

T-105

Sarak Jane Reynolds

1) Jagadavit - H. F. Murray

2) " - Dan Collins

3) " - J. L. Potts

Witnesses

For Claimants

J. D. Price Coalgate I. T.

Susan Price Coalgate I. T.

Sarah J. Reynolds, M^o Alester I. T.

~~John~~

→ Dan Nations

~~Hannah~~ Collins Colbert I. T.

→ John T. Potts Colbert I. T.

→ H. F. Murray Colbert I. T.

J - N^o 105.

Reynolds, Sarah Jane, et al,

vs

Chickasaw Nation -

N^o 47.

Seventh Dist. Court.

N^o

Powers Commission.

Merely a question of law
see memorandum

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

Sarah Jane Reynolds, et al, Petitioners,

v

Choctaw and Chickasaw Nations, Defendants.

Your petitioners, Sarah Jane Reynolds, Robert Potts, Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds, and S. D. Reynolds, state that under the Act of June the 10th, 1896, they duly filed their application for citizenship before the Commission to the Five Civilized Tribes, that said application was heard and acted upon by said Commission, and that your applicant, Sarah Jane Reynolds, was admitted by said Commission as a citizen of the Chickasaw Tribe of Indians by intermarriage, and Robert Potts, her son, by John Potts, a Chickasaw Indian by blood, was also admitted, and the other petitioners herein rejected; that thereafter said case was appealed to the United States court for the Southern District of the Indian Territory, of which appeal your petitioners never had any notice, and never knew that said case was pending in the United States court, but had accepted said judgment of the Commission in 1896, and did not know that same had been appealed from, until they appeared before said Commission several years later, for enrollment.

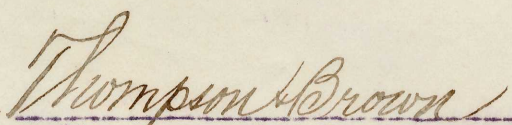
Your petitioner, Sarah Jane Reynolds, says that she was legally married to John T. Potts according to the laws of the Chickasaw Nation, at Colbert, Indian Territory, in July, 1880; that there was born to her and John Potts one child, Robert Potts.

That the other petitioners herein are children of your petitioner,

Sarah Jane Reynolds, born to her by her second husband, _____
Reynolds.

Your petitioners say that the judgment of the United States court, denying citizenship to Sarah Jane Reynolds and Robert Potts, was erroneous and without any knowledge to them, and that said judgment is now of no binding force and effect against your petitioners; that said case is styled upon the docket of the United States court for the Southern District of the Indian Territory, at Ardmore, Sarah Jane Reynolds et al, vs. the Chickasaw Nation, No. 47.

W H E R E F O R E, Your petitioners, Sarah Jane Reynolds, Robert Potts, Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds and S. D. Reynolds, pray that the clerk of this court make an order, directing the Clerk of the United States court for the Southern District of the Indian Territory, at Ardmore, to transfer and certify all papers, records and proceedings in said case No. 47, Sarah Jane Reynolds, et al, against the Chickasaw Nation, to this court, and that they have a trial of said case as it should have been tried originally, and that the Choctaw and Chickasaw Nations be summoned to answer herein, and for all other proper relief to which they may be entitled.


Attorneys for Petitioners.

Sarah Jane Reynolds, being duly sworn, on oath says that the facts set forth in the above and foregoing petition are true and correct.

Subscribed and sworn to before me this _____ day of March, 1903.

Notary Public.

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

Sarah J. Reynolds, et al,

vs. No. 105.

Choctaw and Chickasaw Nations,

Thompson & Brown, attorneys for plaintiffs.

Mansfield, McMurray & Cornish, for Defendants.

Present and presiding the Honorables Spencer B. Adams,
Chief Judge and Walter L. Weaver and Henry S. Foote,
Associate Judges.

JUNE 23, 1904. This day this cause coming on to
be heard, both plaintiffs, and defendants being represented
by counsel, and both having announced ready for trial,
the following proceedings were had, to-wit:

Mr. Brown:

In that case, the applicant Sarah Jane Reynolds,
and her son Robert Potts, expect to show the following
state of facts. The applicant's Sarah Jane ~~Reynolds~~
Reynold's maiden name was Sarah Jane Lee, and she was
married to John T. Potts, commonly known as John Taylor
Potts, a member of the Chickasaw tribe of Indians by blood.,
in July 1880, near Colbert, Chickasaw Nation, Indian Terri-
tory, the applicant Sarah Jane Reynolds, x being a white
woman and citizen of the United States, such marriage was
in compliance with the Chickasaw lawx. That after they
were married they lived together for a period of five weeks,
during which time the conduct of the said John T. Potts
became so bad that it was impossible for the appli-
cant, Sarah Jane ~~Reynolds~~ Reynolds to live with him; that
he had repeatedly threatened to kill her, and fired many
shots around the house. It became necessary for her

to leave him in order to protect herself. That she went away from her husband and has since resided in the Chickasaw Nation. Some time after she left the said John T. Potts, about seven months thereafter, there was born unto her a child named Robert Potts, who is the son of John T. Potts, and the applicant Sarah Jane Reynolds.

JUDGE ADAMS:

Only two applicants.

Mr. Brown:

Yes sir.

SARAH JANE REYNOLDS, being called as a witness in her own behalf, after being first duly sworn, testified as follows:

DIRECT EXAMINATION.

Mr. Brown:

Q.--What is your name?

A.--Sarah Jane Reynolds.

Q.--What is your post office address?

A.--Adelia, Chickasaw Nation.

Q.--One of the applicants in this case?

A.--Yes sir.

Q.--What was your maiden name?

A.--Salle Jane Lee.

Q.--To whom were you first married?

A.--John T. Potts.

Q.--Who was John Taylor Potts.?

A.--An Indian.

Q.--Member of what tribe of Indians?

A.--Chickasaw.

Q.--Where were you married?

A.--Colbert Station.

Q.--Chickasaw Nation, Indian Territory?

A.--Yes sir.

Q.--What age were you at the time of your marriage?

A.--I was eighteen.

Q.--Did your husband procure a license from the Chickasaw authorities?

A.--Yes sir.

Q.--Were you married in accordance with the Chickasaw Laws?

A.--Yes sir.

