

No. H 3,

Action: Reject

Name Arvaline Davis and x children. Residence: Blue Ridge, Ga.

Reasons:

It does not appear that any ancestor was a party to the treaties of 1835-36 or 1846 - Nor does it appear that any ancestor was ever enrolled. Shows no real connection with the Eastern Cherokees.

Misc. Test 1439.

Ga. Fanning Co.

No. 43

Name Arvaline Davis

With No.

Remarks:

B/K

Cannot find an entry
on rolls.

Information received by
Carr from the ex. is unsatisfactory

Mr. Kell

Chap. 2100

Mr. Kell

Heaton 2600

Field

No. 43

Name Annaline Davis

With No. 2

Remarks:

ex file

No. 43

EASTERN CHEROKEES.

APPLICATION

Arvaline Davis

~~Box 157, Blue Ridge, Ga.~~

For share of money appropriated for the Eastern Cherokee Indians by the Act of Congress approved June 30, 1906, in accordance with the decrees of the Court of Claims of May 18, 1905.

INDIAN OFFICE
EASTERN CHEROKEES.
Rec SEP 6 1906
No.

Filed by
Belva A. Lockwood

Commissioner of Indian Affairs,
Washington, D. C.

SIR:

I hereby make application for such share as may be due me of the fund appropriated by the Act of Congress approved June 30, 1906, in accordance with the decrees of the Court of Claims of May 18, 1905, and May 28, 1906, in favor of the Eastern Cherokees. The evidence of identity is herewith subjoined.

1. State full name—

English name:

Arvaline Davis

Indian name:

don't know no interpreter in this country

2. Residence:

Blue Ridge ga

3. Town and post office:

~~Box 151~~ Blue Ridge

4. County:

Gannin Co.

5. State:

Georgia

6. Date and place of birth:

April 4 1890

7. By what right do you claim to share? If you claim through more than one relative living in 1851, set forth each claim separately:

I claim as heir of James Full son of Weeks Full & he was son of Chick Full. Name is on Roll.

8. Are you married?

yes to William Davis he is 29 years old

9. Name and age of wife or husband:

Husband 29 years old

My age is 16 years of age

10. Give names of your father and mother, and your mother's name before marriage.

Father—English name:

my fathers name James Full

Indian name:

don't know

Mother—English name:

Mary Ann Martin

Indian name:

don't know

Maiden name:

her maiden name was Mary Ann Martin

11. Where were they born?

Father:

in Gannin County ga

Mother:

in Gannin County ga

12. Where did they reside in 1851, if living at that time?

don't know

Father:

think they always both

Mother:

live in Gannin County ga

13. Date of death of your father and mother—

Father:

as dead died 16 Feb. 1900

Mother:

still living.

14. Were they ever enrolled for annuities, land, or other benefits? If so, state when and where: *I don't know. think father was enrolled & all his children very young cant say when nearly can recollect*

15. Name all your brothers and sisters, giving ages, and if not living, the date of death:

NAME.	BORN.	DIED.
(1) <i>Bryson Mrs</i>	<i>cant say</i>	
(2) <i>Wells</i>	<i>cant say</i>	
(3) <i>Mankin</i>	<i>cant say</i>	
(4) <i>Kozd</i>	<i>cant say</i>	
(5)		
(6)		

16. State English and Indian names of your grandparents on both father's and mother's side, if possible:

FATHER'S SIDE.	MOTHER'S SIDE.
<i>Wells, Wells & his wife Lucinda Wells</i>	<i>Mary Ann Cornett</i>
<i>cant give Indian names</i>	<i>Edlick Carter</i>

17. Where were they born? *cant say*

18. Where did they reside in 1851, if living at that time?

I cant say

19. Give names of all their children, and residence, if living; if not living, give dates of deaths:

(1) English name: <i>cant say</i>	Indian name: <i>cant talk Indian</i>	Residence: <i>dont know</i>
(2) English name: <i>dont know</i>	Indian name: <i>cant talk Indian</i>	Residence: <i>dont know</i>
(3) English name: <i>dont know</i>	Indian name: <i>cant say</i>	Residence: <i>cant say</i>
(4) English name: <i>dont know</i>	Indian name: <i>dont know</i>	Residence: <i>cant say</i>
(5) English name: <i>dont know</i>	Indian name: <i>dont know</i>	Residence: <i>dont know</i>

20. Have you ever been enrolled for annuities, land, or other benefits? If so, state when and where.

think my father enrolled me, was so young dont recollect.

