

A P P L I C A T I O N   F O R   R E A D M I S S I O N   A N D  
E N R O L L M E N T .

Henry  
The Honorable L. Dawes, Frank C. Armstrong, Archibald S. McKennon,  
Thomas B. Cabaniss and Alexander B. Montgomery, United States Commis-  
sioners authorized by an act of Congress of June 4th, 1896 to hear and  
determine claims for citizenship in the Cherokee Nation.

Gentlemen:-

The undersigned your petitioner Josiah Rodgers for  
and on behalf of himself Mary Lucinda Rodgers, Thomas Jefferson Rodgers  
Ella Rodgers, Etta Belle Rodgers, Janie Rodgers, Charles Standefer  
Rodgers, John Warren Rodgers, Stephen Wallis Rodgers, ~~James~~ Robert E.  
Lee Rodgers, Annie May Knapp, ..... Rodgers, ..... Rodgers,  
Clara Davis, Chandeler Davis, Pearl Whitson, Lelia Northcutt, Ethel  
Northcutt, Boyd Northcutt, Clyed Northcutt, Ola Northcutt, Eppy North-  
cutt, Alta Northcutt, Alma Northcutt and Joseph Buchanan Northcutt,  
make this their application to you for the purpose of being placed on  
the revised roll of Cherokee Indians, and of those entitled in the dis-  
tribution of funds and allotments of land in the Cherokee Nation, by  
virtue of their Cherokee blood, and herewith submit the evidence attach-

ed hereto, to-wit, Affidavits marked Exhibits, *A. B. C. D. E. F. G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.*  
said exhibits being the affidavits of *Josiah Rodgers, et al.,*  
*Jerry Lane, et al.,* *Louisa M. Wood, et al.,*  
*William Francis, et al.,* *et al.,* and the citizens  
of the Cherokee Nation, and make reference to and part herof the different rolls of Cherokee

Indian citizens and particularly the roll of 1828 which petitioner  
believes will show the name of Bettsey Warren or her maiden name Bettsey  
Savage an ancestor of those for whom this application is made, in sup-  
port of this application.

The names, ages and relationship of those interested with  
petitioner in this application, are as follows,

Names.	Ages.	Relationship to petitioner.
Josiah Rodgers,	(60)	Petitioner.
Mary Lucinda Warta,	(57)	Daughter.
Thomas Jefferson Rodgers,	(54)	Son.
Ella Whitmon,	(50)	Daughter.
Etta Belle Davis,	(28)	Daughter.
Janie Whitmon,	(26)	Daughter.
Charles Standefer Rodgers,	(24)	Son.
John Warren Rodgers,	(23)	Son.
Stephen Wallis Rodgers,	(20)	Son.
Robert E. Lee Rodgers,	(18)	Son.
Annie May Knapp,	(15)	Grand daughter.
..... Rodgers,	( 2)	Grand daughter.
..... Rodgers,	(Infant)	Grand daughter.
Elara Davis,	( 9)	Grand daughter.
Chandeler Davis,	( 5)	Grand son.
Pearl Whitmon,	( 4)	Grand daughter.
Lelia Northcutt,	(21)	Niece.
Ethel Northcutt,	(20)	Niece.
Boyd Northcutt,	(18)	Nephew.
Clyed Northcutt,	(16)	Nephew.
Ola Northcutt,	(14)	Niece.
Eppa Northcutt,	(12)	Nephew.
Alta Northcutt,	( 6)	( Niece, )
Alma Northcutt,	( 6)	( Niece, )
Joseph Buchanan Northcutt,	( 5)	Nephew.
All of which is respectfully submitted.		<i>Josiah Rodgers</i>

Twins.

Subscribed and sworn to before me this the 1st day of September, 1896.

Notary Public, My Commission Expires May 11th, 1900.

*Harry E. Davis, Clerk*

Tahlequah, O.T.

July 17<sup>th</sup> 1891

This is to certify that the  
Memorial of Gosiok Rogers  
for citizenship in the  
Cherokee Nation has been  
filed before the National  
Council and awaits  
action by that Body.  
Given Under my hand  
and in office this the  
17<sup>th</sup> day of August 1891

A. S. Brownwood  
Chief Executive Branch  
National Council

Exhibit "C"

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
NORTHERN DISTRICT,

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(ss)

*Exhibit A*

I, Josiah Rodgers, being first duly sworn on oath depose and say that my name is Josiah Rodgers, my Post Office is Vinita I. T., and I reside and have resided most of the time since 1867 in the Cherokee Nation. I am the son of Thomas and Mary Rodgers. I was born in the State of Tennessee in 1835. My mothers maiden name was Mary Warren, and she was a daughter of Edwin Warren and Bettsey Warren and the maiden name of my Grand Mother the said Bettsey was Bettsey Savage and she the said Bettsey Savaga was a half blood Cherokee Indian woman and lived and was recognized by and was a member of the Cherokee tribe of Indians. And the said Betsy Savage's name appears upon the rolls of the Cherokee Citizens by blood.

