

Nº 119.

Glenn-Tucker, et al,

vs

U. S. Nations.

Nº

Central Dist., Court

Nº

Dawes Commission.

J. S. Donato,

Attorney

In the Choctaw and Chickasaw Citizenship Court, sitting at  
Tishomingo, Indian Territory.                      October, Term, 1904.

Glenn-Tucker, et al.,

vs.

No. 119.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 20th day of October, 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, Wm. Tucker or William Tucker, Geo. Tucker or George Tucker, Wm. Tucker Jr. or William Tucker Jr., James Haggard, Joe Haggard or Joseph Haggard, Mattie Haggard, Loise Haggard or Louisa Haggard, Wm. Haggard or William Haggard, Joe Berry Glenn or Joseph B. Glenn, Nevada E. Glenn, Chas. A. Glenn or Charles A. Glenn, A. F. Glenn or A. Frank Glenn, Amanda C. Glenn or Manda Glenn, Jno. Glenn or John F. Glenn, Jas. E. Glenn or James E. Glenn, Margaret S. Glenn, David Glenn or Dav<sup>e</sup> Glenn Jr., Ely H. Glenn or Eli H. Glenn, Levi F. Glenn, Chas. E. Glenn or Charlie S. Glenn, Wm. H. Glenn or William H. Glenn, Ida Glenn or Mary Ida Glenn, Annie Bell Glenn or Annie B. Glenn, Sarah E. Glenn, Parlee Baggs or Parilia Baggs, Ody L. Baggs, Charlotte Baggs, Ada Brown or Ady Brown, 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; and the Court doth further find that it has no jurisdiction over the petitioners, Lara Haggard, Minnie Haggard, Nannie Glenn, Virgil Glenn, Emma Glenn, Mary F. Glenn, Lula May Glenn, Mary B. Baggs, Louisa Baggs, Mary E. Brown, Joe P. Brown, Asha A. Brown and

Nannie P. Brown.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the petition of the plaintiffs, Wm. Tucker or William Tucker, Geo. Tucker or George Tucker, Wm. Tucker Jr or William Tucker Jr., James Haggard, Joe Haggard or Joseph Haggard, Mattie Haggard, Loise Haggard or Louisa Haggard, Wm. Haggard or William Haggard, Joe Berry Glenn or Joseph B. Glenn, Nevada W. Glenn, Ghas A. Glenn or Charles A. Glenn, A. F. Glenn or A. Frank Glenn, Amanda C. Glenn or Manda Glenn, Jno. Glenn or John F. Glenn, Jas. E. Glenn or James E. Glenn, Margaret S. Glenn, David Glenn or Dav<sup>e</sup> Glenn Jr., Ely H. Glenn or Eli H. Glenn, Levi P. Glenn, Chas. E. Glenn or Charlie S. Glenn, Wm. H. Glenn or William H. Glenn, Ida Glenn or Mary Ida Glenn, Annie Bell Glenn or Annie B. Glenn, Sarah E. Glenn, Farlee Baggs or Parilia Baggs, Ody L. Baggs, Charlotte Baggs, Ada Brown or Ady Brown, 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; and as to the petitioners Lura Haggard, Minnie Haggard, Nannie Glenn, Virgil Glenn, Emma Glenn, Mary F. Glenn, Lula May Glenn, Mary B. Baggs, Louisa Baggs, Mary E. Brown, Joe P. Brown, Asha A. Brown, and Nannie P. Brown, the Court having no jurisdiction, their petition is dismissed.

.....  
Chief Judge.

.....  
Associate Judge.

.....  
Associate Judge.

Glenn-Tucker et. al. NO 119.

