

Witnesses

For Nations.

For Claimants.

J- N^o 11.

Jones, Chas. L. et al,

v A

Chickasaw Nation

N^o 10.

Southern Dist. Court.

N^o

Dawes Commission

Question of law.

Question of fact.

1. Was Olya Love a Chick-
asaw by blood.

2. Was marriage of 1882
in accordance with
Chickasaw tribal law.

Pass.

L. W. B.

Charles L. Jones et al

No 11.

Denny
Michaelson

- + Louella Jones
- + Frederic Jones or Frederick Jones
- + Charles Maxwell Jones
- + David Jones
- + Ella Jones
- + William Jones
- + Maggie Jones

A. A. Spring - Brief
 Mary
 Abraham H. Nail - Brief
 Francis C. Keeley - Brief ✓
 Nellie J. Gibson - Brief ✓
 Sally Hill - Brief ✓
 Edmund J. Petty - Brief ✓
 Saul H. Carrol - Brief ✓
 John Mitchell - Brief
 J. L. C. Pate - Denied
 Frank P. Morgan
 W. T. Stephens - Set April 9
 Geo W Paul
 Jack Ames - Motion withdrawn ^{Set for trial}
 Veney Davis - Set
 Francis E. Huskards - Do Fresh
 Jas A. Leonard
~~John~~ John Skaggs - admitted

Charles L. Jones et al No 11

✓ Chas. L. Jones or Charles L. Jones

Admit - Chukasaw - Intermarriage

Other parties not possessed on

Duplicate

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, Northern District,

GREETING:

YOU ARE COMMANDED TO SUMMONS

Green McCurtain

Principal Chief of the Choctaw nation

on behalf of said nation

to answer 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 nations

in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory,

Ishomingo

Charles L. Jones, et al and warn him that upon his as said Prin. Chief failure to answer, the

on behalf of said nation, the complaint will be taken for confessed, and you will make return of the summons on the

first day of next instanter Term of said Court.

and you are further commanded to notify the said Green McCurtain, Principal Chief aforesaid, that the files, papers, and proceedings, in case of Charles L. Jones et al, Chickasaw Nation, file No. 10 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.

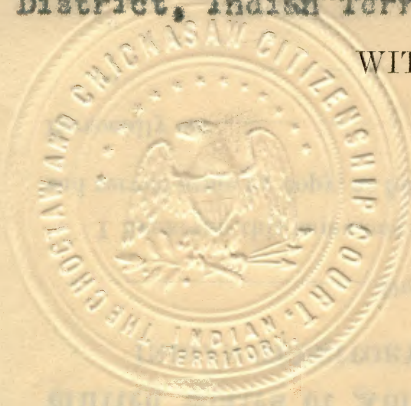
WEAVER and HENRY S. FOOTE, Associate Judges, and the Seal

thereof, at South McAlester, Ind. Ter., aforesaid,

this 10 day of March, A. D. 1903

James B. Casson
Clerk.

By _____, Deputy.



MARSHAL'S RETURN.

United States of America,
INDIAN TERRITORY,

ss:

DISTRICT.

I RECEIVED this summons this _____ day of _____, A. D. 190____, at _____ o'clock _____ m. and served same by copy, as follows:

Personally on _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 At Residence of _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.

With a member of defendant's family over 15 years of age there residing.
 And the other persons named in this Summons are "not found in this District."

U. S. Marshal.

By _____, Deputy

No. 11-7	
SUMMONS IN EQUITY.	
<i>Chas. L. Jones et al</i> vs. <i>Chas. Robinson Potton</i>	
Summons issued the <i>10</i> day of <i>March</i> , 190____	Term, 190____
Returned and filed _____, 190____	
By _____, Deputy	Clerk.
MARSHAL'S FEES.	
Services, - - - - - \$	
Miles, - - - - - \$	
Expense, - - - - - \$	
TOTAL, - - - - - \$	
<i>Potton & Potter</i> Attorney for Plaintiff.	