21. To expedite identification, claimants should give the full English and Indian names, if possible, of their paternal and maternal ancestors back to 1835:

*Cannot give Indian names, cannot
then form*

REMARKS.

(Under this head the applicant may give any additional information that he believes will assist in proving his claims.)

*I hereby appoint Belva A. Lockwood
of Washington, D.C. my true and lawful
attorney for me, and in my name place
and stead and allow her a commission
of ten (10) per cent*

NOTE.—Answers should be brief but explicit; the words "Yes," "No," "Unknown," etc., may be used in cases where applicable. Read the questions carefully.

I solemnly swear that the foregoing statements made by me are true to the best of my knowledge and belief.

(Signature.) *Arvaline Davis*
mark

Subscribed and sworn to before me this *28* day of *August*, 1906.

My commission expires

_____, 190

J. R. Kircald *clerk*
Notary Public.

AFFIDAVIT.

(The following affidavit must be sworn to by two or more witnesses who are well acquainted with the applicant.)

Personally appeared before me *W. W. Hindley* and
Stephen Griffith, who, being duly sworn, on oath depose and
say that they are well acquainted with *Arvaline Davis*, who makes the
foregoing application and statements, and have known *her* for *some* years and *many* years,
respectively, and know *her* to be the identical person *she* represents *herself* to be, and
that the statements made by *her* are true, to the best of their knowledge and belief, and
they have no interest whatever in *her* claim.

Witnesses to mark.

Signatures of witnesses.

W. W. Hindley
Stephen Griffith

Subscribed and sworn to before me this *28* day of *August*, 1906.

My commission expires

_____, 190

J. R. Kircald *clerk S. C.*
Notary Public.

NOTE.—Affidavits should be made, whenever practicable, before a notary public, clerk of the court, or before a person having a seal. If sworn to before an Indian agent or disbursing agent of the Indian service, it need not be executed before a notary, etc.

U. S. COURT OF CLAIMS

No. 43

EASTERN CHEROKEES.

APPEAL

OF

Arvaline Davis

U. S. COURT OF CLAIMS
ADDRESS FOR SALES
1811 STREET, N.W.
WASHINGTON, D. C.

COURT OF CLAIMS EASTERN CHEROKEES. Rec. AUG 2 1909 No.

Eastern Cherokee Enrollment.

Hon. Guion Miller, Special Commissioner

United States Court of Claims

APPEAL No. 43

FROM REPORT OF SPECIAL COMMISSIONER, OF JUNE 10, 1909

EXCEPTIONS.

1. Full name *Arvaline Davis*
2. Indian Name *Kell*
3. Children *1*
4. Residence, Post Office, County and State *Blue Ridge, Fannin Co. Georgia*
5. Date and place of birth *Blue Ridge, Ga. April 1890*
6. Full name of ancestors thro whom you claim enrollment, why you claim it, and Indian name? *Jamox. Kell my father and Trekes Kell my Grand father on Roll of 1835, page*
7. How much Cherokee blood have you? *Can't say*
8. Are you, or any of your ancestors on any Cherokee Roll, and if so what one and who of them were living in 1835 and in 1851? *Yes, my Grand father Trekes Kell was on Hosters Roll, and my Brother Arthur B. and Byson Kell on the present Allowed Roll. No. 2027*
9. Have you or they ever received money, land, clothing, food or traveling expenses from the United States Government? *I can't say -*
10. Where did your parents live when they were enrolled, and how old were they at that time? *My father was born in the year of 1870*
11. When did your parents leave the place of their birth and go West? *My father died about 8 years ago, in Tennessee*
12. I believe my name has been improvidently omitted from the above enrollment, to which I am entitled by right of blood, as I am Grand daughter of Trekes Kell. *a full blood Kell of 1835*
13. Belva A. Lockwood of Washington, D. C. is my Attorney.

FEE 10 PER CENT.

Two Witnesses:

(Signature)

Arvaline Davis
mark

J. H. Davis

W. W. Findley

STATE OF Georgia, COUNTY OF Fannin, SS:

Sworn to and subscribed before me, a Notary Public, in and for the above named County and State, this 30 day of June 1909.

(L. S.)

(Signature)

J. R. Kincaid
Notary Public.
Cherokee S. C.

U. S. COURT OF CLAIMS

No. 43

EASTERN CHEROKEES.

APPEAL

OF

Cherokee S. C.