Mr. Brown:

The applicants first offer in evidence a certified copy of the original license uniting John T. Potts and Sarah J. ~~Ryzorski~~ Lee in matrimony, dated on the 14th day of August, 1880, and ask that the said certified copy be marked Exhibit A. "Marked Exhibit A".

The applicant now desires to introduce the marriage certificate of H. F. Murray, County and probate Judge of Panola County, Chickasaw Nation, dated the 23rd day of July 1880, certifying that the people mentioned in the license were united in marriage. Will ask that the same be marked Exhibit B". Marked Exhibit B.

Q.--After you were married, how long did you live with him, your husband, John Taylow Potts, or John T. Potts?

A.--Five weeks.

Q.--Where were you living then?

A.--Two miles east of Colbert.

Q.--Did you separate from him?

A.--Yes sir.

Q.--State how you happened to separate from him, and the reason why you did so?

A.--Just got so that I couldn't live with him with any satisfaction.

Q.--What did he do?

A.--Reared around all the time, and abused me because I wanted my mother to live with me, and she had no home to go to. Threatened to kill me if I didn't dispose of her, and he got to shooting and I got afraid of him and had to leave.

Q.--Did your husband have a brother?

A.--Yes sir.

Q.--What was his name?

A.--Joseph Potts.

Q.--I will ask you why you left your husband?

A.--I left him and went off on account of his abuse, I couldn't remain there.

Q.--Who went away with you, who carried you away?

A.--My mother.

Q.--Anybody else?

A.--My youngest brother.

Q.--Have you sinceresided in the Chickasaw Nation?

A.--I went to Texas and staid there a short while temporarily and came back to the Territory and remained here ever since.

Q.--With whom did you live in the Chickasaw Nation?

A.--With my bbrother.

Q.--Where did he live?

A.--Oakland.

Q.--Chickasaw Nation?

A.--Yes sir.

Q.--Has your home all the time been in the Choctaw and Chickasaw Nations?

A.--Yes sir, lived partly in both.

Q.--Did you or Mr. Potts obtain a divorce?

A.--He did

Q.--Did you afterwards re-marry?

A.--Yes sir.

Q.--Where were you living at the time you were re-married?

A.--Down here at Oakland.

Q.--Here in the Chickasaw Nation?

A.--Yes sir.

Q.--Marry a white man or an Indian?

A.--White man.

Q.--How long after you left your husband, John T. Potts, that your son, Robert Potts, was ~~married~~ born?

A.--About eight months.

Q.--Whose son is the applicant Robert Potts?

A.--John Taylor Potts.

Q.--Has your son resided in the Choctaw and Chickasaw Nations

A.--Yes sir.

Q.--Still resides here?

A.--Yes sir, in the Choctaw Nation.

Q.--Married or single?

A.--Single.

Q.--Who is he living with?

A.--Living with me.

Q.--Have you ever abandoned or wuit claiming a right as an Indian?

A.--No sir.

Q.--Since your first married?

A.--No sir, still here, this is my home.

Q.--Do you claim this as your home since you were first married?

A.--Yes sir.

CROSS-EXAMINATION.

Mr. Cornish:

Q.--You are a white woman?

A.--Yes sir.

Q.--Your present husband is a white man?

A.--Yes sir.

Q.--Your children, Mary E. Charles D. and S. D, are children
by your present husband?

A.--Yes sir.

Q.--No contention that either you or your husband or your
children by your present husband are possessed of any
Indian blood?

A.--No sir.

Q.--Your son Robert Potts, is a son of your first husband?

A.--Yes sir.

Q.--After the seperation with Potts, did you have any talk
about living together with him again?

A.--No sir.

Q.--Ever see him after that time?

A.--No sir.

Q.--Never spoke to him since that time?

A.--Yes sir.

Q.--Is he the man they call Taylor Potts, that lives
about Colbert?

A.--Yes sir.

Q.--Been County Judge?

A.--Yes sir.

Q.--County Judge now?

A.--Yes sir.

Q.--How long after the seperation was it that you remarried?

A.--Five years.

Q.--He applied for a divorce?

A.--Yes sir.

Q.--You attend the trial?

A.--Wasen't ever notified.

Q.--You don't know what the testikony
was before the Chickasaw County?

A.--No sir.

Q.--Who else besides you and your husba did know of the facts
of the seperation?

A.--His brother Joe Potts.

Q.--He is living?

A.--Yes sir.

Q.--Lived right there and knew about the matter?

A.--Yes sir.

Q.--Who else besides the members of the family?

A.--Wasen't anyone particular. There was two young men that
was hired there.

Q.--Who were you nearest neigh ors?

A.--Didn't lave any nearest neighbors, only Joe Potts his
brotherx. It was very thinly settled in that country them
days.

Q.--Have you ever had any talk with John T. Potts about
this being hsis son, or taking care of him?

A.--No sir.

Q.--Hae you ever applied to the Chickasaw tribal authori-
ties for his name to be placed upon the roll?

A.--Yes sir, made application.

Q.--What did they do about it, did they put his name upon
the roll?

A.--I think so.

Q.--Did he draw the Leased District money in ninety-three?

A.--No sir, never drew anything.

Q.--How long after the spe ration with John T. Potts,
was it , did he remarry?

A.--Yes sir, he married long before I did.

Mr. Brown:

Q.--You made application to the Five Civilized Tribes,
in ninety-six?

A.--Yes sir.

Q.--What did they, do did they enroll you or not?

A.--Yes sir.

Q.--Who else did they enroll, besides you?

A.--Just me and my son Robert.

Q.--Chickasaw Nation appealed from that judgment?

A.--I declare, I don't know.

Q.--Had no notice of it?

A.--No sir.

Q.--Will ask you if Joe Potts, who is a brother of your
brother-inlaw, is a brother of your former husband?

A.--Yes sir.

Q.--Will ask you if you had him subpoenaed?

A.--Yes sir.

Q.--Heard from him recently?

A.--Yes sir.

Q.--Had a letter from him?

A.--~~Yes~~ Yes sir, have the letter in my pocket.

Mr. Cornish:

Q.--Had you been married prior to your marriage to Potts?

A.--No sir.

Q.--Never been married before you married Potts?

A.--No sir.

Q.--He been married?

A.--Yes sir, he had three or four children.

Q.--At that time?

A.--Yes sir.

Q.--Was his wife dead?

