

# I FOUND OUT MY GRANDMA WAS CHEROKEE, WHAT DO I DO NOW?

By Gene Norris, Genealogist

You have just discovered you may have a Cherokee ancestor. You would like to find out more about this person. What do you do?

The first rule in any genealogical research is: Do not expect to do this in one day. Don't expect to do it in even one year. This can be a fun and enjoyable project, but it is a long-term one, sometimes, taking years to complete.

In any genealogical search you always begin with yourself. If it is possible, your



**“I Want You to Start With Yourself!”**

birth certificate is a must have. Also, if possible, get your parents' birth or death certificates. Get your grandparents' birth or death certificates. Continue down your ancestral lines until you can go no further. Marriage certificates are also very helpful. Obtain them if you can. You need a “paper trail” to prove the person you have found is, indeed, your relative.



**Birth  
Certificate**



**Death  
Certificate**

After about 1908, birth, death, and marriage certificates were required to be filed at the state level. These records are kept in the Bureau of Vital Statistics at the State Department of Health located in the state capitol of each state. Each state began keeping these records at different times. For instance, Arkansas began in 1914, Missouri in 1910, Oklahoma in 1908, Kentucky in 1911, and so on.

When you begin to gather all of this information, be sure that you start to organize it immediately. Make sure that you write everything down as soon as you can. In the handout, you will find an example of an ancestor (sometimes called a pedigree) chart and a family group sheet. Seeing it on paper and having it in front of you will help you know where to go next. Always make sure that you include full given and maiden names, complete dates of birth, death or marriage, and complete locations such as city, county and state.

Start a family notebook by using a three-ring binder and use plastic protective sheets for old documents and photographs. Also, have a section for each family surname in the notebook by using tabs to separate each section. Make sure you note what cemetery the ancestor is buried in and if it is possible, visit the cemetery and photograph the headstones. For older headstones, I recommend using white chalk by rubbing it over the face of the stone so that it is easier to see and read.

Also, always start at home. Look for funeral notices, family Bibles or family journals. Talk to as many relatives as you can. Your oldest relatives usually have the most information about your family members. There also may be a family member who may also be doing research. An example of another person's research on a family is included in your handout. Make sure you always note your sources for your research. Write down where you got the information from so that you can refer to it later. Always document each generation completely, starting with yourself and going back as far as you can.

Of course, another resource today for any kind of genealogical research is the internet. Once you have got started, your best resource outside of home is your local public library or historical society. Most, if not all, libraries today have a local history and genealogy section. They also, too, have public access to the internet. Many historical societies and museums in the United States have a genealogy research room which is available to the public, although some may have a small cost to use it.

In a library's genealogy section, you can find many records on microfilm such as United States Federal Census records, newspapers, state and county records such as birth, death or marriage records or state or county histories. A blank Cherokee genealogy research checklist is also provided. Make sure that as you locate each record, you check it off your list.

Once you have completed recording and organizing your genealogy, then you can begin to delve into Cherokee records. Being Cherokee in a genetic sense (in other words, a person's physical appearance) and being Cherokee on paper are two different things in

which the former has nothing to do with the latter. The Cherokee people, also, were always, from time on end, an oral people, where history was handed down verbally from generation to generation.

The Cherokee themselves did not have a written language until 1821 but they did not begin to keep written records such as deaths or marriages until well after that. Once they had a written language, the Cherokee did begin to publish a newspaper and record oral laws onto paper but nothing of genealogical interest.

The first evidence that the Cherokee existed as a people were a few journal entries made by Spanish and other explorers in the sixteenth and seventeenth centuries. Nothing was written down as to their genealogy at that time. The next recorded evidence would be the hundreds of treaties signed between the Cherokee and first, the British, then the Americans. Of course, this evidence was just a few names of people who made their mark. Again, nothing was documented as to their genealogy.

The United States government would be the first entity to document the Cherokee by individual name beginning in 1817 with the Reservation Roll and the 1817-1835 Emigration Rolls. These “rolls” as they were called, were actually payment lists or population censuses.

Those named above came about because of the Treaties of 1817 and 1819. These “rolls” only list the head of household and give a numerical entry as to how many members were in each family. Genealogical information such as births, deaths or marriages was not documented.

In 1835, the United States took a population census of the Cherokee Nation prior to removal and an explanation of this record is in the handout. It also only listed heads of households. It did include other information such as the age range (so many males under 18, so many males over 18) of other family members, numbers of livestock, crops, outbuildings, and slaves. Again, no genealogical information was recorded. It would be another thirteen years before the federal government would make another “roll.”

In 1848, John C. Mullan was appointed by the US government to take a census of those Cherokee who had remained on reserves in what is today the area of Cherokee, North Carolina, so that they could receive a payment from the monies promised to the Cherokee in the 1835 Treaty of New Echota. Again there was no interest in documenting these people’s genealogy.