- + W<sup>m</sup> Tucker or William Tucker
- + Geo. Tucker or George Tucker
- + W<sup>m</sup> Tucker Jr. or William Tucker Jr.
- + James Haggard
- + Joe Haggard or Joseph Haggard
- + Mattie Haggard
- + Loise Haggard or Louisa Haggard
- + Laura Haggard
- + W<sup>m</sup> Haggard, or William Haggard
- + Winnie Haggard
- + Joe Perry Glenn or Joseph B. Glenn
- + Nevada E. Glenn
- + Chas. A. Glenn or Charles A. Glenn
- + Nannie Glenn
- + A. F. Glenn or A. Frank Glenn
- + Amanda C. Glenn or Manda Glenn
- + Jno. Glenn or John F. Glenn
- + Jas. E. Glenn or James E. Glenn
- + Virgil Glenn
- + Margaret S. Glenn
- + David Glenn or <sup>Dave</sup> ~~David~~ Glenn Jr.
- + Ely H. Glenn or Eli H. Glenn
- + Levi F. Glenn
- + Chas. E. Glenn or Charles S. Glenn
- + Emma Glenn
- + W<sup>m</sup> H. Glenn or William H. Glenn
- + Ida Glenn or Mary Ida Glenn

+ Annie Bell Glenn or Annie B. Glenn

+ Sarah E. Glenn

Mary F. Glenn

Lula May Glenn

+ Parlee Baggs or Parilia Baggs

+ Ady L. Baggs

+ Charlotte Baggs

Mary B. Baggs

Louisa Baggs

Mary C. Brown

+ add ~~the~~ Brown or Ady Brown

Joe P. Brown

Asha A. Brown

Nannie P. Brown

IN THE CHOCTAW AND CHICASAW CITIZENSHIP COURT.

Glenn, Tucker, et al., Plaintiffs, }  
 }  
 Vs, }  
 }  
 The Choctaw & Chicasaw Nations, }  
 }  
 Defendants. }  
 }

The plaintiffs, Wm. Tucker, Geo. Tucker, Wm. Tucker Jr., James Haggard, Joe. Haggard, Mattie Haggard, Loise Haggard, Lura Haggard, Wm. Haggard, Minnie Haggard, Joe. Berry Glenn, Nevada E. Glenn, Chas. A. Glenn, Nannie Glenn, A. F. Glenn, Amanda C. Glenn, Jno. Glenn, Jas. E. Glenn, Virgil Glenn, Margaret S. Glenn, David Glenn, Ely H. Glenn, Levi F. Glenn, Chas. F. Glenn, Emma Glenn, Wm. H. Glenn, Ida Glenn, Annie Bell Glenn, Sarah E. Glenn, Mary F. Glenn, Lula May Glenn, Parlee Baggs, Ody L. Baggs, Charlotte Baggs, Mary B. Baggs, Louisa Baggs, Mary E. Brown, Ada E. Brown, Joe. P. Brown, Asha A. Brown, and Nannie P. Brown, state and allege that they are citizens by blood of the Choctaw Nation, and that they are entitled and of right ought to be enrolled as such, that they claim said citizenship upon the following facts; That Abigail Rogers was a citizen of said nation and resided in the old Choctaw country in Mississippi, that she was a half blood Choctaw and was duly recognised as a citizen of said Nation, That about the year 182\_\_ she married one John Glenn, and afterwards became the mother of Mary Glenn and David Glenn, that about the year 1833 she and her said family moved into the western part of the state of Arkansas, into what they supposed to be the Choctaw Nation.

Said Mary Glenn married one \_\_\_\_\_ Tucker, and had by said husband one son, Wm. Tucker, said Wm. Tucker is now the father of Geo. Tucker and Jas. Tucker, and said Geo. Tucker is the father of Wm. Tucker Jr. After the death of said \_\_\_\_\_ Tucker, Mary Tucker, nee Glenn, married one Richard Haggard, and by said husband had one son, Jas. Haggard, said Jas. Haggard is now the father of Joe. Haggard and Wm. Haggard, and said Joe. Haggard is the father of Loise Haggard

and of Lura Haggard, and the husband of Mattie Haggard; said Wm. Haggard is now the husband of Minnie Haggard.

