he been dead? A I just can't tell that. I reckon about two or three years.

Witness excused.....

Bill Jones, a witness on behalf of the plaintiffs, after being duly sworn testified as follows:

Direct examination by Mr. Ralls.

Q What is your name? A Bill Jones.

Q How old are you Mr. Jones? A Seventy-four years old.

Q To what race of people do you belong? A I am Choctaw.

Q How much Choctaw are you? A Half.

Q Where were you born? A I was born in Mississippi.

Q What place in Mississippi were you born? A I was born on Pearl River.

Q How large were you when you came to this country? A I was about grown, I was seventeen.

- Q When you left Mississippi to come to this country did your folk come with you? A They came before I did.
- Q Where did you move to when you came to this country? A I moved to Skullyville and stayed there for some time.
- Q Did you know A. R. Durant, Alex Durant, during his life time? A Yes, I have known him always.
- Q Do you know Dixon Durant, D. D. Durant? A Yes; I have known him ever since I was about that high.
- Q Did you know any Durant's in the state of Mississippi? A Yes; I knew pretty near all of them.
- Q Do you speak the Choctaw language? A Yes, sir.
- Q Have you spoken it all of your life? A Yes; I have talked both languages all my life.
- Q What Durants did you know in Mississippi? A The great grandfather, his name was --they --some called him Loui Durant and some called him Louis Durant. He was a Frenchman.
- Q Go ahead? A And then Piere' Durant who was a son of Louis.
- Q Alright go ahead? A Then Piere Durant married a relative of the Pitchlyns.
- Q What race of people did the Pitchlyns belong to? A Choctaws.
- Q Did you know Piere Durant in his life time? A Yes, sir.
- Q Did you know any of his children? A Yes, I knew them.all.
- Q Can you name some of them? A Jefferson Durant and George Durant.
- Q Go ahead? A Sylvester Durant, Fisher Durant, Joe Durant, Isom Durant and Alex Durant.
- Q Did Piere Durant have any brothers? A He had a couple of them but I don't know their names.
- Q Now what became of Fisher Durant? A He died in Durant.
- Q Here in the Territory? A Yes, sir.
- Q You know what became of his father Piere Durant? A He died in Durant.
- Q Do you know whether Fisher Durant had any sons? A Yes, sir.
- Q Who were they? A Dixon Durant and Besam Durant.
- Q Did you know the father of Alex or A. R. Durant? A Yes, sir.
- Q What was his name? A George was his name.
- Q Was he a son of this Piere Durant that you speak of? A Yes, sir.
- Q Do you know whether Jefferson Durant was married? A Yes; he was married in Mississippi.
- Q Do you know whether he had any children? A Yes; he had three boys and two girls, they said.
- Q Do you refer to this woman Mrs. Cundiff? A The reason I know her Alex Durant says that Nancy Durant is going to prove her right and said I want you to go over to Council and I met her there and he told me that was Nancy but I could not remember her.
- Q About how old was Alex Durant when he died? A About the same age as me--seventy-three or seventy-four.
- Q Did Alex Durant make any statement to you in regard to the relationship of Jefferson Durant and his father, did he? A I don't know; I hardly know what you mean by that.
- Q Did he talk to you about the kinship of his father Jefferson Durant to Mrs. Cundiff? A I knew Sylvester and Jefferson were brothers before he told me.
- Q Were you before the Choctaw Council? A Yes, sir.
- Q Did you testify there? A Yes, sir.
- Q Who else was there as a witness? A Dixon and Alex Durant and myself.

- Q All three of you testified? A Yes; Dickson Durant had the proof he had the first time he was there.
- Q How did you happen to go over there? A They sent for me to come there.
- Q You are not any kin to these people yourself? A No, sir.
- Q You know what became of Jefferson Durant and his family? A Jefferson Durant took his family and moved out here to the Territory, I wanted to tell that but that fellow (Mr. Cornish) objected to that.
- Q Go ahead? A When I came I asked Sylvester Durant where Jefferson Durant was located and he said he moved to Texas to educate his children.

