

Action: Rejected.

No. 51.

Name John D. Matuey and X children. Residence: Mena, Polk Co., Ark.

Reasons:

The ancestors of applicant are not on any rolls of the Eastern Cherokees. It does not appear that they were parties to the treaties of 1835-6 and 1846.

F.A.B.

* 31. Polk Co. A-1

John D. Matney.

Claims this.

Sarah Jane Stillwell
(mother)
whose name does
not appear upon any
of the rolls either under
name of Stillwell or
Matney.

Does applicant claim
this, any other persons
than her mother.

Informed at Meriden that
app's post office is not
Burlington

No. 31

EASTERN CHEROKEES.

APPLICATION

OF

John Davis Wistner

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, and May 28, 1906.

6-624

INDIAN OFFICE
EASTERN CHEROKEES.

Rec SEP 4 1906

No.

*Filed by
Edwin A. Lockwood
Sept. 4, 1906*

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:

Indian name:

2. Residence:

3. Town and post office:

4. County:

5. State:

6. Date and place of birth:

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:

8. Are you married?

9. Name and age of wife or husband:

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

Father—English name:

Indian name:

Mother—English name:

Indian name:

Maiden name:

11. Where were they born?

Father:

Mother:

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

Father:

Mother:

13. Date of death of your father and mother—

Father:

Mother:

14. Were they ever enrolled for annuities, land, or other benefits? If so, state when and where: Never heard of it, if they were.

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

- | NAME. | BORN. | DIED. |
|------------------------------------|----------------------------|----------------------------|
| (1) Eli Matney | July 17 th 1801 | Webster Co. Mo. |
| (2) Anninda Eliza Matney | Feb. 21/1801 | May 15/1905 |
| (3) Sophia Angelina Matney | Oct. 2nd 1866 | Dec. 27 th 1893 |
| (4) William Samuel Matney | April 28/1870 | |
| (5) Maryville Catherine Matney | Nov. 20/1874 | April 6 th 1895 |
| (6) Thomas Lee Matney | May 8/1876 | |
| (7) Eddy William Washington Matney | Jan. 30/1879 | Nov. 10 th 1882 |

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.
Geo. D. Matney	Stillwell
Catherine Matney	Don't know
If they had Indian names, I do not know what they were.	

17. Where were they born? I do not know when they were born. I think Geo. D. Matney was born in California. I think mother's people were born in N. C.

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

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

- | | |
|---|---|
| (1) English name: <u>Elijah Matney</u> | I think my grandfather Matney had other children but I have given names of all I know of. |
| Indian name: _____ | |
| Residence: <u>Webster County, Mo.</u> | |
| (2) English name: <u>Elisha Matney</u> | |
| Indian name: _____ | |
| Residence: <u>Webster County, Mo.</u> | |
| (3) English name: <u>Josephine Matney</u> | |
| Indian name: _____ | |
| Residence: <u>Webster County, Mo.</u> | |
| (4) English name: <u>Nancy Matney</u> | |
| Indian name: _____ | |
| Residence: <u>Webster County, Mo.</u> | |
| (5) English name: <u>Angelina Stillwell</u> | |
| Indian name: _____ | |
| Residence: <u>Webster Co. Mo.</u> | |

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

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

I have furnished what information I have in answer to the foregoing questions

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 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.) *John David Matney*

Subscribed and sworn to before me this *30th* day of *August*, 1906.

My commission expires

May 7, 190*7*

M. A. Shattuck

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 *Francis Morrison Byrd* and *Robert Caroline Brooks*, who, being duly sworn, on oath depose and say that they are well acquainted with *John David Matney*, who makes the foregoing application and statements, and have known *him* for *25* years and *14* years, respectively, and know *him* to be the identical person *who* represents *himself* to be, and that the statements made by *him* are true, to the best of their knowledge and belief, and they have no interest whatever in *his* claim.

Witnesses to mark.

Signatures of witnesses.

Sal L. Norwood
W. B. Williams

Francis Morrison Byrd
Robert Caroline Brooks

Subscribed and sworn to before me this *30th* day of *August*, 1906.

My commission expires

May 7, 190*7*

M. A. Shattuck

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.