David Glenn, the son of Abigail Rogers, was the father of Joe. Berry Glenn, Chas. A. Glenn, and A. F. Glenn; said Joe. Berry Glenn is now the father of Parlee (Glenn) Baggs, John Glenn, Mary (Glenn) Brown, and Jas. E. Glenn; said Parlee Glenn married one \_\_\_\_\_ Baggs, and afterwards became the mother of Ody L. Baggs, Charlotte Baggs, Mary Baggs, and Louisa Baggs, by said husband. Said John Glenn is now the father of Virgil Glenn; said Mary E. Brown married one \_\_\_\_\_ Brown and has since become the mother of Ada B. Brown, Asha A. Brown, Joe. P. Brown, and Nannie P. Brown, by her said husband; said Jas. E. Glenn is now the father of Emma Glenn, Wm. H. Glenn, and Ida Glenn, and the husband of Jenny R. Glenn.

Said Chas A. Glenn is now the husband of Nannie Glenn, and the father of Margaret Susan Glenn, David Glenn, Ely H. Glenn, Levi F. Glenn.

Said A. F. Glenn is the husband of Amanda C. Glenn, and the father of Chas. E. Glenn, Annie Bell Glenn, Sarah E. Glenn, Mary F. Glenn and Lula May Glenn.

A diagram of this family is hereto attached and marked "Exhibit A".

Plaintiffs reside within the Choctaw Nation, and have exercised the rights and privileges of the citizens of the same, but have been denied enrollment as such.

Plaintiff state and allege that about the first day of Sept. 1896 they made application to the Commission to the Five Civilized Tribes, to be enrolled as citizens of said Choctaw Nation, that said said Commission denied plaintiffs' application for enrollment; that an appeal was regularly taken by these plaintiffs to the United States Court for the Central District of the Indian Territory, at South McAlester; and that on the \_\_\_\_\_ day of \_\_\_\_\_ 189 \_\_\_\_\_, said United States Court sustained the decision of the said Commission to the Five Civilized Tribes, and denied plaintiffs the right to be enrolled as citizens of the Choctaw Nation.

Plaintiffs allege that said judgment of the said United States Court is error; that the court erred in its findings of fact, that plaintiffs are not citizens by blood of the said Choctaw Nation, and in its finding in law that plaintiffs are not citizens as aforesaid.

The number of plaintiffs case in the said United States Court for the Central District of the Indian Territory is 61.

Wherefore plaintiffs pray, that a writ of error issue directing the Clerk of the United States Court for the Central District of the Indian Territory to certify and transfer the papers, files and proceedings in said cause to this Court. That upon the trial of this cause in this Court that plaintiffs be adjudged citizens of the Choctaw Nation, and that proper orders be passed having said plaintiffs enrolled as said citizens; and that plaintiffs recover their costs paid out and expended in this cause, and all other general and proper relief.

J. S. Assate  
Att'y for Applicants



{Geo.Tucker}{Wm.Tucker Jr.

{Wm.Tucker}

{Jas.Tucker.

{Mary Glenn  
{married  
{Tucker,  
{afterwards  
{R.Haggard

{Loise Haggard

Abbigail Rogers  
married  
John glenn

{Joe.Haggard  
{Mattie Haggard

{Jas.Haggard}{his wife.

{Lurah Haggard.

{Wm.Haggard  
{Minnie Haggard,his wife

{Ody L.Baggs

{David Glenn  
{Nevada E.  
{Glenn,his  
{wife.

{Joe.B Glenn}{Parlee(Glenn)Baggs}{Charlotte Baggs  
{married \_\_\_ Baggs

{Mary B.Baggs

{Louisa Baggs

{John Glenn}{Virgil Glenn

{Ada Brown

{Asha

{Mary E.(G)Brown}{Asha A.Brown

{married \_\_\_ "}{Joe.P.Brown

{Minnie P.Brown

{Emma Glenn

{Jas.E.Glenn}{Wm.H.Glenn

{Jenny R. "}{Ida Glenn

{Chas.A Glenn}

{Minnie Glenn}{Margaret Susan Glenn

{his wife.}{David Glenn

{Ely Henderson Glenn

{Levi Franklin Glenn

{Chas.Edward Glenn

{Annie Bell Glenn.

{A.F.Glenn

{Sarah Elizabeth Glenn

{Amanda C.Glenn

{Mary Francis Glenn

{his wife.

{Lula May Glenn

Glenn Tucker  
Petitioner  
vs  
Cherokee & Chickasaw  
Nations.