COURT OF CLAIMS
EASTERN CHEROKEES.
Rec. AUG 2 1909
No.

U. S. COURT OF CLAIMS

No. 43.

EASTERN CHEROKEES.

APPEAL

OF

Arvaline Davis

EMERY A. LOCKWOOD
Attorney for Plaintiff
619 F STREET, NORTHWEST
WASHINGTON, D. C.

U. S. Court of Claims
1312
13

COURT OF CLAIMS EASTERN CHEROKEES. Rec. AUG 2 1909 No.

Eastern Cherokee Enrollment.

Hon. Guion Miller, Special Commissioner

United States Court of Claims

APPEAL No. 43

FROM REPORT OF SPECIAL COMMISSIONER, OF JUNE 10, 1909

EXCEPTIONS.

1. Full name *Avaline Davis*
2. Indian Name *Kell*
3. Children *1*
4. Residence, Post Office, County and State *Blue Ridge, Hamlin Co. Georgia*
5. Date and place of birth *Blue Ridge Ga. April 1890.*
6. Full name of ancestors thro whom you claim enrollment, why you claim it, and Indian name? *James L. Kell my father and Weeks Kell my grand father on Roll of 1835, page*
7. How much Cherokee blood have you? *Can't say*
8. Are you, or any of your ancestors on any Cherokee Roll, and if so what one and who of them were living in 1835 and in 1851? *Yes. my grand father weeks Kell was on Hosters Roll, and my Brothers Arthur B. and Bryson Kell on the present Allowed Roll No 2024*
9. Have you or they ever received money, land, clothing, food or traveling expenses from the United States Government? *Yes. I Can't say.*
10. Where did your parents live when they were enrolled, and how old were they at that time? *my father was born in the year of 1870*
11. When did your parents leave the place of their birth and go West? *my father died about 18 years ago in Tennessee*
12. I believe my name has been improvidently omitted from the above enrollment, to which I am entitled by right of blood. *Weeks Kell a full blooded Cherokee on Roll of 1835*
13. Belva A. Lockwood of Washington, D. C. is my attorney.

PER OF 10 PER CENT

Two Witnesses:

(Signature)

*J. H. Davis
W. W. Windley*

*Avaline Davis
mark*

STATE OF Georgia, COUNTY OF Fannin, SS :
Sworn to and subscribed before me, a Notary Public, in and for the above named
County and State, this 30 day of June 1909.

(L. S.)

(Signature)

J. R. Pinnail
Notary Public
Clifton, Ga.

U. S. COURT OF CLAIMS

No. 43

EASTERN CHEROKEES.

APPEAL

OF

Armed Indians

U. S. COURT OF CLAIMS
ATTORNEYS AT LAW
1312
1313
WASHINGTON, D. C.

COURT OF CLAIMS
EASTERN CHEROKEES.

Rec. AUG 2 1909

No.

U. S. COURT OF CLAIMS

Eastern Cherokee Enrollment.

No. 43

ADDITIONAL EVIDENCE.

AFFIDAVIT OF

Susanna Kell

COURT OF CLAIMS
EASTERN CHEROKEES.

Rec. AUG 2 1909

No.

FILED BY

BELVA A. LOCKWOOD,

ATTORNEY AND SOLICITOR,

619 F Street N. W.

WASHINGTON, D. C.

SPECIAL NOTICE.—The civil officer before whom this affidavit is executed should be careful to fill in all spaces, both in the caption and jurat.

GENERAL AFFIDAVIT.

State of Georgia, County of Tannin, ss:

In the matter of CLAIM FOR EASTERN CHEROKEE ENROLLMENT of Arvaline Davis
and children.

ON THIS 30 day of June, A. D. 1909, personally appeared
before me a Notary Public in and for the aforesaid County, duly authorized to administer oaths,
Susanina Kell aged 41 years, a resident of Blue Ridge
in the County of Tannin, and State of Georgia,
and _____, aged 35 years, a resident of Blue Ridge
in the County of Tannin and State
of Georgia, well known to be reputable and entitled to credit, and who,

being duly sworn, declared in relation to aforesaid case as follows: I am well ac-
quainted with Arvaline Davis the applicant, have
(NOTE.—Affiants should state how they gain a knowledge of the facts to which they testify.)
known her for about 19 years, the applicant is a
daughter of James L. Kell and Grand Daughter of
Jakes Kell, & is a sister of Bryson and Arthur B. Kell,
who appears on roll of applicants as No 2627,
allowed, and is a niece of affiant, who is also
on the roll No 18762 allowed,

We further declare that we have no interest in said case and are not concerned in its prosecution.

