

C O P Y

Land,
75390-1904

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

Washington, July 30, 1904.

(COPY)

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to enclose herewith a report from the Commission to the Five Civilized Tribes, dated November 16, 1903, transmitting the record of the consolidated applications for identification as Mississippi Choctaws, by Samuel Nelson McGee for himself; by Robert McGee for himself and his six minor children, Aaron, Birdie, Odell, Ida, Lena and Georgie McGee; by Thomas McGee for himself and his five minor children, Minnie, Walter, Rhoda, Della and Jim McGee; by George McGee for himself and his five minor children, Jesse, Rosa, Robert, Maria and Millie McGee; by Truss McGee for himself and his four minor children, Charlie, Johnnie, Carrie Lee and Inas McGee, and his minor ward, Josie McGee; by John McGee for himself and his three minor children, Bennie B., Thomas and Daisy McGee; by Effie D. Threet for herself; by Alfred R. Walker for himself and his seven minor children, Joe R., Alfred Hester, Katie U., Alice L., Tom H., Matt L. and John T. Walker; by Tom B. Walker for himself and his four minor children, Isella, Jessie, Margie and Willie B. Walker; by John T. Walker for himself

(2)

and his four minor children, Tommie, Sarah, Irene G. and Earl L. Walker; by James W. Walker for himself and his two minor children, Daisy and Robert Walker; by George Walker for himself; by Thomas W. Davis for himself and his three minor children, Emma E., Weston M. and Warren W. Davis; by John M. Davis for himself and his two minor children Chauncey and Mary M. Davis; by Nelson L. Lackey for himself and his three minor children, Adlena P., Christopher C. and Eddie B. Lackey; by John W. Davis for himself and his two minor children, Maria L. and Matilda Davis; by Isaac S. Watson for himself and his two minor children, Wilson and Caroline Watson; by Margaret McPherson for herself and her minor child, Sam McGree; by James T. Strong for himself and his two minor children, Clarence J. and Signora Strong; by Benjamin Franklin Fulton for himself; by William A. Attaway for himself; by Edward P. Brown for himself and his four minor children, Daisy E., Everson W., Noel P. and Earl N. Brown; by James H. Moore for himself and his four minor children, William H., Annie, Mary Lizzie and Maggie A. Moore; by Willis Perry for himself and his four minor children, Monroe, Robertson, Page and Willis Perry; by Lee A. Edwards for himself and his two minor children, James L. and Lillie Edwards; and by Lou Hayden for herself and her four minor children, Mary A., Lucy, Hiram and Henry Clark.

October 31, 1903, the Commission decided adversely to the applicants.

(3)

The record shows that the principal applicant, Samuel H. McGee was born in 1833, a slave of negro slave parentage on both sides, (Walker McGee and Louisa Phelps McGee) and is unable to show ancestry further back than to free blood.

The applicants, Robert McGee, Thomas McGee, George McGee, Truss McGee and John McGee, together with their children are descendants of Samuel Nelson McGee and derive their sole title to identification as Mississippi Choctaws through him alone. The other applicants, parents and children claim identification through another channel back to Anna McGee and her husband, both negro slaves and allege that Anna was the daughter of Samuel McGee and of Polly Jones McGee, or, indifferently, Anna McKee.

It is nowhere shown by satisfactory evidence that any of the applicants are identified as the descendants of any family or head of a family who complied or attempted to comply with the provisions of article fourteen of the treaty of Dancing Rabbit Creek or any tribunal relating thereto.

There appears to be in the records of this office a John Jones (white) who had an Indian wife and a daughter - Polly. John Jones, it appears applied to Col. Ward for registration and was so entered upon a registry of Choctaws previous to the 24th of August, 1831, as a white man having an Indian wife and one child over ten years of age.

It further appears from the records of this office that

(4)

Samuel McGee was a one-half breed Choctaw Indian, who resided at the date of the treaty of Dancing Rabbit Creek about ten miles from the Agency on Trimmer Lane; that his first wife was a half breed Choctaw woman named Polly, by whom he had three children, Ann, Lavina and Umphries (or Humphries) who were born respectively in 1816, 1818 and 1821; that Polly died about 1824; that after her death he remarried and this second wife deserted him in 1836 and he died in 1837 in the Chickasaw Nation. He applied under the treaty of 1830 and was rejected. He received land in the Chickasaw Nation described as Sections 15, 21 and 22, Township 3, Range 8 West, which he sold to Green and McCorkle and the sale was approved September 24, 1836.