The next “rolls” or payment lists were the 1851 Drennen, 1851 Old Settlers and the 1851 Siler Rolls. Again, men were appointed by the US to make a census of those Cherokee who had remained in North Carolina (Siler), who had emigrated to the Cherokee Nation in Indian Territory between 1828-1835 (Old Settlers) and who had emigrated in the main removal between 1838-1839 (Drennen). This was a full thirteen years after the latter’s arrival in the Cherokee Nation. Due to a dispute over the Siler “Roll”, the Chapman “Roll” was made in 1852.

Between 1851 and 1896, there were several “rolls” or censuses made by both the federal government and the Cherokee Nation government. These included the 1867 Tompkins (Federal), the 1880, 1883, 1886, 1890, 1893, and 1896 Cherokee Nation (Cherokee), and the 1896 Old Settler Payment Roll (Federal). In North Carolina, there is the 1869 Swetland, the 1883/1884 Hester, and the 1908 Churchill (all Federal).

Mainly all of these, with the exception of the 1896 Old Settler Payment Roll, only listed names and approximate ages of individuals. Information such as complete dates of birth, death and marriage was not documented.

Once the Cherokee Nation had established their government in the new lands, districts were formed and courthouses were built. In the Nation, there were nine districts: Cooweescoowee, Delaware, Canadian, Flint, Goingsnake, Illinois, Skin Bayou (later Sequoyah), Saline, and Tahlequah. Each of these courthouses kept records albeit very intermittent and not continuous. Records such as marriage, estate, probate, will, court, estray, and others were kept on file. These records are on microfilm as Cherokee National Records.

The 1896 Old Settlers Payment Roll which was mentioned earlier, was the result of a federal court case brought about by descendants of Old Settlers. They believed they did not receive the right amount of money from the 1835 Treaty of New Echota in 1851 and petitioned the US to make restitution. The US agreed and hence the payment list. It gives the names of the original Old Settlers as well as their descendants living in 1896, their approximate ages and their relationship to the ancestor who was living in 1851. It unfortunately does not give genealogical information such as complete dates of birth, death or marriage.

The next record would be the 1900 United States Federal Census for the Cherokee Nation. It should be noted that at the time of this census 8 out of 10 people living in the Cherokee Nation were not considered citizens of the Nation but of the United States.

Now we come to the Dawes Final Roll. Its name comes from Senator Henry Dawes of Massachusetts who introduced the Dawes Act which was passed by Congress in 1887. It called for the allotment of land for the Native peoples in the United States, mainly in what is today the state of Oklahoma. Through treaty after treaty, the US had promised the Cherokee people that there would never be a state or territory made out of the Cherokee Nation. The Dawes Act retracted that promise and the Cherokees feared their loss of sovereignty. The Cherokee government lobbied Congress to fight the allotment but it was to no avail.

The US government was becoming impatient because the Cherokees had not come forward to apply and receive their allotments. They began to take applications anyway in 1896 but to their chagrin, no Cherokees came forward. The Dawes Commission was bombarded by outsiders who claimed to be Cherokee but could not

document it. All of the applications, about 5,000, were totally rejected by the Dawes Commission.

Losing all patience with the Cherokee Nation, Senator Charles Curtis introduced and Congress passed the Curtis Act in 1898. This would force the Cherokees to receive land allotments whether they wanted them or not. It also began the slow termination of the Cherokee Nation government which ended in 1907. To qualify for Dawes, an individual had to prove they were legal residents of the Cherokee Nation as well as being listed on the 1880 and/or 1896 Cherokee Nation censuses.

You will often see the years 1898-1914 in reference to the Dawes Final Roll. This is somewhat deceiving as these years are intermittent. The 1898 refers to the Curtis Act. Actual applications for the Dawes Final Roll were made from 1900-1902. An explanation of the Dawes is in the handout. The roll was finalized on March 4, 1906. From 1906 to 1914, a few cases were brought before the Dawes Commission in which a family member had been left out of a former application made from 1900-1902 or a minor child in 1906.

Many Cherokees did not answer the commission's questions themselves but a neighbor or relative who had known them twenty years answered the questions. Up until the 1896 Cherokee Nation Census and the Dawes Roll, the Cherokees had never been asked "How much Cherokee are you?" From time on end, the Cherokees had determined identity based on culture and not in a racial sense. Most of the Cherokees had no concept of what was meant by blood quantum. To the Cherokees, you were either Cherokee or something else.

Being Cherokee had been based for centuries on clan. The clan came through the female, or matrilineal, line and once that line was broken, the clan was lost. In a situation where a Cherokee man married a non-Cherokee woman, their children would no longer have a clan. Later on, being Cherokee began to be based on ways of life. If a person could read, write and speak Cherokee and practiced the Cherokee traditions such as religion, they were considered Cherokee. Due to this misunderstanding of race, many blood degrees on the Dawes Final Roll were in error.

The story that grandma or great grandpa claimed to be less Cherokee, refused to sign up, gave their land back, or did not accept the land allotment are in error. The "more" Cherokee a person was, all of their 110 acre allotment was restricted. This meant it could not be taxed or sold without losing the restriction. The less they claimed, all but their homestead allotment of 10 to 40 acres was unrestricted and could be taxed or sold. If they "refused" to sign up, then a neighbor did it for them. Once they received an allotment, it could not be returned. It was theirs until their death or they sold it. As was stated earlier, they received an allotment whether they wanted it or not.