Mr. Cornish:

We ask that that be stricken from the record, that question and answer. That is what we object to. It is clearly hearsay.

Judge Weaver:

I don't think it is competent.

Judge Adams:

It would be competent for you to prove by competent testimony that he went out of the Territory and went to the state of Texas.

Judge Foote:

There would be no question about that. He is trying now to prove what Sylvester told him about where somebody else went.

Mr. Ralls:

- Q Do you know anything of your own knowledge about Jefferson Durant going to Texas? A No, sir.
- Q You never ~~xx~~ saw him after you came to this country? A No, sir.

Cross examination by Mr. Cornish.

- Q Mr. Jones you are a Choctaw citizen by blood? A Yes, sir.
- Q You reside at Bennington? A Yes, sir.
- Q You testified in this case, or another branch of this case, did you not? A Yes, sir.
- Q Now Piere Durant, the father of these children, that you mentioned lived about eight miles from you in the state of Mississippi? A Yes, eight or ten miles.
- Q He lived on that place which was eight or ten miles from you as far back as you can remember? A Yes, sir.
- Q He did not live anywhere else in the old Choctaw Nation so far as you know? A No, sir.
- Q His son Jefferson Durant lived about two miles from his father? A Yes, sir.
- Q Jefferson Durant was married back as far as you can remember? A Yes, he was married.
- Q Jefferson Durant never lived anywhere in the state of Mississippi except there where you told us with his family? A He lived there two or three miles from his father; that is all I know.

- Q Sylvester and George, two other sons of Piere, lived in that same neighborhood? A Yes, sir.
- Q George lived some two or three miles from there and had a family? A Yes, sir.
- Q Sylvester was not married at that time? A No, sir.
- Q And was still living with his father? A Yes, sir.
- Q At the time you are telling us about? A Yes, sir.
- Q When did he move out to this Nation? A I could not tell you. They moved before I did.
- Q Now Piere Durant, state if it is not a fact that he and his family, Jefferson and his family, and Goegge Durant and your mother and her family all moved from Mississippi to the Choctaw Nation at the same time? A Yes, sir.
- Q I will ask you if it is not a fact also that you came out here a year or two after they came here? A Yes; a year or two.
- Q I will ask you if it is not a fact that they came out here about the year 1846? A Yes, sir.
- Q And that you came about 1847? A Yes, sir.
- Q I will ask you if these people, your mother's people, Piere Durant and his family and Jefferson Durant and his family, and George Durant and his family, were not emigrated out to this country by an emigration agent named Fletcher? A Yes, sir.
- Q They were in charge of Fletcher? A Yes, sir.
- Q I will ask you if that man Fletcher was not afterwards one of the District Judges of the Choctaw Nation in this country? A I don't know that.
- Q You have heard that? A Yes, sir.
- Q What kind of a man did you say was Piere Durant? A He was a half breed French.
- Q Now his wife was a full blood? A His wife was a white woman.
- Q The old man-old man Piere Durant what kind of a man was he? A He was a half breed.
- Q I am now talking about Piere who was the father of Jefferson? A He was half French.
- Q Well Piere Durant, the man who was Jefferson's father, how much Choctaw blood did he have? A He was about half blood.
- Q The mother of Jefferson Durant was an Indian woman was she not? A Yes; but she was a half breed.
- Q What was Piere wife's mother? A I never did know. Them days we were not allowed to ask any questions about names.
- Q Now I will ask you if your mother family and Piere's family, and George and his family, and Sylvester and his family and Jefferson and his family moved out to the Choctaw Nation, Indian Territory, from the old Choctaw Nation in Mississippi and I will ask you if Jefferson Durant did not return to Mississippi and if you did not see him in Mississippi a year after he had gone back and before you came out here? A He moved back.
- Q Did you not see him after he had gone back there in the state of Mississippi? A Yes; I saw him on Peal River.
- Q Then he returned to this country? A Yes, sir.
- Q Where his family was? A Yes, sir.
- Q And where his father was? A Yes, sir.
- Q Where all of these people were that had been emigrated here by Jim Fletcher, the Indian Emigration Agent? A Yes, sir.
- Q You don't know of your own knowledge anything about any connection that may exist, about these people that live in Texas and these people that live here, you don't know that of your own knowledge? A I don't know that but if she is a daughter of Jefferson's she is bound to be kin to him.
- Q Alex told you that? A Yes; Alex told me about that.