The records of this office do not show that any ancestor of any of the applicants has been recognized or enrolled as a Mississippi, or other Choctaw by any tribunal whatever, nor are any of the claimants identified or enrolled by any tribunal.

It is shown in this case that the principal applicant was born in 1833 and a generation intervenes between his birth, (Walker McGee and Louisa Phelps McGee) and that of Ann McGee (born in 1816) the ancestor through whom title is claimed. It is therefore evident that Samuel Nelson McGee is not a descendant of Ann McGee or remoter still of her father, Samuel McGee, or grandfather John Jones, the Choctaw citizens.

(5)

It is shown in evidence in the case that all of the applicants are of negro blood and slave ancestry, some of whom have testified that their owners were named McGees, it may therefore be considered probable that they got the name of McGee in that manner and not from a Choctaw ancestor.

In view of the record, the approval of the Commission's decision adverse to the applicants is recommended.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

M.M.M.:L.M.

Comm. No. 37588

C O P Y

J. W. H.

DEPARTMENT OF THE INTERIOR,
Washington.

I.T.D. 6176-1904.

FHE.
August 3, 1905.

L R S

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

November 16, 1903, the Commission to the Five Civilized Tribes transmitted the record in the matter of the application of Samuel Nelson McGee et al, for identification as Mississippi Choctaws. Under date of October 31, 1903, the Commission rendered a decision refusing to identify the applicants in said case.

Reporting in the matter July 30, 1904, the Indian Office recommended that the Commission's decision be approved. A copy of its letter is inclosed.

All of these applicants claim descent from one John Jones, who, it is alleged, was a full blood Choctaw and a resident either of Mississippi or of Alabama in 1850. It is claimed that the said John Jones had a daughter Polly, also a full blood Choctaw, who married a one half blood Choctaw named Samuel McGee. The testimony further shows that of this marriage there were born four children, viz: Walker McGee, Anna McGee (afterwards Anna Cole), Levina McGee (afterwards Levina Smith), and Umphries (or Humphries) McGee.

(2)

Descent in the case of these applicants is traced through some one of these four children of Samuel and Polly McGee. It is claimed, although not established by satisfactory proof, said ancestors are the identical persons referred to below whose names appear among the records of the Indian Office. Said records show that there was a white man named John Jones who was the head of a Choctaw family in 1830, or prior thereto, and that he had a daughter Polly who married a one-half blood Choctaw named Samuel McGee; also that the said Samuel and Polly McGee had three children, viz: Anne, Levina and Humphreys, the two former of whom were over ten years of age at the date of the treaty; the latter was then under ten years of age. Said records do not show, however, that Samuel and Polly McGee were the parents of a child named Walker McGee, nor do they show that any of said ancestors had any negro blood whatever or that they were ever held in slavery. On the contrary it appears that the principal applicants in this consolidated case who were living prior to the civil war were slaves; also that such others of the applicants as were born since the civil war are the descendants, immediately or remote, of slave ancestors, some of whom were held in slavery at and prior to the treaty of September 27, 1830. The fact that the applicants were slaves or are of slave descent tends to show that they are not the descendants of the Indians referred to in the records of the Indian Office. This conclusion is strengthened when it is noted that the common

(3)

ancestor, John Jones, was an alleged full blood Choctaw, whereas the John Jones of record was a white man. Although the testimony in various respects tends to connect the applicants with the said Samuel McGee and John Jones of record, who attempted to comply with the provisions of article 14 of the treaty of September 27, 1830, the Department considers that the evidence is insufficient to establish the allegations of the claimants. Accordingly, the decision of the Commission referred to above is hereby affirmed.

Reference is here made to departmental decision of even date concerning Young Whitaker (M.S.R. 6628), who claims descent from one Jack Jones, alleged to be the son of John Jones. Reference is also made to departmental decision of November 21, 1904, relative to the Mississippi Choctaw case of Ben Finley, et al, in which the applicants also claim descent from John Jones.

Respectfully,

T H O S R Y A N

Acting Secretary.

1 inclosure.

M.C.R. 6809

Muskogee, Indian Territory, August 14, 1905.

