

THE COURT:

I would like to

hear, first, the jurisdiction of the court. Number 1, is there a conflict between the United States Constitution, the laws and the treaties and the state law? Is there any conflict? I want to know that. If so, whether it is treaty, law or what constitution.

Number 2, is there a jurisdictional amount of \$10,000 involved?

MR. KAMINS:

Of course, Your

Honor, as far as the \$10,000 we feel that anytime a person who, Johnnie Chewie being 28 years of age, would be deprived a personal right which he has and a property right, and that is his right to hunt freely on this land, that certainly I don't think it would take long to show that he would be deprived of more than \$10,000, because testimony presented at the three judge hearing by Mr. Chewie and by Mr. Wuahrhaftig brought out clearly that the average income of the Cherokee was \$500 a year, that they were dependent upon this game, particularly deer, not only his immediate family but families living in the Little Kansas Community, which is adjacent to the area where he was arrested and the deer was killed, and I think that clearly would be a taking of \$10,000 if he would be deprived of this right.

As far as the treaties and the laws before the