Mr. Ralls:

I want to introduce a certified copy of the act of the Choctaw Council approved November 8, 1895, by Jeff Gardner, Principal Chief, Choctaw Nation, admitting Nancy Lee Cundiff and Mattie Lee Armstrong and also her children, all members of the Pitchlyn and Durant families of Choctaws. We have shown that Mr. Cundiff is a brother of the applicant in this case.

Mr. Cornish:

We object because it does not bear upon the essential issues in this case and is therefore not competent.

Verna Davis Potts, a witness in her own behalf, after being duly sworn testified as follows:

Direct examination by Mr. Ralls.

- Q What is your name? A Verna Davis Potts.
Q How old are you? A Thirty eight years.
Q What is the name of your mother? A Nancy Lee Cundiff.
Q Are you married? A Yes, sir.
Q What is the name of your husband? A William Guthrie Potts.
Q Is he a white man? A Yes, sir.
Q When were you married to him? A We married in September 1887.
Q Where were you married? A Wise County, Texas.
Q Have you any children? A Yes; I have three living.
Q What are their names? A Mary Jane is the oldest?
Q How old is she? A She was thirteen years old in November.
Q What is the name of the next one? A William Edward.
Q How old is he? A He will be eleven years in December.
Q What is the name of the next one? A Sam Wallace.
Q How old is he? A He will be a year in January.
Q How long have you lived in the Choctaw Nation? A I moved here in September 1896.
Q Have you lived here ever since then? A Yes, sir.
Q You were admitted by a judgment of the United States Court here at South McAlester? A Yes, sir.
Q You are the same person? A Yes, sir.
Q When did your mother come to this country? A She came here in 1898.
Q What time in 1898? A It was either in October or November I don't remember which.
Q Your father is dead? A Yes, sir.

Cross examination by Mr. Cornish.

- Q You were born in Texas? A Yes, sir.
Q In what county? A Houston County.
Q You lived there continuously how long? A I think I was about fourteen years old when Papa moved from there.

- Q Where did you go? A To Wise county.
Q How long did you live in that county? A I moved from there when I married.
Q You are a daughter of P. D. Durant? A No, sir; of Nancy Lee Cundiff.
Q You lived in various counties in Texas continuously until what year when you moved here? A Until 1896.
Q You never moved to the Nation before that time? A No, sir.
Q Where were you living in the middle of the summer of 1896? A We moved in September 1896,--I was in Texas.
Q In June 1896 you were living in Texas? A Yes, sir.

Mr. Ralls:

- Q Were you here at the time you applied to the Dawes Commission . A R. Durant fixed up the application for you did he? A I guess so, he was the attorney.
Q ~~Where~~ Where were you living at the time the application was filed to the Dawes Commission? It was filed on the 7th day of September 1896, you know where you were living then? A I don't think we came here until the last September.

Mr. Ralls:

There is a case here of Mrs. Armstrong, as I understand it. Mr. Harper represents them. Inasmuch as that cover the same essential points as this case the testimony introduced will necessarily be the same as in this case. Perhaps we can introduce old man Durant at that time and have his testimony apply to this case. In this case we also want to subpoena the members of the Commission to the Five Civilized Tribes, some member of the Commission to produce the Choctaw census roll of 1896 and we will show by that that Mrs. Cundiff is enrolled on that roll and also that her husband is on that roll. Then we wish to show by their records of these citizenship cases that Mrs. Cundiff was admitted in 1896 and that no appeal was taken from that decision. I also want to introduce a certified copy of the Judgment of the United States Court of Appeals in a mandamus suit against the Commission to the Five Civilized Tribes to enroll Mrs. Cundiff. That came about in this way that they undertook to strike Mrs. Cundiff from the roll; that case was heard in the United States Court and the writ was granted. We want to file a certified copy of that judgment.