A.--Yes sir.

Q.--Had no living wife?

A.--No sir, wife died at Colbert.

JUDGE FOOTE:

Q.--Did you leave that man Potts, because you were afraid that he might do you bodily harm?

A.--Yes sir, I was afraid to live with him.

Witness excused.

Mr. Brown:

If the Court please, like to introduce a certificate from the commission to the Five Civilized Tribes, showing that John T. Potts, is on the roll as a Chickasaw, and ask to have the same marked Exhibit C. Marked Exhibit C".

ROBERT POTTS, being called as ~~witness~~ witness in his own behalf, after being first duly sworn, testified as follows:

DIRECT EXAMINATION.

Mr. Brown:

Q.--What is your name?

A.--Robert Potts.

Q.--What is your age?

A.--Twenty-three years.

Q.--Are you the son of Sarah Jane Reynolds?

A.--Yes sir.

Q.--An applicant in this case?

A.--Yes sir.

Q.--Where do you reside?

A.--Adelia, I. T.

Q.--Where have you resided all your life?

A.--Choctaw and Chickasaw Nations.

Q.--Are you the son of John Taylor Potts?

A.--Yes sir.

Q.--You married or single?

A.--Single

Q.--With whom do you live at this time?

A.--My mother.

Q.--Did you make application to the Commission to the Five Civilized Tribes in ninety-six to be enrolled as a member of the Chickasaw tribe of Indians?

A.--Yes sir.

Q.--Were you enrolled by them?

A.--Yes sir.

CROSS-EXAMINATION.

Mr. Cornish:

Q.--Where were you born, where was your mother living when you were born?

A.--In the Territory, I suppose.

Q.--Your father is living now?

A.--Yes sir.

Q.--Have you ever had any talk with your father?

A.--No sir.

Q.--Has he ever recognized you as his son and talked with you as his son?

A.--No sir, not that I know anything about.

Q.--You don't know him at all?

A.--No sir.

Witness excused.

Mr. Brown:

The only thing I desire to say is that we had a sub-~~poena~~ poenae issued for Mr. Potts, Joe Potts, had a marshall to serve a subpoena upon him, and here is a letter saying that he would be here. He is a man of unquestioned character. If he is here we would like to introduce him. In other words like to have his evidence.

Mr. Cornish:

Suppose we just have the Court make an order for the

further hearing of this case on the 30th, we wish to take the testimony of her husband. If there is any evidence on behalf of the Nations it will be taken on that date.

Mr. Brown:

If he is here this afternoon, I want to take his evidence, and if not that is satisfactory.

JUDGE FOOTE:

We can take his testimony between now and the 30th.

SARAH JANE REYNOLDS, recalled.

JUDGE FOOTE:

Q.--Know whether this man paid any money for the license?

A.--No sir.

Q.--Don't know anything about that?

A.--No sir.

JUDGE WEAVER:

Q.--How long after you were married was your child born?

A.--Eight months, eight months after we ~~xxxxx~~ seperated.

JUDGE FOOTE:

Q.--You lived with him five weeks?

A.--Yes sir.

Q.--Child was born in a little over nine months?

A.--Yes sir.

JUDGE ADAMS:

Unless they offer some testimony you have proven a case.

Mr. Cornish:

We will ask to have the case re-set for the 30th.

Mr. Brown:

That will suit me.

- - - - -

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

Sarah Jane Reynolds, et al.,

vs.

No. 105.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 30th day of June, 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 plaintiff, Sarah Jane Reynolds, is entitled to be deemed a citizen by intermarriage of the Chickasaw Nation, and to enrollment as such, and to all the rights, privileges and immunities, personal to herself, which flow therefrom; and that the plaintiff, Robert Potts, is entitled to be declared a citizen by blood of the Chickasaw Nation, and to enrollment as such, and to all the rights, privileges and immunities flowing therefrom; and the Court doth further find that it has no jurisdiction of the petitioners, Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds, and S. D. Reynolds.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs, Sarah Jane Reynolds and Robert Potts, be granted, and that the plaintiff, Sarah Jane Reynolds, be deemed a citizen by intermarriage of the Chickasaw Nation, and entitled to enrollment as such citizen, and entitled to all the rights, privileges and immunities, personal to herself, flowing therefrom; and that the plaintiff, Robert Potts, be declared

a citizen by blood of the Chickasaw Nation, and entitled to enrollment as such citizen, and entitled to all the rights, privileges and immunities flowing therefrom: and as to the plaintiffs, Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds, and S. D. Reynolds, the Court having no jurisdiction, their petition is dismissed.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.

In the case of Sarah Jane Reynolds, et al I took an# affidavit from Dr. H. F. Murray of Colbert, which affidavit is hereto appended.

In the Sarah Jane Reynolds case I also took an affidavit from Dan Collins of Colbert, I. T. The affidavit is appended hereto.

In the Sarah Jane Reynolds case I also took the affidavit of John T. Potts of Colbert, I. T. The affidavit is attached hereto.

Indian Territory
(Central District).

I was the family physician of
Geo. J. Potts. I know him and his wife. Potts
always treated his wife well. She abandoned
him while he was in bed very sick. I was at
Potts house attending him in his sickness when
she packed up her things & left. She never
~~had~~ said a word to me about the matter. He
was helpless in bed, and he had no one to wait
on him or to cook for him. I had ~~the~~ food
cooked for him at my own house after she
abandoned him.

Geo. J. Potts has always said that the
child Robert Potts, was not his child.

Subscribed & sworn to before me This July 3, 1903.

D. Richardson

Notary Public.



Indian Territory }
Central District }

My name is Dan Collins, I am 64
years old. My P.O. is Colbert, St.

I know Sarah Jane Reynolds. When I first
knew her she went by the name of Sallie Price. She
married Jno. T. Potts at my house. She was a white
woman. Jno. T. Potts is about $\frac{1}{16}$ ^{blood} Chickasaw Indian.
I think they were married according to the Chickasaw law.
They lived about three miles from me after they were married.
I never heard of Potts mistreating her. I know that she
deserted him; and that she left him in bed sick &
helpless. She did not live with Potts more than two months.
I do not think Potts knew anything of her whereabouts for
a year or two after she left him. John T. Potts now
lives at Colbert. She has married a man named Reynolds
since she left Potts. Dan Collins

Indian Territory
Central District.