J. H. Davis
W. W. Findeley
If Affiants sign by mark, two witnesses who can write, sign here)

Susanina ^{for} Kell No. 1315
mark

(Signatures of Affiants.)

Georgia Gammon Co.

Sworn to and subscribed before me this 30 day of June, 1909.

(L. S.)

J. K. Kneads
Clerk, S. Court
Notary Public.

U. S. COURT OF CLAIMS

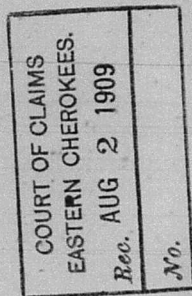
Eastern Cherokee Enrollment.

No. 43

ADDITIONAL EVIDENCE.

AFFIDAVIT OF

Susanna Nell



FILED BY

BELVA A. LOCKWOOD,
ATTORNEY AND SOLICITOR,
619 F Street N. W.

WASHINGTON, D. C.

U. S. COURT OF CLAIMS.

COURT OF CLAIMS	Division
EASTERN CHEROKEES.	Pension
Rec. AUG 2 1909	
No. <u>13</u>	

Additional Evidence.

CLAIM OF

Arvaline Davis

AFFIDAVIT OF

Anna Keel,
No. 1315

FILED BY

Belva A. Lockwood,
Attorney and Solicitor,
619 F STREET, NORTHWEST,
WASHINGTON, D. C.

[L. S.]

that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.
Witness my hand and seal of office, this _____ day of _____, 1909.

Clerk of the

To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary Public, or Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk, unless such certificate is already on file in the Pension Office, when such fact should be stated.

SPECIAL NOTICE.—The civil officer before whom this affidavit is executed should be careful to fill in all spaces, both in the caption and jurat.

GENERAL AFFIDAVIT.

State of Georgia, County of Fannin, ss:

In the matter of Arvaline Davis

ON THIS 30 day of June, A. D. 1909, personally appeared before me

J. R. Kincaid clerk in and for the aforesaid County, duly authorized to administer

oaths Susanna Kell aged 41 years, a resident of Blue Ridge,

in the County of Fannin, and State of Georgia

whose Post-office address is Blue Ridge Ga

, aged 35 years, a resident of Blue Ridge

, in the county of Fannin

and state of Georgia

Ridge Ga., whose Post-office address is Blue

well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case

as follows: I am well acquainted with Arvaline

Davis the applicant, have known her for

(NOTE.—Affiants should state how they gain a knowledge of the facts to which they testify.)

about 19 years, & the applicant is a daughter

of James L. Kell and Grand Daughter of

George Kell. & is a sister of Bryson and

Arthur B. who appears on roll of applicants

as No 2027, allowed, and is a niece

of applicant who is also on the roll

No 18762. allowed.

I further declare that I have no interest in said case and am not concerned in its prosecution.

J. H. Davis
W. W. Hardy

Susanna Kell No. 1315
novel

(If Affiants sign by mark, two witnesses who can write sign here.)

(Signatures of Affiants.)

STATE OF Georgia COUNTY OF Fannin, ss.

Sworn to and subscribed before me this day by the above named affiant, and I certify that I read said affidavit to said affiant, including the words

erased, and the words added, and acquainted her with its contents before she executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant is personally known to me and that she is credible person.

[L. S.]

J. R. Kinnaid
(Official Signature.)
Clerk S. Court
(Official Character.)

I, _____, Clerk of the County Court in and for aforesaid County and State, do certify that _____ Esq., who has signed his name to the foregoing declaration and affidavit, was, at the time of so doing _____ in and for said County and State, duly commissioned and sworn; that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this _____ day of _____, 1 _____

[L. S.]

Clerk of the _____

To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary Public, or Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk, unless such certificate is already on file in the Pension Office, when such fact should be stated.

U. S. COURT OF CLAIMS,

Division	Pension
COURT OF CLAIMS EASTERN CHEROKEES.	
Rec.	AUG 2 1909
No.	113

Additional Evidence.

CLAIM OF

Abraham Davis

AFFIDAVIT OF

Anna Maria Keel,
No. 1315

FILED BY

Belva A. Lockwood,
Attorney and Solicitor,
619 F STREET, NORTHWEST,
WASHINGTON, D. C.

