J-№114.

Wallie L. Beavers, et al,

vs

C. C. Nations -

№-83.

Southern Dist. Court.

№

Dawes Commission -

Law case.

See record in

Joseph C. Moore et al,

vs.

Chickasaw Nation,

T. No. 14

also

See the Womack case -

J. M. Crabtree et al J-118

Jno. D. Layman et al J-124

Original style of case

Fannie Moore et al

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, sitting at South Mc Alester, Indian Territory.

Walter L. Beavers, J. C. Wamack.
Lillian Wamack, nee Lyman, Gladas Wamack,
by her next freind, J. C. Wamack,

Plaintiffs,

vs. COMPLAINT.

The Choctaw and Chickasaw Nations,

Defendants.

Now comes Walter L. Beavers, J. C. Wamack, Lillian Wamack nee Lyman and Gladas Wamack, by her next freind, J. C. Wamack, and for cause of action against defendant, alleges and says:

That they are citizens of the Chickasaw Nations by blood and that according to a decree of the United States Court, for the Southern District of the Indian Territory in the case of No. 83 of the Records of said Court, these plaintiffs along with a number of other applicants were admitted to citizenship by said Court. That on account of a recent decision of this Honorable Court these plaintiffs desire a transfer and an appeal to this court.

Wherefore plaintiffs pray and appeal, and writ of summons as provided by the rules of this honorable court to issue, according to said rules.

_____

_____
Attorneys for petitioners.

In the Choctaw and Chickasaw Citizenship Court,

Sitting at Tishomingo, Ind. Ter., June 28th, 1904.

-o-o-o-o-o-oo-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-o-

Walter L. Beavers, et al,

--vs--

The Choctaw and Chickasaw Nations,

No. 114.

June 28, 1904. This day this cause coming on to be heard before the Hons. Spencer B. Adams, Walter L. Weaver, and Henry S. Foote, Judges of said Court, the Defendants being represented by their Counsel, Mansfield, McMurray & Cornish, the following proceedings were had to-wit;

Judge Adams; No. 114, Walter L. Beavers, et al, vs. The Nations?

(No response.)

Are these gentlemen about the Court House?

Mr. Gilbert; No, sir.

Judge Adams; Have they been here today?

Mr. Gilbert; No, sir.

Judge Adams; The Plaintiffs have been notified that the case was set for hearing today, and have failed to appear, or offer any reason for their absence; the case will be submitted on the record.

--o--

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP COURT, SITTING AT TISHOMINGO IN THE INDIAN TERRITORY, NOVEMBER TERM, 1904.

Walter L. Beavers, et al.,

vs. No. 114 .

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this the 28th day of November, 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, Walter L. Beavers, J. C. Wamack or Womack, Lillian Wamack (nee Layman) or Mrs. J. C. Womack and Gladys Wamack or Womack, are not entitled to be deemed or declared citizens of the Chickasaw Nation, or to enrollment as such or to any rights whatever flowing therefrom.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs, Walter L. Beavers, J. C. Wamack or Womack, Lillian Wamack (nee Layman) or Mrs. J. C. Womack and Gladys Wamack or Womack, be denied, and that they be declared not citizens of the Chickasaw Nation, and not entitled to enrollment as such citizens, and not entitled to any rights whatever flowing therefrom.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.

SUMMONS.

United States of America,

Indian Territory, } ss

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

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

GREETING:

You are hereby Commanded to Summons P. S. Moseley, Governor of the Chickasaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Governor of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at Tishomingo, by Wallace L. Brown 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 Wallace L. Brown et al File No. 83 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 24 day of March A. D., 1903.

James B. Cassady Clerk.

By ..... Deputy.

Supreme

No 114-T

SUMMONS

IN EQUITY.

Walter L Brown et al

vs.

Choctaw and Chickasaw Nations.

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

Marshal's Fees.

Service - - - - $.....

Miles - - - - - $.....

Expenses - - - - $.....

TOTAL $.....

Brown, McClure & Brown

Attorneys for Plaintiff.

Chickasha I.T.

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.

SUMMONS.

United States of America,

Indian Territory, } ss

Choctaw and Chickasaw Citizenship Court.