5762b5m10-02

The President of the United States of America

Choctaw and Chickasaw Citizenship Court

INDIAN TERRITORY

United States of America

ss:

Duplicate

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 COMMANDED TO SUMMONS P. S. Moseley

Governor of the Chickasaw nation

on behalf of said nation

to answer 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 nations

in the Choctaw and Chickasaw Citizenship Court, in the Indian Territory, Tishomingo, I. T.

by Charles L. Jones et al and warn him that upon his as said Governor failure to answer, the

on behalf of said nation the complaint will be taken for confessed, and you will make return of the summons on the

first day of next instanter Term of said Court

and you are further commanded to notify said P. S. Moseley, Governor Charles L. Jones aforesaid, that the files, papers, and proceedings, in case of Chickasaw Nation, File No. 10, 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.

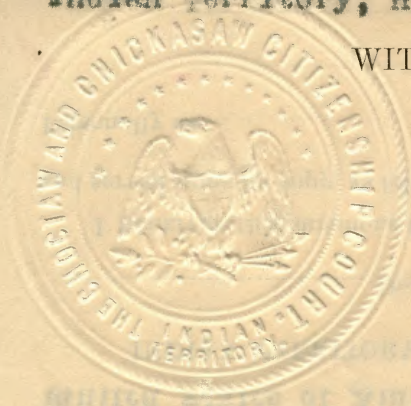
WEAVER and HENRY S. FOOTE, Associate Judges, and the Seal

thereof, at South McAlester, I. T., aforesaid,

this 10 day of March, A. D. 1903

James B. Cresson
Clerk.

By _____, Deputy.



MARSHAL'S RETURN.

United States of America,)
 INDIAN TERRITORY,) ss:
 _____ DISTRICT.

I RECEIVED this summons this _____ day of _____, A. D. 190____, at _____ o'clock _____ m. and served same by copy, as follows:

Personally on _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 At Residence of _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.
 " _____ at _____ Ind. Ter. this _____ day of _____ 190____, _____ o'clock _____ m.

With a member of defendant's family over 15 years of age there residing.
 And the other persons named in this Summons are "not found in this District."

U. S. Marshal.

By _____, Deputy

DUPLICATE

No. 117

SUMMONS
 IN EQUITY.

Charles L. Jones vs. Choctaw Chickasaw Nations

Summons issued the 10 day of March, 1902

Returnable _____ Term, 190____

Returned and filed _____, 190____

By _____, Deputy
 Clerk.

MARSHAL'S FEES.

Services,	-	-	-	\$
Miles,	-	-	-	\$
Expense,	-	-	-	\$
TOTAL,	-	-	-	\$

Potter & Potter
Attorney for Plaintiff.

Harmon J. J.

576255m10-02

Chas. L. Jones et al. }
vs. } T. No. 11. Sov. Dist. No. 10.
Chickasaw Nation }

Chas. L. Jones, a white man, married Eliza Love, an alleged Chickasaw by blood, in 1882, with whom he lived until her death in February 1884.

Dec. 20th, 1885. Jones married Luella Maxwell, a white woman by whom he had six children, viz:

- Frederick Jones
- Charles Maxwell "
- David "
- Bella "
- William "
- Maggie "

Jones, his white wife and six children are applicants. Judgment of Deaves Commission not shown. All were admitted by judgment of U. S. Court, Sov. Dist., Dec. 22, 1897.

- Query: 1. Was Eliza Love a Chickasaw by blood.
2. Was marriage of 1882 in accordance with Chickasaw tribal law.

ter said marriage the said Chas. L. Jones continued to reside in the Chickasaw nation, and claim the rights of citizenship therein, and that his present wife, the said Mrs. Louella Jones since her marriage to the said Chas. L. Jones has continued to reside in the Chickasaw nation, and claim citizenship therein. That the minors/ plaintiffs have lived in the Chickasaw nation all their lives. That there have been born unto the said Chas. L. Jones and the said Louella Jones since their said marriage the following children, to wit: Frederic Jones, Charles Maxwell Jones, David Jones, Ella Jones, William Jones, and Maggie Jones.

Wherefore these plaintiffs pray that they be allowed an appeal in this cause to this honorable court, and that the writs of error and summons as provided by the rules of this honorable court, do issue herein.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP
COURT, SITTING AT TISHOMINGO, INDIAN TERRI-
TORY, MAY TERM, 1904.

Charles L. Jones,

vs.

No. 11.

Choctaw & Chickasaw Nations.

C. C. Potter, Attorney for plaintiff.

Mansfield, McMurray & Cornish, for Defendants.