My name is J. Potts. I am
55 years of age. My Post Office is Colbert, I.T.
About the year 1880 I married a woman by the
name of Sarah Lee. She said that was her name;
that she was a widow, and that her maiden name
was Price. I brought her to my home. I treated
her well, as well as I knew how. She lived with
me only three weeks. I was sick, had been
sick about a week; I was in bed and very bad
off, when she left. She never said a word to me about
leaving, had never uttered a word of complaint, and
I had no knowledge or intimation of any dissat-
isfaction on her part. I did not know she was
going when she left, and knew nothing of her having
gone for seven or eight hours. She went to Texas
from here. Her brother told me so. She wrote me one
or two letters from Texas after she left. If she ever
obtained a divorce I never heard of it. I got a
divorce from her. I have a certified copy of the
divorce, which I attach hereto. I understand
that she has married since she left me. Her son
whom she calls Robert Potts is not my child. I know
that for a certainty - I am a citizen of the Chickasaw
Nation by blood. J. Potts

Subscribed & sworn to before me this 6th day of July, 1903.

D. A. Richardson

Notary Public.

Jane Reynolds

vs

Chickasaw Nation.

Court No. 49 ✓

Dawes No. 76

Notice of appeal by the Chickasaw Nation was issued by the Clerk of the Court Jan. 4, 1897.

Original application and other papers were received from the Dawes Commission and filed in the Clerk's office Feb. 3, 1897.

There are no papers in the case, however, in the Clerk's office at the present time. The copy of original application to the Dawes Commission filed with the authorities of the Chickasaw Nation in 1896 shows that Jane Reynolds, admitted by the Dawes Commission, was the only applicant in the case.

The case has not been disposed of by the Court and the last entry on the record, under date of May 10, 1898, is "Continued".

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

Sarah J. Reynolds, et al.,

vs.

No. 105.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 30th day of June, 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 plaintiff, Sarah Jane Reynolds, is entitled to be deemed a citizen by intermarriage of the Chickasaw Nation, and to enrollment as such, and to all the rights, privileges and immunities, personal to herself, which flow therefrom; and that the plaintiff, Robert Potts, is entitled to be declared a citizen by blood of the Chickasaw Nation, and to enrollment as such, and to all the rights, privileges and immunities flowing therefrom.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs Sarah Jane Reynolds and Robert Potts, be granted, and that the plaintiff, Sarah Jane Reynolds, be deemed a citizen by intermarriage of the Chickasaw Nation, and entitled to enrollment as such citizen, and entitled to all the rights, privileges and immunities, personal to herself, which flow therefrom; and that the plaintiff, Robert Potts, be declared a citizen by blood of the Chickasaw Nation, and entitled to enrollment as such citizen, and entitled to all the rights, privileges and immunities flowing therefrom; and the petition

of the other parties mentioned therein is not passed upon in this
decree.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.

of the other parties mentioned therein is not passed upon in this
decree.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.

Sarah J. Reynolds et al No 105

Take testimony of Taylor Potts as to
separation and paternity of child

In the Choctaw and Chickasaw Citizenship Court sitting at
South McAlester, Indian Territory.

Sarah Jane Reynolds et al, Petitioners

v

Choctaw and Chickasaw Nations, defendants.

Your petitioners Sarah Jane Reynolds, Robert Potts
Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds, and S.D.
Reynolds, state that under the Act of June the 10th 1896, they
duly filed their application for citizenship before the Commission
to the Five Civilized Tribes, that said application was heard
and acted upon by said Commission and that your applicant Sarah
Jane Reynolds was admitted by said Commission as a citizen of the
Chickasaw Tribe of Indians by intermarriage, and Robert Potts
her son, by John Potts, a Chickasaw Indian by blood was also ad-
mitted, and the other petitioners herein rejected; that there
after said case was appealed to the United States Court for
the Southern District of the Indian Territory, of which
appeal your petitioner never had any notice, and never
knew that said case was pending in the United States Court, but
had accepted said judgment of the Commission in 1896, and did not
know that the same had been appealed from, until they appeared
beforesaid Commission several years later for enrollment.

Your petitioner Sarah Jane Reynolds says that she was
legally married to John T Potts, according to the laws of the
Chickasaw Nation, at Colbert, Indian Territory, in July 1880; that
there was born to her ~~xxx~~ and John Potts, one child, Robert Potts.
petitioners

That the other ~~children~~ herein are children of your peti-
of your petitioner,

Sarah Jane Reynolds, born to her by her second husband, _____
Reynolds.

Your petitioners say that the judgment of the United States Court denying citizenship to Sarah Jane Reynolds and Robert Potts, was erroneous and without any knowledge to them, and that said judgment is now of no binding force and effect against your petitioners; that said case is styled upon the docket of the United States Court for the Southern District of the Indian Territory, at Ardmore, Sarah Jane Reynolds et al vs the Chickasaw Nation, No. 47.

WHEREFORE, Your petitioners, Sarah Jane Reynolds, Robert Potts, Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds, and S.D. Reynolds, pray that the Clerk of this Court make an order directing the Clerk of the United States Court for the Southern District of the Indian Territory, at Ardmore, to transfer and certify all papers, records, and proceedings in said case No. 47 Sarah Jane Reynolds et al, against the Chickasaw Nation, to this Court, and that they have a trial of said case as it should have been tried originally, and that the Choctaw and Chickasaw Nations be summoned to answer herein, and for all other proper relief to which they may be entitled.

Thompson & Brown,
Attorneys for petitioners

Sarah Jane Reynolds being duly sworn on oath says that the facts set forth in the above and foregoing petition are true and correct.

Subscribed and sworn to before me this ____ day of March 1903.

Notary Public

Indian Territory
Chickasaw Nation.

On this day personally appeared before me the undersigned authority J.E.Williams who, being by me duly sworn, on oath states that he is 19 years of age, of sound mind and stenographer for Thompson & Brown, that he did on the 12th day of March 1903 address to Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, a copy of the foregoing petition of Sarah Jane Reynolds against the Choctaw and Chickasaw Nations, and that he sealed said letter, containing said copy, so addressed, and properly stamped same and placed it in the postoffice at Ardmore, Indian Territory, on the said 12th day of March, 1903.

J.E.Williams.

Subscribed and sworn to before me this 12th day of March 1903.