J. S. Ornote  
Atty for applicants

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 Mc Alester, by Glenn, Tucker, 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 Glenn, Tucker, et al, File No. 61 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 25th day of March A. D., 1903.



James B. Cassada Clerk.

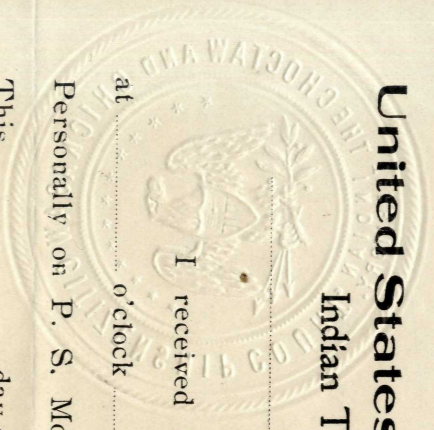
By Deputy.

MARSHAL'S RETURN

MARSHAL'S RETURN.

United States of America,  
Indian Territory,  
DISTRICT.

*Wm. B. Moore*  
Deputy  
Clerk



I received this summons this ..... day of March A. D. 1903,  
at ..... o'clock ..... m. and served same by copy, as follows:  
Indian Territory, storeship, this .....  
Judges' and the Seal thereof at Camp McChesney,  
Indian Territory,

Personally on P. S. Moseley, at .....

This ..... day of ....., 1903, .....

WITNESSE the Honorable Spencer B. Adams, Chief Judge,  
.....

By ..... Deputy.

the certificate of the clerk of said court for said ..... District, Indian Territory,  
Indian Territory, has been transmitted to the Choctaw and Chickasaw Citizenship Court, and that  
file No. .... in the District Court for the ..... District of the  
that the papers, files and proceedings in the case of .....  
And you are further commanded to notify said P. S. Moseley, Governor storeship,  
complaint will be taken for confessed, and you will make return of the summons instanter;

Duplicate  
No. 119-m

SUMMONS  
IN EQUITY.

Glenn Tucker et al  
vs.  
Choctaw and Chickasaw Nations.

Summons issued 25- day of  
March, 1903. Returnable instanter.

Marshal's Fees.

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

J. S. Amoli  
Attorneys for Plaintiff.  
S. McAlister S. T.

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:

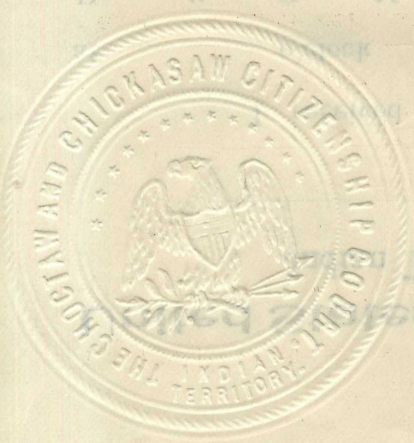
You are hereby Commanded to Summons Green McCurtain, Principal Chief of the Choctaw Nation, to answer on behalf of said nation, in twenty days after the service of this summons upon him, as Principal Chief of said Nation a complaint in Equity filed against the Choctaw and Chickasaw nation in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, at South Mc Alester, by Glenn, Tucker, 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 Glenn, Tucker, et al, File No. 61 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 25th day of March A. D., 1903.

James B. Cassady Clerk. By Deputy.



MARSHAL'S RETURN.

United States of America,  
Indian Territory,  
DISTRICT.

I received this summons this \_\_\_\_\_ of \_\_\_\_\_ A. D., 1903,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m. and served same by copy, as follows:  
Personally on Green McCurtain, at \_\_\_\_\_ Indian Territory,  
This \_\_\_\_\_ day of \_\_\_\_\_, 1903, \_\_\_\_\_ m.

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

*Supplement*

No. *119 m*

**SUMMONS  
IN EQUITY.**

*Alvin Luehn et al*

vs.

Choctaw and Chickasaw Nations.

Summons issued *25-* day of  
March, 1903. Returnable instant.

**Marshal's Fees.**

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

*J. S. Amali*

Attorneys for Plaintiff.

*S. McArthur J.T.*