May 4, 1904. In this cause the following proceedings were had.

Mr. Potter:

The judgment in this case in the United States Court for
the ~~xxxix~~ Southern District of Indian Territory is as follows:

(Judgment read)

Charles L. Jones, witness in his own behalf, being first duly
sworn, testified as follows:

Direct examination by Mr. Potter.

Q Mr. Jones, are you the applicant in this case?

A Yes sir.

Q What is your name?

A Charles L. Jones.

Q Where do you reside now?

A Madill, Chickasaw Nation.

Q Were you ever married to Eliza Love?

A Yes sir.

Q Is she a daughter of Overton Love?

A Yes sir.

Q When were you married to her?

A Married in 1882 is my recollection.

Q Where were you married?

A At Judge Love's house.

Q Did you have a license authorizing you to marry?

A Yes sir, the Judge went and got them himself and sent them back.

Q Do you know from what place he obtained them?

A Judge Law at Lebanon is my recollection.

Q Where is Lebanon?

A It is on the river about twenty miles from Moore.

Judge Foote:

Is it in the Chickasaw Nation?

A Pickens County, Chickasaw Nation.

Mr. Potter:

Q Do you know whether the records of Pickens County were burned up
or not?

A No sir, I don't know.

Q Have you ever had the license or any copy of it in your posses-
sion?

A I had a copy, that is the copy of the file.

Q What did you do with that, do you know whether it was destroyed at Ardmore with the other papers?
A No sir, I don't know.
Q Where did you and Eliza Love live before you were married?
A In the Chickasaw Nation.
Q Did you live there until she died?
A Yes sir.
Q How long did you and she live together?
A I think about a year.
Q About a year?
A I think so.
Q Did she leave any children?
A No sir.
Q After your Indian wife died did you marry a white woman?
A Yes sir.
Q Whom did you marry?
A Luella Maxwell.
Q When did you marry her, can you remember?
A I think it was '85.
Q Where did you marry?
A In the Chickasaw Nation, just across the river.
Q You married her in the Chickasaw Nation?
A Yes sir.
Q Did you have a Chickasaw license?
A Yes sir.
Q Where did you obtain it?
A From Judge Dickerson.
Q Judge of Pickens County?
A Yes sir.
Q Who said the ceremony for you?
A Parson Tripp.
Q What became of that license?
A I turned them over to you.
Q Gave that license to me?
A Yes sir.
Q Do you know whether it was burned or not?
A I don't know.
Q When did you give it to Potter?
A Before this case came up before the Dawes Commission.
Q By Luella Maxwell did you have any children?
A Yes sir.
Q What was the oldest one's name?
A Fred.
Q Was that a boy?
A Yes sir.
Q How old is he?
A He was 17 years old his last birthday.
Q What was the next one?
A About two years younger.
Q What is the name?
A Charlie Maxwell Jones.
Q How old is he?
A About two years younger than the other one.
Q About 15?
A Yes sir, may be more than that, about two years younger.
Q What is the third child's name?
A David.
Q About how old is he?
A About two years younger than the other one.
Q That would make him about 13?
A Yes sir, 14 I think.

Mr. Cornish:

That's all. Is that your case, Mr. Potter?

Mr. Potter:

I want to prove the destruction of the records of that county.

(Witness excused)

R. C. Wiggs, witness for plaintiffs, being first duly sworn, testified as follows:

Direct examination by Mr. Potter.

Q What is your name?

A R. C. Wiggs.

Q Where do you reside?

A Oakland, Pickens County, Chickasaw Nation.

Q Do you know where Guy Keel kept the records of Pickens County while he was clerk?

A Some at his own house and some I think at Oakland in the courthouse there.

Q Do you know anything about his house getting destroyed by fire a few years ago?

A Yes sir; I don't remember the date but I know his house burned and some of the records burned.

Q Do you know whether the marriage records were burned with them?

A Yes sir, all except one book, a very old one, along in '72.

Q You don't recollect when Keel's house was burned?

A No sir, I don't remember, but I remember it was burned.

Q Could you approximate the time?

A Well, it must have been along about '98, may be '97, I aint sure.

Cross-examination by Mr. Cornish:

Q Have you had occasion Mr. Wiggs to inquire as to what records had been burned?

