

Choctaw MCR 1561

William E. Daughety

See MCR 1559

MCR 1561

FOR IDENTIFICATION AS
A MISSISSIPPI CHOCTAW-^{B.} 1561

William E. Daugherty et al
REFUSED.

DECISION RENDERED **MAY 18 1902**

NOTICE OF DECISION MAILED APPLICANT.

MAY 18 1902

NOTICE OF DECISION FORWARDED
ATTORNEY FOR APPLICANTS.

MAY 19 1902

NOTICE OF DECISION MAILED ATTORNEYS
FOR CHOCTAW AND CHICKASAW NATIONS.

MAY 19 1902

RECORD FORWARDED DEPARTMENT.

MAY 19 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 for identification as Mississippi Choctaws of William E. Daughety and his minor child. William E. Daughety, having been first duly sworn, on his oath testifies as follows:

Examination by the Commission.

- Q What is your name? A William E. Daughety.
 Q What is your age? A Thirty one.
 Q What is your post office address? A Sherman, Texas.
 Q How long have you lived there? A Twelve years.
 Q Where were you born? A In Kentucky, Butler County.
 Q And you removed from Kentucky to what state? A Texas.
 Q And have lived there since? A Yes sir.
 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 E. 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 An eighth.
 Q Did your father ever live in the Indian 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 in the Choctaw Nation to the Choctaw tribal authorities? A No sir.
 Q Did you ever make application to them for enrollment? A No sir.
 Q Did you ever make application for citizenship or enrollment in the Choctaw Nation to the Commission to the Five Civilized Tribes under the act of Congress of June 10, 1896? A No sir.
 Q Were you ever admitted to citizenship by judgment of the United States Court in Indian Territory? A No sir.
 Q Is this the first application you have ever made either for enrollment or citizenship in the Choctaw Nation, either to the Dawes Commission or the Choctaw tribal authorities? A Yes sir.
 Q You are now seeking to be identified as a Mississippi Choctaw?
 A Yes sir.
 Q Do you claim under any particular treaty? A 1830.
 Q Do you claim under the whole treaty? A Yes sir.
 Q You don't claim under the fourteenth article particularly?
 A Not particularly.
 Q Claim under the fifteenth and nineteenth articles as well?
 A Yes sir.
 Q What is the name of your ancestor who lived in Mississippi in 1830?
 A William Daughety.
 Q What kin was he to you? A He was my great grandfather.
 Q Was he a full blood Choctaw? A Yes sir.
 Q Did he, within six months after the ratification of the treaty of 1830, tell the United States Indian Agent then living in Mississippi that he intended to stay in Mississippi and take land there and become a citizen of the United States? A I don't know.

- Q Do you know whether he came from Mississippi to the Indian Territory with the other Choctaw Indians in the years 1833 and 1837?
A No sir.
Q He didn't come? A Not that I know of.
Q Was he a beneficiary under article fourteen of that treaty?
A I don't know.
Q Did he comply in any manner with the provisions of article fourteen of the treaty of 1830? A I don't know.
Q Did he claim or receive any land in Mississippi under article fourteen of that treaty? A I don't know.
Q Do you know whether, pursuant to the provisions of the fourteenth article of the treaty of 1830, he became a citizen of the state of Mississippi? A No sir, I don't.
Q Are you married? A Yes sir.
Q What is your wife's name? A Luda.
Q Do you make any claim for her? A No sir.
Q Have you children? A One.
Q What is the name of that child? A Randolph L.
Q Do you make application for Randolph? A Yes sir.
Q How old? A Two years.
Q Is Luda Daughety the mother of this child? A Yes sir.
Q Are you the father? A Yes sir.
Q Are you and she living together as husband and wife? A Yes sir.
Q Is the child living with you at your home? A Yes sir.
Q Have you your marriage license and certificate that you wish to file? A Haven't it with me.
Q Have you any documentary evidence? A Yes sir.

Application of William E. 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 That is all.
Q Would you like to time to file any other? A Yes sir.

Twenty days time from the date hereof is allowed applicant in which to file documentary evidence in support of his application; also marriage license and certificate or certified copy of the same.

- Q Is there anything further you would like to say? A That is all.

The decision of the Commission in regard to this application which you make for identification as Mississippi Choctaws for yourself and this child 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. 1561.

Muskogee, Indian Territory, May 19, 1902.

William E. Daughety,
Sherman, Texas.

Dear Sir:

You are hereby advised that on the 15th 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 twentyseventh, 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

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Andrew J. Daughety, Alice G. Daughety, James G. Daughety, Tex-
anna Daughety, Lulu Daughety, Ethel Daughety, Susan Hime, George
Hime, William E. Daughety, Randolph L. Daughety, John H. Daughety,
George W. Daughety, Ernest L. Daughety and Agnes L. 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. 1561

Muskogee, Indian Territory June 27, 1902.

William R. 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)

T. B. Needles.

Commissioner in Charge.

For Identification as a Mississippi Choctaw.

Date *Mich 28, 1901*

Name *William E. Waughety,*

Age *31* Blood *1/8*

Post Office, *Sherman, Texas,*

Father: *Andrew J. Waughety* *l*

Mother: *Sarah E. ...* *l*

Claims through *father*
wife -
Luda -

Children:

Randolph L. 2

For sup in
Chief

Stenographer *Anna Bell.*