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HAL L. NORWOOD
ATTORNEY AT LAW
MENA, ARK.

Mrs. Belva A. Loeshwood,
Washington, D.C.

August 30, 1906,

Dear Madam:

Find enclosed application of Mrs.
W. Matney supported by the affidavits of
Francis Marion Byrd and Robert Caroline Byrd.
I hope you can get this claim allowed.
I enclose my check for the one, yours &c.
Sincerely requested
Hal L. Norwood

Returned

November 16, 1907.

John Davis Matney,
Mena, Ark.

Sir:

Relative to your application for participation in the fund arising from the judgment of the Court of Claims in favor of the Eastern Cherokees, we beg to inform you that the name of your mother as given in your application does not appear upon either the rolls of 1835 or the rolls of 1851. Please state when your mother was married, and where she resided in 1851. Please state the full names of your grandparents on your mother's side, and where they resided in 1851. Do you claim through any other sources than through your mother?

Can you furnish us with evidence tending to establish the fact that your parents or grandparents were recognized members of the Eastern Cherokee tribe of Indians at the date of the Treaty of 1835-36 and 1846? If so, please state what the evidence is, and send us the names and correct addresses of any witnesses who will testify to that effect.

Very respectfully,

Special Commissioner.

CHP/ALS

8-6-08

Notified to appear
at Meno, Ark.
Thursday, Aug 20th.
8 A.M.

29345 Ben A. B. Harris

8 Mary L. Byrd Examined brother

31 Jno. D. Matney Moved away
PA said to be Bousley

29348-29345 Ann M. Harris Examined

31967-2332 Rhyneldo Romeo York

2332 Martin V. York Examined aunt.

31974-2332 John A. York

44125 M S Smallwood. Examined but did not
have application in the
field.

**SPECIAL COMMISSIONER OF THE COURT OF CLAIMS,
EASTERN CHEROKEE ENROLLMENT,**

601 OURAY BUILDING,
WASHINGTON, D. C.

Aug. 6, 1908.

Application No. 31
John D. Matney,
Mena, Ark.

Sir:

In the matter of your application for participation in the fund arising from the judgment of the Court of Claims in favor of the Eastern Cherokees, please take notice that Frank D. Ryan one of my duly authorized assistants, will be at Mena, Ark. on August 20th (Thursday), 1908, at 8 o'clock, A. M., for the purpose of taking testimony relative to your claim.

You should appear promptly before him, and if you have any witnesses you wish to have testify in your behalf you should also have them present at that time.

You can ascertain where the hearing will take place by making inquiry of the clerk of the Court.

■ If you are enrolled on the Final Rolls of Citizens of the Five Civilized Tribes, you should bring with you the number of your enrollment, and also the number of your Census Card.

■ Bring this notice with you.

Very respectfully,

GUION MILLER,

Special Commissioner.

**SPECIAL COMMISSIONER OF THE COURT OF CLAIMS,
EASTERN CHEROKEE ENROLLMENT,**

**801 OURAY BUILDING,
WASHINGTON, D. C.**

Nov. 2nd, 1908.

Mary C. Johnson,
Bristol, Tenn.

Sir:

Your letter relative to the Eastern Cherokee enrollment is at hand, and you are advised that your application has been given a preliminary examination but it has not yet been finally acted upon.

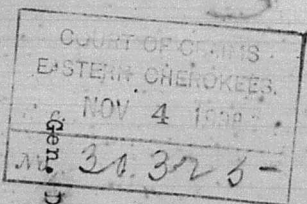
More than 44,000 applications have been filed and in many instances testimony will have to be taken locally in order to obtain the necessary information to pass upon the claims. Some of this testimony has already been taken and several parties are now engaged upon this work, but it will necessarily take considerable time to complete the taking of testimony and the final adjudication of the claims.

If we are unable to reach a conclusion as to your case you will be notified to appear before one of my assistants at some convenient point to furnish the additional testimony required.

Very respectfully,

GUION MILLER,

Special Commissioner.



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Mary C. Johnson,

Briston, Tenn.



COURT OF CLAIMS EASTERN CHIEF CLERK NOV 4 1944 30326- Gen. Del.

31



Mary C. Johnson,

Briston, Tenn.