E.R.Mason,

Notary Public.

(SEAL)

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 South J. Reynolds, 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 South J. Reynolds File No. 47- 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.

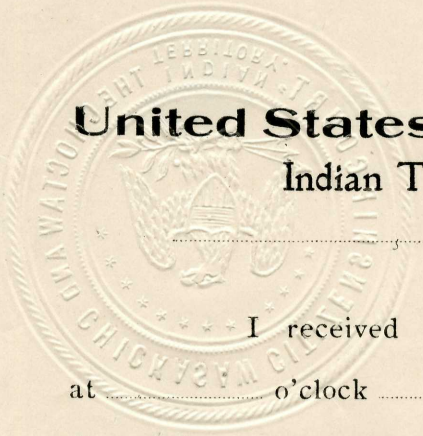
WITNESS the Honorable Spencer B. Adams, Chief Judge, Walter L. Weaver and Henry S. Foote, Associate Judges, and the Seal thereof, at South McAlester, Indian Territory, aforesaid, this 23rd day of March A. D., 1903.

James B. Cassida 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.

By _____ Deputy.

Duplicate
No 105-7

**SUMMONS
IN EQUITY.**

Frank J. Reynolds et al
vs.

Choctaw and Chickasaw Nations.

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

Marshal's Fees.

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

Thompson & Brown
Attorneys for Plaintiff.
Audubon O.T.

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

Seihomings

, by *Josh J. Reynolds 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

Josh J. Reynolds et al

File No. *47-* 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.

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 P. S. Moseley, at _____ Indian Territory,
This _____ day of _____, 1903, _____ m.

By _____ Deputy.

Duplicate
No. 85-7

SUMMONS
INEQUITY.

Joseph J. Reynolds et al
vs.

Choctaw and Chickasaw Nations.

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

Marshal's Fees.

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

Thompson & Brown
Attorneys for Plaintiff.

Arthur J. J.

Choctaw and Chickasaw Citizenship Court

Indian Territory,

United States of America,

SUMMONS.

Sarah Jane Reynolds et al.

vs

Chickasaw Nation.

Court No. 47

Dawes No. 275

Notice of appeal by the Chickasaw Nation was issued by the Clerk of the Court Jan. 4, 1897.

Original application and other papers were received from the Dawes Commission and filed in the Clerk's office Feb. 3, 1897.

Sarah Jane Reynolds and her son, Robert Potts, admitted to citizenship by the Dawes Commission were rejected by the Court, a default judgment against them being entered of record March 9, 1898.

This case has not been appealed to the United States Supreme Court. *Ledbetter & Bledsae*

*See letter - not brief in ~~Ed. F. Co.~~
James Donners Case*

In the United States Court at Ardmore for the Southern District
of the Indian Territory.

Chickasaw Nation :
Plaintiff :
No. 47. VS. : Notice to Take Depositions.
Sarah Jane Reynolds and :
Robt. Potts, :
Defendants :

To the Chickasaw Nation, the above named plaintiff, and Mansfield,
McMurray and Cornish, attorneys of record for the above plaintiff:

You are hereby notified that the depositions of witnesses to be read
as evidence on the hearing of the above entitled cause, will be taken
at the Post Office in the town of Willis, Chickasaw Nation, in the Southern
District of the Indian Territory, on the 31st day of March A.D. 1900
between the hours of 8 o'clock in the forenoon and 6 o'clock in the
afternoon, and if the taking of said depositions be not completed on
that day the same will be continued from day to day at the same place
and between the same hours until completed.

Witness our hands this the 26th day of March 1900.

J. G. Ralls.

Browne & Mason,

Attorneys for defendants.

I N D E X.

Registry receipt	1
Affidavit of M. M. Lindly	1
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Marriage License	5
Marriage certificate	5
Affidavit of J. D. Price	6
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Letter of J. B. Potts to "Dear Sallie"	8
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Judgment of U. S. Court	13

Registry Receipt

Postoffice at South McAlester, Ind.Ter.

Registered letter No.25 Rec'd Sept.7,1896.

of M.M.Lindly addressed to P.S.Moseley Wapanucka, I.T.

M.A.Potter, P.M. B

United States of America

Indian Territory

Central District.

M.M.Lindley, being duly sworn states that he has this day forwarded by registered mail evidenced by the registry receipt of M.A.Potter, Postmaster at South McAlester, Indian Territory, to P.S.Moseley principal Chief Chickasaw Nation, a true and perfect copy of the application for admittance and enrollment by the Dawes Commission to citizenship in the said Chickasaw Nation of Ind Ter.

Petition

Affidavits of

P.D.Price,

Susan price,

Sarah Jane Reynolds,

Letter of J.B.Potts,

Marriage license and certificate

Applicant Mary Jane Reynolds.

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c hereto attached to be used in support of said petition.

M.M.Lindley,
Attorney for petitioner

S.P.McLaughlin,

Subscribed and sworn to before me this 7 day of Sept.,1896
Notary Public 8

T N Foster

APPLICATION FOR ENROLLMENT
BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES
OF INDIANS.

SARAH JANE REYNOLDS ET AL

PETITIONER

VS

APPLICATION FOR ADMITTANCE AND ENROLLMENT

CHICKASAW NATION INDIAN TERRITORY
RESPONDENT

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Sarah Jane Reynolds states that John T. Potts was a Chickasaw Indian by blood, was duly recognized by the proper authorities as such in the Chickasaw Nation, and enjoyed all the rights privileges benefits and immunities of other Chickasaw Indians by blood in the said Nation or Tribe of Indians and that the name of the said John T. Potts appears or should appear upon the authenticated rolls of the said Nation Indians at present.

That petitioner was legally married to said John T. Potts in Colbert Indian Territory in July 1880; that there was born of said union one child Robert Potts,.

That your petitioner was compelled to leave said Potts on account of cruel treatment and was legally divorced in the Indian Court and was legally married to Samuel D. Reynolds November 23, 1885; that she has never resided outside the Indian Territory since her marriage to said Potts and that she together with her present husband S. D. Reynolds has always enjoyed the privileges of the said Chickasaw Indians and has always owned land and now owns a home in the Choctaw Nation near McAlester. That under the Constitution laws usages and customs of the said Chickasaw Nation and Tribe of Indians and the laws of the United States and treaties with said Indians by your said petitioner

is entitled to be admitted and enrolled as a citizen and member of said Chickasaw Tribe of Indians in Indian Territory and entitled to all the rights privileges benefits and annuities of other Chickasaw Indians.