A No sir, I haven't; I received a number of letters from different parties asking my assistance in procuring the records and Mr. Keel told me many of the records were destroyed. I know that one of the old records wasn't destroyed.

Mr. Cornish:

Of course the Court will understand that our view is that the testimony on that point is incompetent. The Clerk at that time is now living and ~~xxx~~ is within the jurisdiction of this Court and there is in existence now a clerk whose duty it is to have the records in his possession.

Mr. Potter:

Q Do you know who the present clerk of the county is?

Mr. Wiggs:

I believe his name is Pratt.

Q Do you know where he lives?

A He lives, if its Pratt, he lives in the vicinity of Lebanon, about four miles north. I can ascertain that fact for you.

Q You say that Guy Keel is still living?

A Yes sir.

Q Where does he live?

A Near Oakland.

Judge Adams:

Is there anything further? When Judge Love comes in I want to ask him about this license and then if it is insisted upon I believe the law would require the introduction of the license or the record of it as the best proof of the marriage.

Mr. Potter:

I want an opportunity to get Mr. Keel here and show the destruction of the records while they were in his house and then if required the record from the present Clerk to show that he hasn't the record.

Mr. Cornish:

In this case we have made some investigations from our standpoint as to what the facts are. We think this testimony is incompetent but knowing the exact facts about this case and from the statements of Judge Love we would not insist upon the rules of law.

Overtaken Love, witness on behalf of plaintiffs, recalled, testified as follows:

Examination by Mr. Potter:

Q Judge Love, do you recall whether Charles L. Jones had a license when he married Eliza Love, or not?

A My recollection is that he did have, I think I sent for them myself.

Q Do you know what you did with them after the ceremony?

A I don't remember, I suppose I followed the law as near as we could in regard to it.

Q Upon that you don't recollect?

A I don't recollect just how it was but I feel that I know that he complied with the law; I felt it my duty to have him do it.

Examination by Mr. Cornish:

Q What do you know about the destruction of the records of Pickens County?

A Well, the Pickens County records were destroyed by fire and by wind, at different times.

Q At what times?

A I think the records have been burned twice but I couldn't give the date.

Q Were they destroyed after the marriage of Jones to your daughter?

A I think so--I am satisfied the fire destroyed them.

Q That was the court house at Oakland?

A Yes sir, I believe the wind destroyed them also.

Q I understand you state that the court house at Oakland burned?

A Well, I couldn't, I don't know, there was two parcels of records that burned I know, but my mind is fickle; I guess one was at Oakland and I think the other was at the clerk's home.

By Mr. Potter:

Q Do you know whether Guy Keel's house burned while he was clerk or not?

A That 's my impression. I think he was clerk when they were burned.

Q You say a good many records were destroyed by wind?

A There was a cyclone struck the clerk that had these records with him; he was on his way home and it killed him and blowed everything to pieces.

Judge Foote:

The clerk was killed also?

A Yes sir, he was killed; his hack blowed to pieces and the records all scattered.

Judge Adams:

Do I understand that the entire records were burned?

Mr. Potter:

He says there were two files and a cyclone.

Judge Adams:

Anything farther?

Mr. Potter:

No sir.

Mr. Cornish:

We move the case be submitted to the decision of the Court.

Mr. Potter:

I would request that the same certificate of the enrollment of Overton Love introduced in the Fitzhugh case be considered as introduced in the Jones case.

IN THE CHOCTAW AND CHICKASAW CITIZENSHIP
COURT, SITTING AT TISHOMINGO, INDIAN TER-
RITORY, MAY TERM, 1904.

Charles L. Jones

vs.

No. 11.

Choctaw & Chickasaw Nations.

C. C. Potter, attorney for plaintiff,

Mansfield, McMurray & Cornish, for defendants.

~~May 4, 1904.~~ **May 4, 1904.** On this date the following proceedings were had.
Overton Love, witness on behalf of plaintiff, being first
duly sworn, testified as follows:

Direct-examination by Mr. Potter .

Q State your name?

A Overton Love.

Q Your residence--postoffice?

A Marietta, Indian Territory.

Q Are you a member of any tribe of Indians?

A Yes sir, Chickasaw.

Q Did you have a daughter by the name of Eliza?

A Yes sir.

Q Did she ever marry?

A Yes sir.

Q Whom did she marry?

A Charles Jones.

Q Charles L. Jones?

