

Choctaw MCR 1562

John H. Daughety

See MCR 1559

MCR 1562

OR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW^{R.} 1562

John H. Daugherty
REFUSED.

DECISION RENDERED. MAY 18 1902

NOTICE OF DECISION MAILED APPLICANT.

MAY 19 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANT.

MAY 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 23 1902

RECORD FORWARDED DEPARTMENT.

MAY 23 1902

ACTION APPROVED BY SECRETARY OF INTERIOR.

JUN 19 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED APPLICANT.

JUN 27 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEY FOR APPLICANT.

JUN 27 1902

NOTICE OF DEPARTMENTAL ACTION
FORWARDED ATTORNEYS FOR CHOCTAW
AND CHICKASAW NATIONS.

JUN 27 1902

REFER TO M. C. R.
1559

DEPARTMENT OF THE INTERIOR.
 COMMISSION TO THE FIVE CIVILIZED TRIBES.
 ATOKA, INDIAN TERRITORY, MARCH 28, 1901.

In the matter of the application of John H. Daughety for identification as a Mississippi Choctaw. John H. Daughety, having been first duly sworn, testifies as follows:

Examination by the Commission.

- Q What is your name? A John H. Daughety.
 Q What is your age? A Thirty years old.
 Q What is your post office address? A Sherman, Texas.
 Q How long have you lived there? A Eleven years.
 Q Where were you born? A Kentucky.
 Q Moved from Kentucky to Texas? A Sherman, Texas.
 Q What is your father's name? A Andrew J. Daughety.
 Q Is he living? A Yes sir.
 Q What is your mother's name? A Sarah R. Daughety.
 Q Living? A Yes sir.
 Q Through which one of these parents do you claim Choctaw blood?
 A My father.
 Q How much do you claim? A One eighth.
 Q Did your father ever live in the Territory? A No sir.
 Q Is your name on any of the tribal rolls of the Choctaw Nation?
 A No sir.
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
 Q Were you ever admitted to citizenship in the Choctaw Nation by judgment of the United States Court in Indian Territory? A No sir.
 Q Did you ever make application for citizenship or enrollment as a Choctaw to the Dawes Commission under the act of Congress of June 10, 1896? A No sir.
 Q Is this the first application you have ever made of any kind?
 A Yes sir.
 Q You now seek to be identified as a Mississippi Choctaw? A Yes sir.
 Q Under what treaty are you making this application? A The treaty of 1830.
 Q Under the whole treaty of 1830? A Yes sir.
 Q Not under article fourteen alone? A No sir, not particularly.
 Q What is the name of your ancestor who lived in Mississippi in 1830?
 A William Daughety.
 Q Full blood? A Yes sir.
 Q Have you any documentary evidence of that fact? A No sir.
 Q Did he, within six months after the treaty of 1830 was ratified declare his intention with Colonel Ward, the United States Indian Agent then living in Mississippi, of remaining in Mississippi and taking land there and becoming a citizen of the United States, do you know? A No sir.
 Q Was he a beneficiary under article fourteen of the treaty of 1830?
 A I don't know.
 Q Did he comply with any of the provisions of that article?
 A Don't know.
 Q Did he ever receive or claim any land in Mississippi under article fourteen of the treaty of 1830? A I don't know.
 Q Did he ever become a citizen of Mississippi under article fourteen of the treaty of 1830? A I don't know.

John H. Daughety 2

- Q Are you married? A Yes sir.
Q What is your wife's name? A Lillie Richard.
Q Is that her middle name? A No sir.
Q Her name is Daughety isn't it? A Yes sir.
Q Do you make any claim for her? A No sir.
Q Have you children? A No sir.
Q Making claim for yourself alone? A Yes sir.
Q Have you any documentary evidence you want to file now?

Application of John H. Daughety presented by applicant, received, marked Exhibit "A", filed, and made a part of the records in this case.

- Q Have you any other documentary evidence? A No sir.
Q Do you want time to file it? A Yes sir.

Twenty days from the date hereof is allowed applicant in which to file documentary evidence in support of his application.

- Q Anything further you want to say? A No sir.

The decision of the Commission in regard to this application for identification as a Mississippi Choctaw which you make for yourself will be mailed to you at your present post office address.

Anna Bell, having been first duly sworn, on her oath states, that, as stenographer to the Commission to the Five Civilized Tribes, she reported in full all proceedings had in the above entitled cause on March 28, 1901, and that the above and foregoing is a full, true and correct transcript of her stenographic notes in said cause on said date.

Anna Bell

Subscribed and sworn to before me this 4 day of April, 1901.

Charles H. Sawyer

Notary Public.

M. C. R. 1562

Muskogee, Indian Territory, May 19, 1902.

John H. Daughety,
Sherman, Texas.

Dear Sir:

You are hereby advised that on the 13th day of May, 1902, the Commission to the Five Civilized Tribes rendered a decision in the consolidated case of Andrew J. Daughety, et al., embracing the following applications for identification as Mississippi Choctaws:

Andrew J. Daughety, et al.,	M. C. R. 1559
Susan Hime, et al.,	M. C. R. 1560
William E. Daughety, et al.,	M. C. R. 1561
John H. Daughety,	M. C. R. 1562,
George W. Daughety, et al.,	M. C. R. 1563.

Said decision after a review of the evidence submitted

concludes as follows:

*The authority vested in the Commission by the twenty-first section of the act of Congress of June 28, 1898, (30 Stats., 495) is as follows:

'Said Commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article fourteen of the treaty between the United States and the Choctaw Nation concluded September twenty-seventh eighteen hundred and thirty, and to that end may administer oaths, examine witnesses, and perform all other acts necessary thereto and make report to the Secretary of the Interior.'

It is the opinion of the Commission that the evidence in this case is insufficient to determine the identity of Andrew J.

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Daughety, Alice G. Daughety, James G. Daughety, Texanna Daughety, Lulu Daughety, Ethel Daughety, Susan Hime, George Hime, William H. Daughety, Randolph L. Daughety, John H. Daughety, George W. Daughety, Ernest L. Daughety and Agnes Daughety as Choctaw Indians entitled to rights in the Choctaw lands under the provision of law above quoted, and that the application for their identification as such should be refused, and it is so ordered."

You are further advised that the Commission has on this date forwarded the record in this case to the Secretary of the Interior for review and you will be informed in due time of such action as may be taken by him.

Yours truly,

Acting Chairman.

Registered.

COPY.

M.C.R. 1562

Muskogee, Indian Territory June 27, 1902.

John H. Daugherty,
Sherman, Texas.

Dear Sir:

You are hereby advised that on the 19th day of June 1902, the Secretary of the Interior affirmed the decision of this Commission refusing the applications for identification as Mississippi Choctaws of the several persons included in the consolidated case of Andrew J. Daugherty, et al., of which decision you were advised by registered mail on the 19th day of May 1902.

Yours truly,

(SIGNED)

I. D. Needles

Commissioner in Charge.

No. 1562

For Identification as a Mississippi Choctaw.

Date *March 28, 1901*

Name *John H. Daughety*

Age *30* Blood *1/8*

Post Office. *Sherman, Texas,*

Father. *Andrew J.* *l*

Mother: *Sarah E.* *l*

Claims through *father*

wife

Lillie Daughety -

~~Children:~~

For self alone

Stenographer

Anna Bell.