That there are now living legal descendants of your said petitioner four persons as follows to wit: Robert Potts, a son and sixteen years of age

Marion E. Reynolds a ~~daughter~~ son and seven years of age;

Charles S. Reynolds a son and five years of age;

Anna Laura Reynolds a daughter and two years of age;

S. D. Reynolds a husband and thirty eight years of age

Sarah J. Reynolds applicant and thirty five years of age.

Said descendants to wit Robert Potts, Marion E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds together with Samuel D. Reynolds her husband and _____ be enrolled and admitted to all the rights benefits privileges of _____ tribe of Indians in Indian Territory and your petitioners will ever pray.

M. M. Lindley,

Attorney for petitioners.

The aforementioned petitioner Sarah J Reynolds says that the that the statements set forth in the above and foregoing petition are true according to his best knowledge information and belief

S. J. Reynolds

petitioner.

Subscribed and sworn to before me this 25 day of July, 1896

Joe Hillman Notary Public

(SEAL)

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the application for enrollment
in the Chickasaw Nation of Sarah Jane
Reynolds et al.

Comes now the Chickasaw Nation by its attorneys and without waiving any exceptions heretofore taken to the application filed herein, and without consenting to but denying the jurisdiction of this Honorable Commission to pass upon a question of citizenship in the Chickasaw Nation Tribe of Indians, present this, its answer to said application, and respectfully represents:

FIRST: The Chickasaw nation denies that any of the applicants herein are members of the Chickasaw Tribe of Indians by blood, or otherwise, denies that any of them have ever enjoyed the rights and privileges accorded to Chickasaw Indians, and denies that they are entitled to any of said rights or privileges or to citizenship among said Tribe of Indians.

WHEREFORE, These premises considered, the Chickasaw Nation prays this Honorable Commission to reject the application of the plaintiffs for enrollment among the Chickasaw Tribe of Indians and will ever pray etc.

THE CHICKASAW NATION

By its attorneys

Chickasaw Nation

Panola County

To Any Ordained or lincened Minister of the Hospel having
the care of Soles or Judge of the Chickasaw Nation, these are to
authorize you to to solemnize the rites of of matrimony
between Mr. John F. Potts, and Mrs. S. J. Lee, by uniting them in
marriage in conformance to th laws of the Chickasaw Nation
and a due return make of these licens to Clerk of the County Court
of Panola County with your endorsement thereon.

Given under my hand and official signature on this 23rd day of
July A.D. 1880. H. F. Murry Judge and Co and Probate Court

P. C. C. N.

I do hereby certify that the above is a true and correct copy
of the original as above shown. Given under my hand and
official signature this 14th day of August 1880

J. H. Godfrey

Clerk P. C. C. N.

I hereby certify that the above is a true and correct copy of a
marriage certificate of John F Potts and S. J. Lee

Given under my hand and seal of office this the 14 day o
of August, 1896

J. L. Harper Clerk, P. C. C. N.

(SEAL)

I, H. F. Murry County Judge of Panola County, C. N. by virtue of
the au thority vested in me by law and a license for marriage
granted by the Judge of said panola County Chickasaw Nation, did
on the 23rd day of July 1880 unite in marriage John F. Potts
and Mrs. S. J. Lee.

H. F. Murry, late County and Probate
Judge of Panola Co. C. N.

J.D.Price of lawful age being duly sworn states that I am personally acquainted with Mrs.Sarah J.~~xxxx~~ Reynolds and knew her at the time she was married to John F.Potts a Chickasaw Indian and also know that there was born of said marriage a child Robert Potts, now living.

My postoffice address is Coalgate, I.T. and I am not interested either directly or indirectly in the result of this claim.

Dated at Coalgate, I.T. this 31 st day of August 1896.

J. his X mark D.Price.

Witness
Victor Bey Gus Martin

Subscribed and sworn to before me this 31 day of August 1896.

H T V Perry,
N P.

My Commission expires 20th Mch 1899.

Susan Price of lawful age being first duly sworn states: I am well and personally acquainted with the applicant herein Sarah J.Reynolds, and know her to be the party she represents herself to be to wit: the former wife of a Chickasaw Indian by the name of John F.Potts, and know that she has a child born of said union by the name of Robert Potts. I am in no way interested in the result of this claim

My postoffice address is Coalgate, I.T. Dated at Coalgate this 31 day of August 1896.

Susan her x mark Price.

Witness Victor Bey Gus Martin

Subscribed and sworn to before me this 31 day of August 1896.

H.T.V.Perry N.P.

Seal My Com expires 20 Mch 1899

Sarah J.Reynolds, the applicant herein being first duly sworn states: My age is 31 years, I live at McAlester, I.T. That the letter hereto attached is one received by me in the due course of mail from Joseph Potts, and his wife nannie and that the said Joseph Potts is a brother to my former husband Taylor Potts, so often referred to in the said letter as Taylor. Affiant further states that she has requested said Joseph Potts to make an affidavit disclosing the facts of her identity as they appear from his letter hereto attached to this affiant; that he has refused so to do

Sarah J.Reynolds

Sworn and subscribed to before me this 3rd day of September 1896

C.J.Watson,

Notary Public

Central District I.T.

Commission expires September 24,1897.

(SEAL)

Dear Sallie:

As Nannie is writing I will write you a few lines. I have not much to write as Nannie has written you about all. You spoke something about a right. You have just the same right as an Indian. If I could see you I could tell you a great deal that I cant write handy, so if you will direct me to where you are at I will stop and see you as I will be passing up through thar soon. I will close hoping to hear from you soon/

Yours truly

J.B.Potts

July 12, 1885.

Colbert Station, Indian Territory.

Mrs. Sallie Potts

Dear Sister-in-law:

I take pleasure in answering the letter that you written to us all. I was gladder to read a letter from you than I would have from my own sister. Sallie you seem to be in great distress. Why did you not state who you were staying with or where and Jo would have come immediately to see you. I written to you last fall to know if you would not come and live with us but never got an answer. Sallie I would like to see you and your little boy. You must write as soon as you get this and let me know where you are staying at and Joe will come and see you and if you are not married and wish to come here, state the fact. Sallie I will write soome to you for Mrs. Collins. for she is in poor health and perhaps will not feel like writing. Old Auntie is still alive and is about the same she was when you were here. The girls are all at home and none married. They have one more child, a little boy four years old They was glad to hear from you. Sallie Taylor is married and has a boy two years old and is getting along very poorly. He has the most selfish or I should have said hateful woman in the U.S.

