

File

In the matter of appeal by Ashland Holmes and
O. P. Cook, Indians, from Local Board of King
William County to District Board for the Eastern
District of Virginia.

State of Virginia,
City of Richmond, to-wit:

This day personally appeared before the undersigned
G. M. Cook, Chief of the Pamunkey Tribe of Indians, who
having been first duly sworn, deposes as follows:

That the Pamunkey Tribe of Indians is governed by a
Chief and Council, and those coming under its jurisdiction
constitute what is known as Tribal Indians; that he is
Chief of said Tribe. That this affidavit is made in sup-
port of the appeals filed before the District Board by
Ashland Holmes and O. P. Cook under date of Aug. 24, 1917,
from decision of Local Board for the County of King William,
Virginia; that as a part thereof there is filed herewith a
copy of a statement or petition, dated July 22, 1917, ad-
dressed to the said Local Board for King William County by
the Chief and Council of said Pamunkey Tribe of Indians,
and there is also filed as a part hereof a copy of a letter,
dated June 26, 1917, from Hon. Leslie C. Garnett, Assistant
Attorney-General, to Hon. C. Lee Moore, Auditor of Public
Accounts of the Commonwealth of Virginia, and there is also
filed as a part hereof an original letter, dated Aug. 13,
1917, signed by L. M. Bazile, Law Assistant to the Attorney-
General of Virginia, addressed to affiant, which said two
letters establish the fact that the land and other property
of said Pamunkey Tribe of Indians is not subject to taxa-
tion by the Commonwealth of Virginia; that said Pamunkey
Tribe of Indians have always been wards of the Commonwealth
of Virginia, and that the male members thereof have never
been allowed to exercise the privilege of voting, and there-
fore affiant believes that they are not deemed and held
citizens within the laws of this State and of the United
States, and hence that the members of said Tribe are not
properly subject to draft for military service in the pre-
sent war.

Subscribed and sworn to before me, Hill Montague, a
Commissioner in Chancery for the Chancery Court of the
City of Richmond, Virginia, this 25th day of August, 1917.

Commissioner in Chancery.