A Yes sir, I believe so.

Q Do you remember the year when they married?

A No sir, I don't. I didn't think about the case and didn't
prepare myself.

Q Do you know whether after their marriage they lived in the
Chickasaw Nation or not?

A Yes sir. They lived in the Chickasaw Nation.

Q Did they have any children?

A None, no sir.

Q Is Eliza living or dead?

A Dead.

Q How long after her marriage to Jones did she die?

A Not a great while--only a few months I think, I don't remember.
I don't think it was as much as a year.

Cross-examination by Mr. Cornish:

Q Judge Love, did Mr. Jones and your daughter live together as
husband and wife continuously until her death, the Charles L.
Jones about whom you testified is he present here?

A Yes sir.

Q I believe you stated that they had no children?

A No sir.

Mr. Cornish:

That's all.

(Witness excused)

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

Charles L. Jones, et al.,

vs.

No. 11.

Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this 30th day of June, 1904, this cause coming on
for decision, the same having heretofore been submitted upon
the law and the evidence, and the Court being well and suffi-
ciently advised in the premises, doth find that the plaintiff,
Chas. L. Jones or Charles L. Jones, is entitled to be deemed
a citizen by intermarriage of the Chickasaw Nation, and to
enrollment as such citizen, and to all the rights, privileges
and immunities, personal to himself, flowing therefrom.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the
petition of the plaintiff, Chas. L. Jones or Charles L. Jones,
be granted, and that he 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 immuni-
ties, personal to himself, which flow therefrom; and the petition
of the other parties to this cause is not passed upon in this
decree.

.....
Chief Judge.

.....
Associate Judge.

.....
Associate Judge.



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

Charles L. Jones, et al.,
vs. No. 11.
Choctaw and Chickasaw Nations.

DECREE OF COURT.

On this the 29th day of November, 1904, this cause coming on for final decision, the same having been heretofore submitted upon the law and the evidence, and the Court being well and sufficiently advised in the premises doth find that the plaintiffs, Louella Jones, Frederic Jones or Frederick Jones, Charles Maxwell Jones, David Jones, Ella Jones, William Jones, and Maggie Jones, 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, Louella Jones, Frederic Jones or Frederick Jones, Charles Maxwell Jones, David Jones, Ella Jones, William Jones and Maggie Jones, 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.

I N D E X.

Application to Commission	1
Application to Commission	3
Blank affidavit	5
Answer of Chickasaw Nation	6
Answer of Chickasaw Nation	7
Report of Master in Cha n cery	9
Affidavit of C. C. Potter	10
Judgment of U. S. Court	11

Frederick, a boy, aged near eleven (11) years; Charles Maxwell, a boy, aged nine (9) years; David, a boy, aged seven (7) years; Ella, a girl, aged five (5) years; William, a boy, aged three (3) years; and Maggie, an infant. That from the date of the marriage of this applicant with the said Luella she has lived continuously with him in said Pickens County, in the Chickasaw Nation, and that said children have also resided from the date of their respective births, and the said Lula and their said children constitute the family of this applicant. That by virtue of the laws of the said Chickasaw Nation, as this applicant understand them, his wife and children are citizens of the said Chickasaw Nation and members of said Chickasaw Tribe of Indians, and entitled to all the privileges and rights as such. That this applicant himself is entitled to, but he shows that said Chickasaw Nation has refused to recognize his said wife and children as citizens of said nation or as members of said tribe of Indians and have refused to enter their names upon the roll of citizenship kept by said Nation, and have denied to them all their rights and privileges as such citizens.

WHEREFORE, this applicant prays that upon the final hearing of this application the same may be granted and this Honorable Commission will enter the names of this applicant's wife and his said children upon the roll of citizenship.

Attorneys for Applicant.

I, Chas. J. Jones, do, on oath, state that the matters and things set forth in the above application are true, and my post-office address is Oakland, Indian Territory.

CHARLES L. JONES, :
 : Application for Citizenship pending
 VS. : --
 : Before the Commission to the Five
CHICKASAW NATION. : Civilized Tribes.