She treats Mandy like a dog. Laura fares some better
The children never gets to come to see us only when we go to see
them. We go to see them now and then but they dont go nowhere
Mollie, that's tTaylor's wife, says they are too poor; Joe sent for
Taylor to come today and if he comes he will show him your
letter. I cant tell what he will have to say a bout it. probably
he will not read it atall. Well I will tell you a bout our own
little family which consists of four. We have two little girls,
one four years, the other seven months old. We are not living at
the old place but bought a place two miles north of the old place
which is about one mile to Taylor's place. We moved here last
winter; have put up a new house but have not got it finished, and
we will have a beautiful place here when we get everything
fixed up, which I hope will be before many years

We have the old place rented out; have enlarged the farm.
have got three families on it and a fine prospect for lots of
corn and cotton/ Taylor has also got a good crop and I hope he
will make something this year. Well, I will close for Joe wants
to write some. Hoping to hear from you soon, I remain as ever

Yours respectfully,

Mamie.

To the Honorable the Lawes
Commission:

I respectfully invite your attention to the facts
set up in the affidavit of the applicant hereto attached stating
that her former brotherinlaw John Potts, and sister of her said
former husband Nannie, whose name is nannie Collins, have both
refused to make affidavit to the fact of her former marriage to
their brother. The postoffice address of said witnesses is
Colbert I.T and if the Honorable Commission consider that more
evidence is necessary we demand that they be sugpoenaed to appear
before said Commission and give testimony in this case.

Respectfully submitted.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, Indian Territory Nov.10,1896

76

Jane Reynolds,

Filed Sept. 9 ,1896, answer filed

Jane Reynolds admitted as an inter
married citizen

G.G.Randall, Denison
Texas

v

Chickasaw Nation.

I, H.M.Jacoway Jr Secretary do hereby certify
that the above and foregoing is a true and correct copy of
Chickasaw Record "C" page 14 of the Commission to the Five Civil
ized Tribes.

Given under my hand and official signature this the 28 day
of Jany 1897.

H.M.Jacoway Jr Secretary

By Henry Stroup Act.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

Fort Smith, Ark. Nov. 23, 1896.

275

Sarah Jane Reynolds et al,

filed Sept. 9, 1896, answer filed

Sarah Jane Reynolds admitted as an intermarried citizen and Robert Potts her son as a citizen by blood; Samuel Reynolds and her children by Reynolds denied citizenship.

M.M. Lindley
So. McAlester, I.T.

H.M. Jacoway Jr Secretary do hereby certify that the above and foregoing is a true and correct copy of Chickasaw Record "C" page 48 of the Commission to the Five Civilized Tribes

Given under my hand and official signature this the 30 day of Jany 1897.

H.M. Jacoway Jr Secretary

By Henry Stroup Act.

Handwritten notes and signatures:
To
10/10
Sarah Jane Reynolds
Robert Potts
Samuel Reynolds
Children by Reynolds
denied citizenship
L.
H.M. Jacoway Jr
Secretary

112

119

1

By Henry Strong Act.

H.M. Jacobson Jr Secretary

30 day of Jan'y 1895.

Given under my hand and official signature this the

Tripes

"C" Page 48 of the Commission to the Five Civilized

and foregoing is a true and correct copy of Chickasaw Record

H.M. Jacobson Jr Secretary do hereby certify that the above

So. McAlester, I.T.
M.M. Pindley

(15)

No 115 T

Sarah Reynolds

vs,

Chickasaw Nations

citizenship.
children by Reynolds denied
blood; Samuel Reynolds and her
brother her son as a citizen by
intermarried citizen and Robert
Sarah Jane Reynolds admitted as an
filed Sept. 3, 1896, answer filed

Sarah Jane Reynolds et al,
Svs

Fort Smith, Ark. Nov. 23, 1896.

COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR

Sarah Jane Reynolds et al,
Plaintiff

vs

JUDGEMENT

Chickasaw Nation,
Defendant.

On this 9 day of March 1896, came on to be heard the above cause upon the substituted pleadings and evidence and the defendants appeared by their attorney and announced ready for trial, but neither the plaintiffs nor their attorneys appeared, but wholly made default. Whereupon it appearing to the court that this appeal from the decision of the Dawes Commission had been regularly taken; and after hearing the evidence and being fully advised on the whole cause, it is considered by the court that the applicants herein should take nothing by their suit, but that their application for enrollment in the Chickasaw Tribe of Indians should be denied.

IT IS, THEREFORE, ordered, adjudged and decreed by the court that the application of the claimants herein to-wit: Sarah Jane Reynolds, and her son Robert Potts, be denied, and that they be refused citizenship in the Chickasaw Nation and that they take nothing by their suit.

It is further ordered adjudged and decreed by the court that the defendant, the Chickasaw Nation, do have and recover of and from the said plaintiffs all their costs in this behalf expended and incurred, for which execution may issue, and that this judgment be certified to the said Dawes Commission for their observance.

JUDGE.

Sarah Jane Reynolds, et al.

No. 47 Vs. Judgment, Southern Dist. March 9, 1898.

Chickasaw Nation.

On this 9th day of March, 1898 case on to be heard the above cause upon the substituted pleadings and evidence and the defendant appeared by their attorney and announced ready for trial, but neither the plaintiffs nor their attorneys appeared, but wholly made default.

Whereupon it appearing to the court that this appeal from the decision of the Dawes Commission had been regularly taken and after hearing the evidence and being fully advised on the whole cause it is considered by the court that the applicants herein should take nothing by their suit, but that their application for enrollment in the Chickasaw Tribe of Indians should be denied, It is therefore ordered, adjudged and decreed by the court that the application of the plaintiffs herein, to-wit:

Sarah Jane Reynolds, and her son Robert Potts, be denied, and that they be refused citizenship in the Chickasaw Nation, and that they take nothing by their suit. It is further ordered, adjudged and decreed by the court, that the defendant, the Chickasaw Nation do have and recover of the said plaintiffs all their costs in this behalf expended and incurred, for which execution may issue, and that this judgment be certified to the Dawes Commission for their observance.