We offer the application for enrollment filed before the Commission; it appears that it was filed on the 10 th day of September 1896, I suppose this was filed at the same time-sworn to on the 11th day of August 1896. It appears to be attached to the other papers.

Mr. Cornish:

We object to the introduction of the paper referred to except insofar as it identifies the applicants as being the persons whose claims were passed on by the United States Commission to the Five Civilized Tribes.

Mr. Ralls:

The petition for appeal has already been introduced in the P. D. Durant case. We offer the judgment of the United States court admitting among others the applicant and her children to citizenship; we offer the judgment of the Commission to the Five Civilized Tribes rendered on the 2nd day of December 1896 and the petition for appeal from the judgment of the Commission filed in the United States Court February 30, 1897.

Mr. Cornish:

We object to the introduction of the paper referred to except insofar as it identifies these present applicants as the persons whose claims were passed on by the United States Court.

Mr. Ralls:

We offer the answer of the Choctaw Nation on the 10th day of October 1896.

Mr. Cornish:

The nations object and urge the same objections heretofore stated against like papers.

Mr. Ralls:

We offer the answer of the Choctaw Nation filed in the United States Court on the 25th day of February 1897.

Mr. Cornish:

The Nations offer the same objections.

Mr. Ralls:

I think that covers the records evidence in the case.

Mr. Cornish:

Before passing from this case the Nations wish to ask that a duplicate of the record made in this case be transferred and made a part of the case of P. D. Durant, number 8 and that a duplicate of the record in the case number 8 be transferred and made a part of this record.

Mr. Ralls:

I understand that there is nothing introduced by the Nations in the P. D. Durant case as yet.

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

December 3, 1903.

Verna D. Potts, et al.,

vs.

Choctaw & Chickasaw Nations.

J. G. Ralls for the plaintiffs.

Mansfield, McMurray & Cornish for the Defendants.

Nancy Lee Cundiff, recalled for further cross-examination testified as follows:

Cross examination by Mr. Cornish.

- Q You were about sixteen years old when you started from Tishomingo County, Mississippi? A Yes, sir.
- Q You made the start from your home in Tishomingo County? A Yes, sir.
- Q Which way did you travel from there? A To Memphis.
- Q How many wagons did your father have? A Two or three.
- Q There were your father and the members of your family; were there any other emigrants with you? A No, sir; only what he had hired to drive the wagons.
- Q Then you crossed the river at Memphis? A Yes, sir.
- Q Traveled overland? A Yes, sir.
- Q Then you went to Little Rock? A Yes, sir.
- Q What was your route from Little Rock? A I can't tell you but we crossed Red River at the mouth of Mill Creek.
- Q Where was Mill Creek? A Mill Creek I think is the line between Arkansas and Texas and the mouth of Mill Creek empties into Red River.
- Q Then you went from Little Rock and crossed Red River at the mouth of Mill Creek and then went on into Texas? A Yes; but we followed on and went to Doaksville.
- Q How long did you stay at Doaksville? A About five or six weeks.
- Q Then you went back to Texas? A Yes, sir.
- Q Your history in Texas is as you have heretofore stated it? A Yes, sir.
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In the Choctaw and Chickasaw Citizenship Court,

Sitting at South McAlester, I.T. February 27, 1904.

Verna D. Potts, et al,

--VS--

No. 99.

The Choctaw and Chickasaw Nations.

Present and presiding the Hons. Walter L. Weaver
and Henry S. Foote, Associate Judges of said Court.

J.B. Ralls, Attorney for Plaintiffs,

Mansfield, Mc Murray and Cornish, for Defendants.