That Thomas and Mary Rodgers my said father and mother were the parents of my sister, Mary Miranda Rodgers who married a man by the name of Benjamin F. Northcutt and there were born to said Benjamin F. Northcutt and said Mary Miranda Northcutt a number of children now living whose names and ages I cannot give. That y said sister Mary Miranda Northcutt departed this life on or about the year 1893. That on or about the year 1858 I was married in Barry County Missouri to Cynthia Ferguson and that my said wife Cynthia and I have had born to us and are now living the children whose names and ages are as follows to-wit:-

Mary Lucinda Rodgers,	a girl,	aged about 37 years,
Thomas Jefferson Rodgers,	a Son,	aged about 34 years,
Ella Rodgers,	a girl,	aged about 30 years,
Etta Bell Rodgers,	a girl,	aged about 28 years,

2.

Janie Rodgers, a girl, aged about 23 years.  
Charles Standefer Rodgers, a son, aged about 24 years.  
John Warren Rodgers, a son, aged about 23 years.  
Stephen Wallon Rodgers, a son, aged about 20 years.  
Robert E. Lee Rodgers, a son, aged about 18 years.

That my said Daughter Mary Lucinda Rodgers was married to a man by the name of Harry Knapp, and that there was born to my said daughter Mary Lucinda Knapp and her husband Harry Knapp one daughter now living whose name is Annie May Knapp about 13 years of age. That afterwards about the year 1894 my said daughter Mary Lucinda Knapp was married to a man by the name of \_\_\_\_\_ Warts.

That my said son Thomas Jefferson Rodgers was married to a woman by the name of \_\_\_\_\_ and that my said son now living Thomas Jefferson Rodgers and his wife have two children whose names and ages are as follows to-wit:-

\_\_\_\_\_ Rodgers, a girl, aged about 2 years.  
\_\_\_\_\_ Rodgers, a girl, an infant.

That my said daughter Ella Rodgers was married about the year 1885 to Joseph Whitmon.

That my said Daughter Etta Bell Rodgers was married about the year 1886 to a man by the name of Oliver Davis, and my said daughter Etta Bell Davis and her husband Oliver Davis have had born to them and are now living the children whose names and ages are given below, to-wit:-

Clara Davis, a girl, aged about 9 years  
Chandler Davis, a boy, aged about 5 years.

That my said Daughter Janie Rodgers was married about the year 1891 to a man by the name of Otis Whitmon, and that my said daughter Janie Whitmon and her husband Otis Whitmon have had born to them and are now living one child, a daughter named Pearl Whitmon, aged

5.

4 years.

That my said sons Charles Standofer Rodgers, John Warren Rodgers, Stephen Walles Rodgers and Robert E. Lee Rodgers are all living and un married.

Wesley Rodgers

Subscribed and sworn to before me this 3rd day of August, 1898.

Harry E. Dow-Carter

Notary Public. My Commission Expires May 11th. 1900.

Josiah Rodgers  
affidavit  
of  
Josiah Rodgers.

No. 1

UNITED STATES OF AMERICA,  
INDIAN TERRITORY,  
NORTHERN DISTRICT.

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*Exhibit "B"*

I, Jerry Lane, being first duly sworn on oath state that my name is Jerry Lane, that my post office is Vinita, Ind. Ter, and I am nearly 83 years of age. I was well acquainted with Bettsey Savage in the State of Tennessee, she was a half blood Cherokee Indian and lived on Pigeon Roost Creek in the Hilderbrand neighborhood about 18 miles from the town of La Grange. The said Bettsey Savage was a recognized Cherokee Indian and claimed by the Cherokee Indians as one of them. The said Bettsey Savage married a white man by the name of Edward Warren and she and him lived together as husband and wife, and had born to them several children one of whom a daughter Mary married a man by the name of Thomas Rodgers. The said Mary Warren grew up near my old home in Tennessee and before she and her husband left there they had two children, Josiah Rodgers and Edwin Rodgers and I have heard that said Mary Rodgers and her husband had born to them several other children after they left Tennessee but I was only acquainted with Josiah and Edwin and the Josiah Rodgers who herewith makes application for enrollment as a Cherokee Citizen is the same Josiah Rodgers who was born in lawful wedlock to Mary and Thomas Rodgers. And there is no doubt but what said Josiah Rodgers is a Cherokee Indian by blood.

*Witness*  
*W. H. Baker*

Subscribed and sworn to before me this the 1st day of September, 1896.

*Jerry Lane*  
*Harry E. Davis-Carroll*

Notary Public, My Commission Expires May 11th, 1900.