9-320-Cord

Copy 1 original copy.

Pray for the settlement

I, Jane Reynolds

on or by her

dearly beloved

Thomas Reynolds

married March 1st 1883

Reynolds died about

Jan 30 1889.

Administered by her,

Nov 10 1896

Assets

Jan 26 '00

Case dismissed

Re 1896 Boston Prob 62

South McAlester, Indian Territory , June 22, 1903.

Sarah Jane Reynolds, et al,

vs. T. No. 105. Southern District No. 47

Chickasaw Nation.

LETTER OF INSTRUCTIONS.

TO _____.

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

The parties included in the petition for writ of error to the Choctaw and Chickasaw Citizenship Court are Sarah Jane Reynolds, Robert Potts, Mary E. Reynolds, Charles S. Reynolds, Anna Laura Reynolds and S. D. Reynolds. It appears that all of the above named persons, under the Act of Congress approved June 10, 1896 filed with the Commission to the Five Civilized Tribes a petition for admission as citizens of the Chickasaw Nation under the title of Sarah Jane Reynolds, et al vs. Chickasaw Nation. The petition in this case alleges that the principal applicant Sarah Jane Reynolds, a white woman, was en /n

July, 1880 married to John T. Potts, an alleged Chickasaw Indian by blood, by whom she had one son, namely Robert O. Potts, who appears as one of the applicants in this cause. That after the birth of this child Sarah Jane Reynolds was divorced from her Chickasaw husband, and on November 23, 1885 was married to Samuel D. Reynolds, a white man, and one of the applicants herein; that by this second marriage there was born three children, Mary E. Reynolds, Charles S. Reynolds and Anna Laura Reynolds, who are also parties applicant in the original petition. This case appears upon the docket of the Dawes Commission as Chickasaw case number 275, and on November 23, 1896 the Commission rendered a decision, which is in words as follows: "Sarah Jane Reynolds admitted as an intermarried citizen, and Robert Potts, her son as a citizen by blood; Samuel Reynolds, and her children by Reynolds denied citizenship". From this decision of the Commission an appeal was taken by the Chickasaw Nation to the United States Court for the Southern District of the Indian Territory January 4, 1897 as to Sarah Jane Reynolds and Robert Potts. The original application and papers in the case were filed in the Clerks office for the Southern District on February ² 7¹, 1897. On March 9, 1898 a judgment was rendered by the United States Court for the Southern District of the Indian Territory reversing the decision of the Commission as to Sarah J. Reynolds and her son Robert O. Potts, and denying and refusing their

petition for enrollment as citizens of the Chickasaw Nation. It would therefor appear that the only two persons in this case who would come within the jurisdiction of the Choctaw and Chickasaw Citizenship Court are Sarah Jane Reynolds and her son Robert Potts~~X~~ on appeal from an adverse decision of the United States Court for the Southern District of the Indian Territory. The other persons petitioned^{ed} in the petition for writ of error according to this judgment were never before the United States Court, and the judgment of the Dawes Commission under the act of June 10, 1896 is apparently final as to these applicants.

There is also found in the copies of the papers in this case a judgment of the Dawes Commission in Chickasaw citizenship case number 76, entitled Jane Reynolds vs. Chickasaw Nation. In this case on November 10, 1896 the Commission render a judgment as follows: "Jane Reynolds admitted as an intermarried citizen". From this decision an appeal was taken by the Chickasaw Nation to the United Court for the Southern District of the Indian Territory, and the original papers were apparently transferred from the Commission and filed in the Clerks office for the Southern District February 3, 1897. It does not appear however that the original papers in this case are on file in that office, nor has this case ever been disposed of by that Court. The latest entry on the ~~record~~^{docket} under date of March

10, 1898 is "continued".

You are directed to obtain from the Commission to the Five Civilized Tribes, ^{a statement of} who were the parties applicant in the case of Jane Reynolds vs. Chickasaw Nation, 1896 Chickasaw case number 76, and also ascertain ~~from~~ the Clerk of the United States Court for the Southern District of the Indian Territory if the case of Jane Reynolds vs. Chickasaw Nation, citizenship docket number 49 has ever been disposed of by that Court. .

In the case of Sarah Jane Reynolds, et al. before the Citizenship Court, the question is apparently one of law, and you will take necessary steps to ascertain the following facts in the case:

FIRST: Was John T. Potts a Chickasaw Indian by blood. *yes*

SECOND: Was the marriage of John T. Potts and Sarah Jane Reynolds of July 1880 in accordance with the tribal laws of the Chickasaw Nation.

THIRD: The cause of the seperation and divorce of John T. Potts and the applicant sarah Jane Reynolds. *ok*

FOURTH: Who applied for and obtain the divorce referred to. *John T Potts*

It is more than probable that the Chickasaw Indian referred to as John T. Potts is now living as the record would indicate that since his marriage and separation with the applicant Sarah Jane Reynolds he has remarried. You will procure from this man Potts an affidavit relative to his marriage to the applicant Sarah Jane Reynolds, whether such marriage was in accordance with the laws of the Chickasaw Nation; how long they lived together, and the cause for the separation and divorce.

Yours very truly,

Sarah Jane Reynolds;

Taylor Pitts;

No license - shooting -
Deserted - No Cause -
Went to Texas - No returned + wife -
ceded -

Old cheat man -
Saw man there - Red headed
Divorce - Abandonment

Sarah Jane Reynolds

Indian Territory,

Chickasaw Nation.

On this day personally appeared before me, the undersigned authority J. E. Williams, who, being by me duly sworn, on oath states that he is 19 years of age, of sound mind and stenographer for Thompson & March, Brown; that he did, on the 12th day of ~~XXXXXXXX~~, 1903, address to Mansfield, McMurray & Cornish, attorneys for the Choctaw and Chickasaw Nations, a copy of the foregoing petition of Sarah Jane Reynolds, against the Choctaw and Chickasaw Nations, and that he sealed said letter, containing said copy, so addressed, and properly stamped same and placed it in the post office at Ardmore, Indian Territory, on said 12th day of March, 1903.

Subscribed and sworn to before me this 12th day of March, 1903.

Notary Public.