A. W. Jones,
Attorney at Law,
Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that on the 3rd day of August, 1905, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes, refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Samuel Nelson McGee et al., of which decision you were advised by registered mail on the 31st day of October, 1903.

Respectfully,

Acting Commissioner.

John Jackson
Daisy McQueen

Annuel M. G. Lee - 1-2-2

Anna McQueen
John Lee - N

John McQueen - L-3
John McQueen - D-1

Mother of
Louisa Huggins

John McQueen - 1-2-2
Louisa McQueen - 1-2-2
Platts

Annuel Nelson McQueen - 70-
Louisa McQueen - NW

809

Mable McQueen

John McQueen - 3-5-
Mary McQueen - W

George McQueen - 3-5-
G. Lee McQueen - N

Oliver McQueen - 3-0
Louisa McQueen - D-N

Thugh McQueen - D
Annuel McQueen - D

John McQueen - 2-8-4
Annuel McQueen - L-N

Cassie McQueen

John T. McQueen - 3-5-3/4
Mary McQueen
2nd wife

James M. McQueen - 3-0-3/4
Mary Ann McQueen

George McQueen - 2-2-3/4

Ann McQueen 1-6
Cassie McQueen 1-2
John McQueen 1-10
Mary McQueen 1-8
George McQueen 1-6
Annuel McQueen 1-10
John McQueen 1-9
John McQueen 1-6
John McQueen 1-4
John McQueen 1-1

John McQueen 1-9
Annuel McQueen 1-7
John McQueen 1-5
John McQueen 1-3
John McQueen 1-1

Charles McQueen 1-9
John McQueen 1-8
Annuel McQueen 1-6
Mary McQueen 1-4

John McQueen

Annuel McQueen 1-6
John McQueen 1-5
Daisy McQueen 1-1

Mary McQueen 1-14
John McQueen 1-10

Annuel McQueen 1-14
John McQueen 1-7
John McQueen 1-5

Daisy McQueen 1-5
John McQueen 1-2

8583

John James
Only Mc's for year d

Annal McEgan - h. d

John McEgan
Anna McEgan
Jack Cole N

John McEgan - h. d
Anna McEgan
Pugh
Mother of
Louisa Pugh

John McEgan
Anna McEgan
John Walker - D. 1

Annal McEgan - 10
John McEgan - L. M. W.