United States of America.  
Indian Territory.  
Northern District. : : -

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*Exhibit - C.*

I, Louisa B. Wood, being first duly sworn on oath depose and say that my name is Louisa B. Wood, and that my post office is Sweet Water Missouri. . I was born in Tennessee and there was well acquainted with the family of Thomas Rodgers, his wife Mary Rodgers was a quarter blood Cherokee Indian and she was the daughter of Edwin and Bettsey Warren and her mother the said Bettsey Warren was a half blood Cherokee and was well known and recognized as such, I think the name of Bettsey Warren or her maiden name Bettsey Savage will be found upon the rolls of the Cherokee Indians. Said Bettsey Warren and her daughter ~~and her~~ daughter Mary Rodgers looked like Cherokees claimed to be Cherokees and were considered by the people in the Country as Cherokee Indians. Mary Rodgers husband was the above mentioned Thomas Rodgers and they were the parents of a large family of Children among whom were Josiah Rodgers and Miranda Rodgers and that said Miranda Rodgers married a man by the name of Benjimin Northcut and she the said Miranda Northcut and her husband had born to them a large number of children. The Josiah Rodgers mentioned herein is the same Josiah Rodgers whose application for enrollment and Cherokee Citizenship is herewith attached.

*and affirmed*  
Subscribed ~~and sworn~~ to before me this the 1st day of September 1898.

*Louisa B. Wood* . . . .

*Harry E. Dow-Carter* . . . .

Notary Public, My Commission Expires May 11th, 1900.

United States of America,  
Indian Territory  
Northern District. : : :-

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*Exhibit D,*

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I, Martha Francis Ellis, being first duly sworn on oath depose and say my name is Martha Francis Ellis, my post office is Rail, Missouri. I used to be well acquainted with Mary Rodgers in Tennessee, she was the wife of Thomas Rodgers and she was the daughter of Edwin and Betsy Warren and the said Betsy Warren was a recognized and well known half blood Cherokee Indian and the name of Betsy Warren or her maiden name Betsy Savage I think will be found upon the Cherokee Roll of 1828. Both said Betsy Warren and said Mary Rodgers were Indians as could easily be determined by their appearance and actions, and in addition to that they claimed to be members of the Cherokee tribe of Indians and were so regarded by the people generally. The said Mary Rodgers and her husband the said Thomas Rodgers lived together as husband and wife and had several children; Josiah Rodgers who makes the application for Cherokee enrollment and citizenship herewith attached, is a son of said Thomas and Mary Rodgers. And one of their daughters, a full sister of the said Josiah Rodgers was named Miranda Rodgers and she married a man by the name of Benjamin F. Northcutt. I have heard that said Miranda Northcutt nee Rodgers is now deceased.

*and affirmed* . . . *Martha Francis Ellis*

Subscribed and sworn to before me this the 1st. day of September, 1896.

*Harry E. Dyer, Clerk*

Notary Public, My Commission Expires May 11th, 1900.

No 2471022  
Jesse  
Josiah Rodgers et al  
vs.  
Cherokee Nation,

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Filed this 7<sup>th</sup> day  
of Sept., 1896,

A. S. McKinnon  
Clerk

~~Revised~~

Don Carlos + Stayfield,  
Witness,  
Fred Lee,  
(15.)

AFFIDAVIT.

*Josiah Rogers*  
vs.  
CHEROKEE NATION.

Nation's No. *3227.*

Personally appeared before me, the undersigned *James D. Danforth*  
*Danforth* who being sworn states that he know of  
the reputation of *Jerry Lane (col)*  
for truth and veracity in the neighborhood where ~~he~~ resides; that it is bad; ~~that~~  
~~known as "Standing Witness" in Citizenship cases;~~ and that affiant would not believe ~~him~~ under  
oath. *That he is known as the*  
*most disreputable man in the*  
*whole vicinity.*

*James D. Danforth*

Subscribed and sworn to before me this *25*  
day of *Sept.*, 18*96*.  
*D. J. Ball*  
Notary Public.

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Nation's No. 3227  
Commission's No. ....  
In re Application of

*Josiah Rodgerson et al*

**Demurrer and Answer.**

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FILED SEPT. 28 1896. ☆  
A. S. MCKEENE  
— COMMISSIONER —

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabanis, and  
A. B. Montgomery, Commissioners.

In the matter of application of  
*Josiah Rodgers  
et al*

Nation's No. *3227*

Commission's No. ....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that *Beloy Thomas*

through whom the petitioner claims to derive *this* right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By *Hatkins Hastings & David* Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this the *25* day of *Sept*, 1896.

*D. J. Ball*

NOTARY PUBLIC.

I, A. R. Drake, do solemnly swear that on the ... 7<sup>th</sup> day of September, 1898, I saw a package registered at the post-office at Vinita, Ind. Ter. addressed to C. H. Hayes Chief of the Cherokee Nation, Tahlequah, Ind. Ter. that registry receipt No. ... 312 ... hereto attached, is a receipt for said package which contained true copies of the application of *Josiah Rodgers et al.* and the affidavits of *Josiah Rodgers, James R. Wood, Marshall ...*

in support of the same.

*A. R. Drake*

Subscribed and sworn to before me this the ... 7<sup>th</sup> day of September, 1898

*Harry E. ...*

Notary Public, My Commission Expires May 11th, 1900.

**REGISTRY RECEIPT.**

Post Office at *VINITA*  
 Registered Letter No. *312* Rec'd *SEP 7 1898*  
 of *W. J. ...*  
 addressed to *J. H. ...*  
*D. H. ... P. M.*