Appl. #43

November 19, 1907.

Arvaline Davis,
Box #151,
Blue Ridge, Ga.

Madam:

Relative to your application for participation in the fund arising from the judgment of the Court of Claims in favor of the Eastern Cherokees, please state the names of your uncles and aunts and great-uncles and aunts on your fathers side.

Very respectfully,

Special Commissioner.

CHB/ALS

C.H.B.

Appl. #43

**SPECIAL COMMISSIONER OF THE COURT OF CLAIMS,
EASTERN CHEROKEE ENROLLMENT,
601 OURAY BUILDING,
WASHINGTON, D. C.**

November 18, 1907.

Arvaline Davis,
Box #151,
Blue Ridge, Ga.

Madam:

Relative to your application for participation
in the fund arising from the judgment of the Court
of Claims in favor of the Eastern Cherokees, please
state the names of your uncles and aunts and great-
uncles and aunts on your fathers side.

Very respectfully,

Quinn Miller

Special Commissioner.

Blue Ridge Ga. Nov 31/1907

*Respectfully returned with information I was quite shocked at death of my father
and don't know much of my generation
My father was James Dale he is dead he was a son of Weeks the C.C. is also dead
I have some aunts Edna Hill is dead Mary Hingley by marriage, Andy Hill & Elsie
Hill.
George W. Hill is my great uncle on my fathers side
Arvaline Davis
ma*

C.H.B./ALS

In re 43

Misc.

Geo. Wright, witness for self and niece,
Arvaline Davis, after being first duly sworn, deposes and
says:

My number is 1525. I am 65 years of age;
was born in Cherokee County, N.C.; have spent my life in
Georgia and North Carolina. I claim Cherokee Indian
blood. About a fourth. I have never received any
Indian money from the government and never tried to get
any. I claim my Indian blood through my father. I
do not know if he ever received any Indian money but
reckon he has. He was an Indian. His name was Harry
Smith. I do not know if he voted. I have always
voted. I left N.C. when I was five years old. My
father lived with the Indians in North Carolina. I
never received any money from the government in 1852. I no
never heard of Chapman. My mother received some Indian
money. She was not an Indian. There was a man
in here since the war named Sovatland and he paid her a little.
She went to the Nation when the Indians went. Her
husband went with her and died there. His name was
Kell and he was a half blood. (Andrew Kell).
Andy Kell had one child. He was the son of my mother
and Andrew Kell. My mother married Andy Kell in Tenn.
I think. Arvaline Davis's father was my half-brother.
Arvaline Davis is the ~~grand-daughter of Andrew Kell~~
great-grand daughter of Andrew Kell. Daughter of James
Lafayette Kell (Hester Roll)

Geo. W. Wright

SUBSCRIBED and sworn to before me at Blue Ridge, Ga.,
this eleventh day of July, 1908.

7411
Assistant to Special Commissioner
of the Court of Claims.

1439

NO. 40

Oct. 11th, 1909.

Arvaline Davis,

Blue Ridge, Ga.

Madam:

Relative to your Bill of Exceptions in support of your application No. 43 to participate in the fund arising from the judgment of the Court of Claims, please state the full name of your husband and the day, month and year in which you were married. Does your husband claim to be of Indian descent? If so, did he make application to participate in the above fund? If he so applied, what is the number of his application? You state in your Bill of Exceptions that you have one child living. What is the name of this child and give the day, month and year of its birth.

You will please answer these questions at once and refer in your reply to C.F./J.E.T.

Very respectfully,

Special Commissioner.

JET/mem

COURT OF CLAIMS
EASTERN CHEROKEES
Dec. OCT 19 1909
No.

W. W. FINDLEY
REAL ESTATE AND COLLECTING
AGENCY.
BLUE RIDGE REAL ESTATE A SPECIALTY.

Blue Ridge, Ga., Oct - 16 - 1908

Hon. Leman. Miller
Special Commr & Court of Claims
Washington, D.C.

Dear Sir -

Your favor of the Oct. 14th 08. Received yesterday.
In Reply I will state My Husbands full name
is William Davis We were married March
the 12th, 1906. My Husband claims to be of Indian
Blood. My Husband made application to participate
in the fund designated by you. The No.
of his application is - 11211 -

The name of my child is Marion Davis
my child was born April the 9th 1906.

Thanks for your kindness,

Arvaline Davis

Reference C 7 / 8. E. 7