-----oOo-----

TO THE HONORABLE COMMISSION:-

Your applicant, Charles L. Jones, shows that he is a resident citizen of Pickens County, Chickasaw Nation. That he is a white man, and that in the year 1882 he was a citizen of the United States. That in the year 1882 he was lawfully married to Eliza Love, who was a resident and native citizen of the Chickasaw Nation, and a member of said Tribe of Indians. That from the date of the said marriage until the present time the said applicant has continued to reside in the Chickasaw Nation and to claim and exercise all the rights of citizenship of the Chickasaw Nation, voting at their elections, serving on their juries and participating in their annuities, and his citizenship and rights as a member of said tribe of Indians has never been disputed or denied, so far as this applicant knows, and for this reason he did not make application in his own behalf when he recently applied to this Honorable Commission for citizenship for the benefit of his present wife and children, but this applicant shows that the long delay on the part of the Chickasaw Nation to furnish this Honorable Commission with a roll of its citizens has excited in the mind of this applicant an apprehension that said roll may not be presented at all, and if presented, the name of this applicant may not appear upon it, and for this reason he makes this application in his own behalf, and in support of same he refers to the evidence now on file before this Honorable Commission in support of the application heretofore filed by him for the benefit of his

present wife and children.

WHEREFORE, he prays that upon final hearing this application be granted and that the name of this applicant be entered upon the roll of citizenship to be prepared by this Honorable Commission.

(Signed) Potter & Potter,

Attorneys for
Applicant.

Applicant.

I, Charles L. Jones, do, on oath, state that the matters and things set forth in the above and foregoing application are true, and that my Postoffice address is Oakland, Indian Territory.

(Signed) C. L. Jones.

Sworn to and subscribed before me,

This 28th. day of August, 1896.

A. Eddleman,
Notary Public.

(Seal)

INDIAN TERRITORY. :
: :
CHICKASAW NATION. : :

Personally appeared before me, the undersigned
authority _____

who, each for himself, deposes as follows:

I am personally acquainted with Charles L. Jones, who resides in Pickens County, Chickasaw Nation. I know him prior to 1832. I also knew Eliza Love, to whom the said Jones was lawfully married in about the year 1832 according to the laws of the Chickasaw Nation. The said Eliza Love was a native Chickasaw and a member of the Chickasaw Tribe of Indians. I also know that the said Eliza Jones, nee Love, died in the early part of the year 1834. I also know that the said Chas. L. Jones afterwards, about the latter part of the year 1835, lawfully married Luellen Maxwell, and that there has been born unto them six (6) children, whose names are Frederick, Charles Maxwell, David, Ella, William and Maggie. I also state that the said Chas. L. Jones since his marriage with the said Eliza Love and for sometime prior thereto has resided in the said Chickasaw Nation, and that since his marriage with the said Luella Maxwell she and their children have constituted his family, and that they have lived together and are now living together as a family in Pickens County, in the Chickasaw Nation.

Sworn to and subscribed before me,

This the _____ day of _____, 1896.

5

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

-----oOo-----

In the matter of the application for enrollment in the Chickasaw Nation of Charles L. Jones, et. al.

-----oOo-----

Now comes the Chickasaw Nation, by its Attorneys, and respectfully shows to this Honorable Commission that the application herein is insufficient in law.

WHEREFORE, It prays that said application be dismissed.

Second- For special exception, the Chickasaw Nation respectfully shows to this Commission that the evidence produced by the Applicant is insufficient to show any claim of citizenship in the Chickasaw Tribe of Indians.

WHEREFORE, It prays that said application be dismissed.

Third-- For further special exception, the Chickasaw Nation says that the application is insufficient in that it shows that the applicant has not complied with the laws of said Nation, and, therefore, is not entitled to any of the rights, privileges and immunities as such citizen.

WHEREFORE, It prays that said application be dismissed.

THE CHICKASAW NATION.

By its Attorneys.

BEFORE THE HONORABLE COMMISSION
TO THE FIVE CIVILIZED
TRIBES.

In the matter of the application of Charles L. Jones, et als
for enrollment in the Chickasaw Nation.

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Now comes the Chickasaw Nation, by its attorneys, and, without waiving any exception 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 Tribe of Indians, presents this, its answer to said application, and respectfully represents:

First. The Chickasaw Nation admits that Eliza Love was a Chickasaw Indian by blood, but the Chickasaw Nation alleges that her marriage with Charles L. Jones was not solemnized according to the laws of the Chickasaw Nation, and for that reason conferred no right of citizenship on the said Charles L. Jones.