The President of the United States of America,

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

GREETING:

You are hereby Commanded to Summons Green McCurtain, Principal Chief of the Choctaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Principal Chief of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at Tishomingo, by Walter L. Braves et al and warn him that upon his failure as said Principal Chief to answer on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons instanter;

And you are further commanded to notify said Green McCurtain, Principal Chief aforesaid, that the papers, files and proceedings in the case of Walter L. Braves et al File No. 83 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 24 day of March A. D., 1903.

James B. Cannady 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 114 T.

SUMMONS

IN EQUITY.

Walter L Beavers et al

vs.

Choctaw and Chickasaw Nations.

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

Marshal's Fees.

Service - - - $.....

Miles - - - - $.....

Expenses - - - $.....

TOTAL $.....

Beaver McClure & Barnes
Attorneys for Plaintiff.
Chickasha O.T.

OK

Chickasaw Dmy

Walter L. Beavers et al. No 114.

+ Walter L. Beavers
+ J. C. Wamack or Womack
+ Lilliam Wamack (nee Layman) or Mrs J. C. Womack
+ Gladys Wamack or Womack

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Nov.4th, 1899.

In the application of Walter L. Beaver for enrollment as a Chickasaw; being sworn and examined by Com'r McKennon he states:

Q What is your name? A Walter L. Beaver.

Q How old are you? A Twenty-nine.

Q Are you the identical person whose name appears in this judgment of the United States Court at Ardmore April 10th 1899, case number 83, as Walter L. Beaver, admitted as a Chickasaw Indian?

A Yes sir.

Q Where have you been living? A I have been living in Arkansas and the Indian Territory.

Q You were born and raised in Arkansas? A Yes sir.

Q You claim to be a citizen by blood or intermarriage ?

A By blood.

Q When did you move to the Territory from Arkansas? A In 1885 first.

Q You came here in 1885, how long did you remain here then?

A I staid here just about a year.

Q Then where did you go to? A I went back to my mother's in Arkansas.

Q How long did you stay in Arkansas? A I staid there not quite six years.

Q Then where did you go to from there? A I came to the Territory.

Q How long did you remain in the Territory then? A I came here in August 1891 and I believe I staid here a little over two years.

Q Where did you go to then? A I went to Hartshorne and then I went to Little Rock, Arkansas.

Q What year was that that you went to Little Rock? A Let me

see, I came in here in August 1891,- I reckon it was in November, 1893.

Q How long did you remain in Arkansas then? A I have been there off and on until last June.

Q You returned to the Territory this last June, June of 1899?

A Yes sir.

Q You have been living here ever since? A Yes sir.

Q When you were here in 1885 were you married? A Nosir.

Q What was your age then? A I was fifteen or sixteen years old.

Q Did you make application to the Dawes Commission in 1896?

A Yes sir, I am satisfied I did; I don't remember the year, but I made application to the Dawes Commission.

Q Three years ago? A Yes sir, I should think so.

Q Did you make application alone or with others?

A With others.

Q Who was the leading party- what was the style of that case?

A It was Fannie Moore, my grandmother, and others.

Q She living then? A No sir.

Q She didn't make application then? A No sir, it was the heirs of Fannie Moore.

Q What was the style of that case, do you remember?

A The leading person in it was J. C. Moore, that's my recollection.

Q That case was appealed to the United States Court at Ardmore?

A Yes sir. When I came out here in 1891 I had married and I came to stay, and did stay for the period of time I have stated, and then my wife- her health was bad and I sent her to Arkansas and I remained here sometime after she went ; I went to start a newspaper at Hartshorne and failed to do so, and I went to Arkansas; my wife's health was bad and I staid in there with her; I sent her to Mount Nebo and other places for the benefit of her health; her

Walter L. Beaver #4)

Q Have you any children? A Yes sir.

Q Is your wife a white woman? A Yes sir. I have one child.

Q How old is it? A Five and one-half years old.

Q What is its name? A Beulah.

Com'r McKennon:

The Commission does not consider that your residence has been such as contemplated by the law, and enrollment will be refused.

Department of the Interior,
Commission to the Five Civilized Tribes.

I hereby certify, upon my official oath as stenographer to above named Commission, that this transcript is a true, full and correct translation of my stenographic notes.

M D Green