This day this cause coming on further to be heard the
following proceedings were had to-wit;

Mr. Mansfield;

The Potts Case is parallel to the P.D.Durant case
No. 8/ and the testimony has already been taken and we submit
the case with the statement that we wish the testimony in
that case to apply in this case.

In the Choctaw and Chickasaw Citizenship Court, sitting at South
 McAlester, in the Central District of the Indian Territory,
 March Term, 1904.

Verna D. Potts, et al.,	:	
	:	
vs.	:	No. 99.
	:	
Choctaw and Chickasaw Nations.	:	

DECREE OF COURT.

On this 21st day of March, 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, Verna D. Potts or Verena Davis Potts, Mary J. Potts, Wm. Edward Potts or Edward Potts, Robt. J. Cundiff or Robert J. Cundiff, Robt. Sidney Cundiff or Robert S. Cundiff are not entitled to be deemed or declared citizens of the Choctaw Nation, or to enrollment as such, or to any rights whatever flowing therefrom.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs Verna D. Potts or Verena Davis Potts, Mary J. Potts, Wm. Edward Potts or Edward Potts, Robt. J. Cundiff or Robert J. Cundiff and Robt. Sidney Cundiff or Robert S. Cundiff be denied, and that they be declared not citizens of the Choctaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

.....
 Chief Judge.

.....
 Associate Judge.

.....
 Associate Judge.

she lived in the State of Texas. Upon another question by him which stated that her application for citizenship before the Commission to the Five Civilized Tribes was filed on the 7th day of September, A. D. 1896, and inquiring also where she then lived, she replied that she did not think "we came here until the last of September", meaning that of 1896. It is therefore plain that the claimant did not even live or reside in the Indian Territory, when she petitioned for citizenship, which is also fatal to her claim here. Another statement she makes is that her mother Nancy Lee Cundiff, did not come to this country, meaning the Indian Territory, until 1898. Yet Mrs. Cundiff was made a citizen by the Choctaw Council in 1895.

It is clear that none of the appellants here are entitled to be declared citizens of the Choctaw Nation or to enrollment as such, or to any rights which flow therefrom,
AND IT IS SO ORDERED

(Signed) H. S. Foote,
Associate Judge.

We concur:

(Signed) Spencer B. Adams,
Chief Judge.

(Signed) Walter L. Weaver,
Associate Judge.

In the Choctaw and Chickasaw Citizenship Court, sitting at South McAlester, in the Central District of the Indian Territory, in the Choctaw Nation, March Term, 1904.

Verna D. Potts, et al,
Appellants.

vs.

No. 99

Choctaw and Chickasaw Nations,
Appellees.

OPINION by FOOTE, Associate Judge.

This cause was consolidated in the Court below, with the case of P. D. Durant, et al, but comes here on a sperate appeal.

It depends for its decision on one of the questions involved in the P. D. Durant case, that is to say if the applicants here and P. D. Durant are descendants of Jefferson Durant, a Choctaw Indian or not, and by agreement the evidence taken there is to be used here and vice versa so far as applicable in each case.

As we have determined in the case of P. D. Durant, et al vs. the Choctawaand Chickasaw Nations, No. 8, on the Choctaw Docket of this Court, that the common ancestor of the claimants here, and of the claimants there, was not an Indian named Jefferson Durant, but a man named Jesse Duren, who died in Texas, and that P. D. Durant and others had no Choctaw Indian blood, and have no reason to change that view on all the evidence in both cases, so we hold in this case, that the claimants here have none.

Furthermore the claimant, Verna D. Potts, in answer to a question of her attorney, stated that up to 1896,

No. 99

Verma D. Potts et al

+ Verma D. Potts, or ~~the~~ Verma Davis Potts

+ Mary J. Potts

+ ~~Wm~~ Edward Potts or Edward Potts

+ Robert J. Curdiss, or Robert J. Curdiss.

+ Robert ~~H~~ Sidney Curdiss, or Robert S. Curdiss.