Edie Davis - 1-1/2
Andrew
John Davis - N

George McEgan - 55
John McEgan - N

John McEgan - 30
Annal McEgan - D. N

George McEgan - D
Annal McEgan - D

John McEgan - 28-1
Annal McEgan - L. N

John McEgan
Annal McEgan

John McEgan - 38-3/4
Annal McEgan
1st Mary Campbell McEgan
2nd Stella McEgan

John McEgan - 30-3/4
Annal McEgan
Mary Ann McEgan

George McEgan - 21-3/4

John McEgan - 42-3/4
Annal McEgan
George McEgan - 1
John McEgan - 10-1/2

John McEgan - 30-1/2
Annal McEgan
Maggie Davis - 1-1/2

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

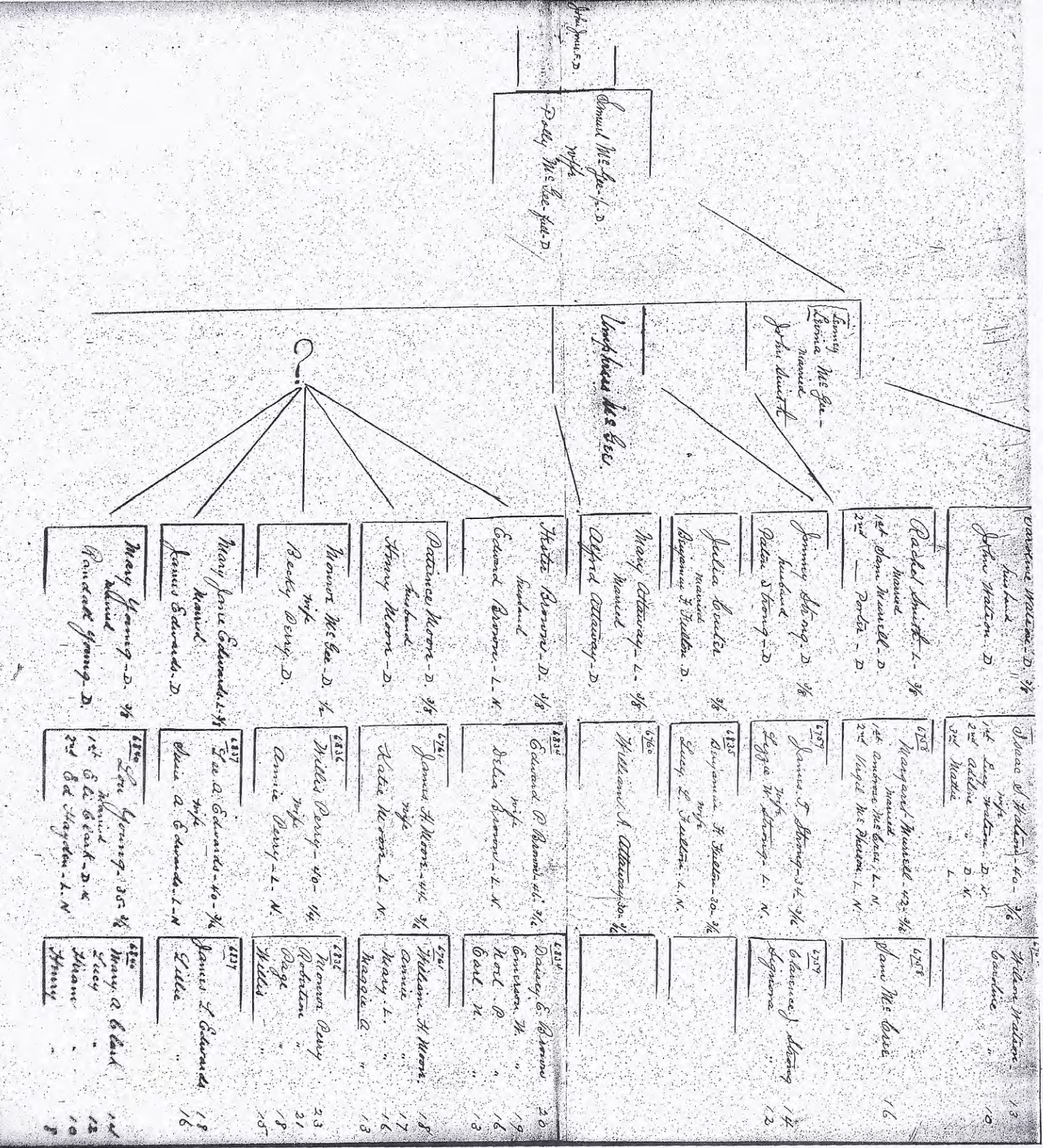
John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan

John McEgan
Annal McEgan
John McEgan
Annal McEgan
John McEgan
Annal McEgan



Virginia Watson - D. 3/6
Wife
1st John Watson - D. N.
2nd Adeline - D. N.
3rd Maudie
13

Rachel Smith - 1-36
Wife
1st Sam Russell - D.
2nd Porter - D.
16

James S. Strong - 24-36
Wife
Eligee W. Strong - L. N.
14

Julia Butler
Wife
Benjamin S. Butler - D.
Lucy S. Butler - L. N.
12

Mary Atterbury - L-36
Wife
Richard A. Atterbury - 30-42
William A. Atterbury - 30-42
17

Hester Atterbury - D. 3/6
Wife
Edmond Atterbury - L. N.
Stella Atterbury - L. N.
19

Pattience Moran - D. 3/6
Wife
Henry Moran - D.
Kate Moran - L. N.
17

Monot McFee - D. 4-
Wife
Becky Perry - D.
Annie Perry - L. N.
16

Mary Jane Edmunds - L-36
Wife
James Edmunds - D.
John R. Edmunds - 40-36
Alice R. Edmunds - L. N.
18

Mary Young - D. 36
Wife
Rowland Young - D.
John Young - 35-36
1st G. C. & C. K. - D. N.
2nd G. C. & C. K. - L. N.
15