Second. That Luella Maxwell is a white woman, and a United States citizen, and by her marriage with the applicant, Charles L. Jones, she acquired no right of citizenship in the Chickasaw Nation, because the said Jones could not confer any such right upon her by such marriage, but the said Jones, by his said second marriage, lost and forfeited whatever rights of citizenship he acquired by his first marriage. That the said second marriage was not solemnized according to the laws

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of the Chickasaw Nation, and for these reasons the children, the issue of the said second marriage, could acquire no rights of citizenship in said Chickasaw Nation, for neither of their parents were a citizen of said Nation.

WHEREFORE, The Chickasaw Nation prays that the said application herein be rejected.

THE CHICKASAW NATION,

By its Attorneys.

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

Charles L. Jones, :
 :
 vs. :-- Application for Citizenship.
 :
The Chickasaw Nation. :

REPORT OF THE MASTER IN CHANCERY.

Now comes the Master in Chancery, and begs to make the following report in the above entitled cause:

In 1882 Charles L. Jones, a white man and a citizen of the United States, was lawfully married to Miss Eliza Love, a Chickasaw Indian by blood. In 1884, the said wife of the applicant died without issue.

In 1885, the applicant married Miss Luella Maxwell, by whom he had several children.

For the reasons stated in my report of the Wiggs case, I recommend that Charles L. Jones be admitted to citizenship in the Chickasaw Nation, but I recommend that all the balance of the applicants be rejected.

W. H. L. CAMPBELL,

Master in Chancery.

I, C. C. Potter, one of the Attorneys of the applicants in the above entitled cause, do, on oath, state that the above and foregoing papers are substantial copies of the original papers in said cause.

(Signed) C. C. POTTER.

Sworn to and subscribed before me,

This the 24th. day of Dec., 1897.

C. C. POTTER,

Notary Public in and for Cooke Co.,
Texas.

It is hereby agreed that the above and foregoing papers may be substituted for the original papers in the above cause, which were destroyed in the fire that burned the Court House at Ardmore. It is also agreed that the case was properly appealed from the Daws Commission by both the applicants and the Chickasaw Nation.

(Signed) Potter & Potter,

Attorneys for Applicants

(Signed) W. E. Johnson,

Attorney for Chickasaw
Nation.

Charles L: Jones, et al.

Vs. No. 10. Judgment Southern District Dec. 22, 1897.

Chickasaw Nation.

This cause coming on to be heard upon the report of the Master in Chancery as well as upon the entire record with all the evidence therein contained and the court being fully advised in the premises is of the opinion that said Master's report should be correct in so far as it attempts to exclude any of the applicants herein to citizenship in the Chickasaw Nation as as thus correct ~~xxx~~ the court is of the opinion that said report should be in all things confirmed and it is so order. The Court finds that all of the applicants are entitled to be enrolled as Chickasaw Indians, it appearing to the court that said Charles L. Jones being then a white man and a citizen of the United States in the year 1882 was married according to the laws of the Chickasaw Nation to Eliza Love who was a native Chickasaw Indian by blood. That in the year 1884 the said Mrs. Eliza Jones, nee Love died. That from the date of said marriage said Charles L. Jones continuously resided in the Chickasaw Nation and claimed to be a citizen thereof. That in the year 1885 the said Charles L. Jones was duly married according to the laws of the Chickasaw Nation to Louellen Maxwell. That from and after the said marriage the said Charles L. Jones and his second wife continuously resided in the Chickasaw Nation. That there have been born unto them the following children. Frederick Jones, Charles Maxwell Jones, David Jones, Ella Jones, William Jones and Maggie Jones,.

It is therefore considered, ordered and decreed by the court that the said Charles L. Jones, and his wife Louellen Jones and their children Frederick Jones/ Charles Maxwell Jones, David Jones, Ella Jones, William Jones and Maggie Jones, be and they are hereby admitted to citizenship in the Chickasaw Nation, and to enrollment

as members of the Chickasaw Tribe of Indians with all the rights and privilegss thereunto appertaining/ And it is further ordered that this decree be certified to the Dawes Commission for their observance. And it is further ordered that the plaintiff do have and recover of x the said Chickasaw Nation all costs in this behalf expended. To all of which the defendant excepts.