Wm. R. & C. K. - L. N.
18

Wm. R. & C. K. - L. N.
18

Mary R. & C. K. - L. N.
15
Wm. R. & C. K. - L. N.
10
Henry - 8

6797
 Nelson L. Parkey - 171 3/4
 1st wife
 Elizabeth Parkey - L. N.
 18

6833
 John H. Davis - 42 - 44
 wife
 1st Mary E. Davis - D. N.
 2nd Maria H. Davis - N.
 16
 14

6782
 Isaac S. Watson - 40 - 36
 wife
 1st Lucy Watson - D. N.
 2nd Rachel " - D. N.
 3rd Maria " - L.
 13
 10

6785
 Margaret Maxwell - 43 - 46
 married
 1st Andrew McEwen - L. N.
 2nd Wm. McEwen - L. N.
 16

6789
 James S. Strong - 34 1/2 36
 wife
 Eliza W. Strong - L. N.
 14
 12

6835
 Benjamin S. Miller - 30 - 34
 wife
 Eliza S. Miller - L. N.
 13

6780
 William A. Ottaway - 30 - 32
 20
 19
 18
 13

6828
 Edward P. Brown - 46 3/4
 wife
 Delia Brown - L. N.
 18
 17
 16
 13

6781
 James H. Kern - 44 - 36
 wife
 Kate Kern - L. N.
 18
 17
 16
 13

6834
 Mills Davy - 40 - 44
 wife
 Ann Davy - L. N.
 23
 21
 18
 15

6817
 Mary Jane Edwards - 40 - 34
 15

6797
 Nelson L. Parkey - 171 3/4
 1st wife
 Elizabeth Parkey - L. N.
 18

6833
 John H. Davis - 42 - 44
 wife
 1st Mary E. Davis - D. N.
 2nd Maria H. Davis - N.
 16
 14

6782
 Isaac S. Watson - 40 - 36
 wife
 1st Lucy Watson - D. N.
 2nd Rachel " - D. N.
 3rd Maria " - L.
 13
 10

6785
 Margaret Maxwell - 43 - 46
 married
 1st Andrew McEwen - L. N.
 2nd Wm. McEwen - L. N.
 16

6789
 James S. Strong - 34 1/2 36
 wife
 Eliza W. Strong - L. N.
 14
 12

6835
 Benjamin S. Miller - 30 - 34
 wife
 Eliza S. Miller - L. N.
 13

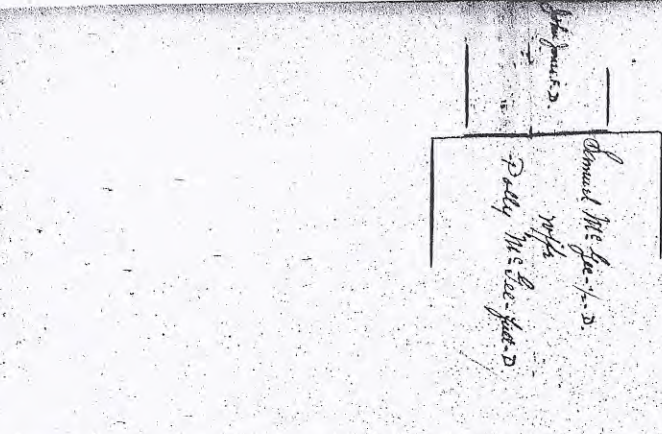
6780
 William A. Ottaway - 30 - 32
 20
 19
 18
 13

6828
 Edward P. Brown - 46 3/4
 wife
 Delia Brown - L. N.
 18
 17
 16
 13

6781
 James H. Kern - 44 - 36
 wife
 Kate Kern - L. N.
 18
 17
 16
 13

6834
 Mills Davy - 40 - 44
 wife
 Ann Davy - L. N.
 23
 21
 18
 15

6817
 Mary Jane Edwards - 40 - 34
 15



Henry McEwen - 18 - 36
 married
 John Smith
 Lynchman McEwen
 Edward McEwen - 1 - 36
 wife
 Polly McEwen - 18 - 36
 Rachel Smith - 1 - 36
 married
 Mary Ottaway - 1 - 36

6809

No. 6809

FOR IDENTIFICATION AS A MISSISSIPPI CHOCTAW.

Date MAR 3 1903

Name *Samuel N. McGee.*

Age *70+* Blood *Don't know*

Post Office, *Linton, D. T.*

Father: *Walter McGee, d.*

Mother: *Louisa, full " d.*

Claims through *both parents.*

Wife:

*Maria McGee, 1/2 negro,
and white -*

*No claim for wife -
Children.*

Claims for self alone.

M. N. D.