The Dawes Final Roll was the first time in which the Cherokees were asked the name their parents. It was also the first time, when many Cherokee were asked to give

the year or date of their marriage as well as showing proof of that marriage in some cases. It was the first time to that they were asked to provide an affidavit of birth or death for a family member if they had been born or died during the enrollment process. Also, for the first time, the Dawes Final Roll made the Cherokees citizens of the United States as well as the Cherokee Nation and granted them dual citizenship.

Today, citizenship in the Cherokee Nation is based on the Dawes Final Roll and it alone. This basis for citizenship was written into the 1975 Cherokee Nation Constitution and carried through into the recent 1999 constitution. It is felt that the Dawes Final Roll is the only complete listing of who was and who wasn't a citizen of the Cherokee Nation at the time of statehood.

The last two "rolls" we will discuss will be the 1906-1909 Guion Miller Roll, which is of genealogical importance, and the 1924 Baker Roll. The Guion Miller was the result of a court case brought about by the descendants of emigrant Cherokee who had come in the main removal of 1838-1839 who felt they had not received the full amount of money owed them by the US through the 1835 Treaty of New Echota. Just as Old Settler descendants had done in 1896, so did the emigrant Cherokee.

They petitioned the federal court and were granted restitution. The government appointed a man named Guion Miller to form a commission and accept applications on behalf of the Cherokees. These applications were mainly taken from 1907-1908. 1906 was the year of the court decision and 1909 was the finalization of the "roll." Unlike the Dawes, the Miller was only for a monetary payment from the US and not land allotment or citizenship. Unlike Dawes, anyone from anywhere could apply to the Guion Miller Commission but not everyone could qualify.

To be accepted by the Miller Commission, the applicant had to document beyond a shadow of a doubt that they had an ancestor who was considered an emigrant Cherokee and who had been listed on the 1851 Drennen Roll or the 1852 Chapman Roll. If they could not document it to the satisfaction of the commission, their application was denied or rejected. Cherokee Freedmen and Old Settlers also did not qualify as well as those who had a "superficial" claim to a Cherokee ancestor.

The best outcome from these applications was the wealth of genealogical information that is contained in many of them. It was the first time that someone not only had to name his or her parents but name their grandparents, too. The applicant was asked to give his or her name, and for the first time, their date of birth, place of birth, English and Cherokee names, if known, names of parents, their dates of death if known, the names of the applicant's brothers and sisters as well as their birth and death dates. They listed their parents places of birth, residence in 1851, names of grandparents and as well as names, residences and dates of death for aunts and uncles.

The last record we will touch upon briefly, is the 1924 Baker Roll. Fred A. Baker, a US Agent, took this "roll." This was to be the final roll of those who are today known as the Eastern Band of Cherokee Indians in North Carolina. This was their

“Dawes” roll so to speak. The Eastern Band did not become US Citizens until 1924. Unlike the Cherokee Nation, they were able to retain their government. It differs from the Dawes Roll in that the dates of birth of each individual is included in the application. To qualify for Baker, the person had to be on the 1883 Hester Roll and/or the 1908 Churchill Roll.

We will end here.

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The Cherokee Nation related records are on microfilm and can be found in several repositories, such as the Fort Worth branch of the United States National Archives in Texas:

2600 West 7<sup>th</sup> Street  
Fort Worth, Texas 76107

**Mailing Address:**

1400 John Burgess Drive  
Fort Worth, Texas 76140

Email: [ftworth.archives@nara.gov](mailto:ftworth.archives@nara.gov)

The Oklahoma Research Center in Oklahoma City, Oklahoma:

Oklahoma History Center  
800 Nazih Zuhdi Drive

Oklahoma City, OK 73105- 7914

(405) 522-5225

[http://www.okhistory.org/research/collections/indian\\_archives.html](http://www.okhistory.org/research/collections/indian_archives.html)

The Muskogee Public Library in Muskogee, Oklahoma:

801 West Okmulgee

Muskogee, OK 74401

918.682.6657

<http://www.eok.lib.ok.us/gfhome.html>

The Tulsa Genealogy Center in Tulsa, Oklahoma:

Hardesty Public Library

8316 E. 93rd ST

Tulsa, OK 74133

Phone: 918.549.7691

[genaskus@tulsalibrary.org](mailto:genaskus@tulsalibrary.org)

Monday through Thursday: 9 a.m. to 9 p.m.; Friday: 9 a.m. to 6 p.m.; Saturday: 9 a.m. to 5 p.m.; Sunday: 1 p.m. to 5 p.m.

<http://www.tulsalibrary.org/genealogy/>

The Fort Smith Public Library in Fort Smith, Arkansas:

3201 Rogers Avenue

Fort Smith, AR 72903

Phone: 479-783-0229

Fax: 479-782-8571

<http://www.fortsmithlibrary.org/genmain.html>

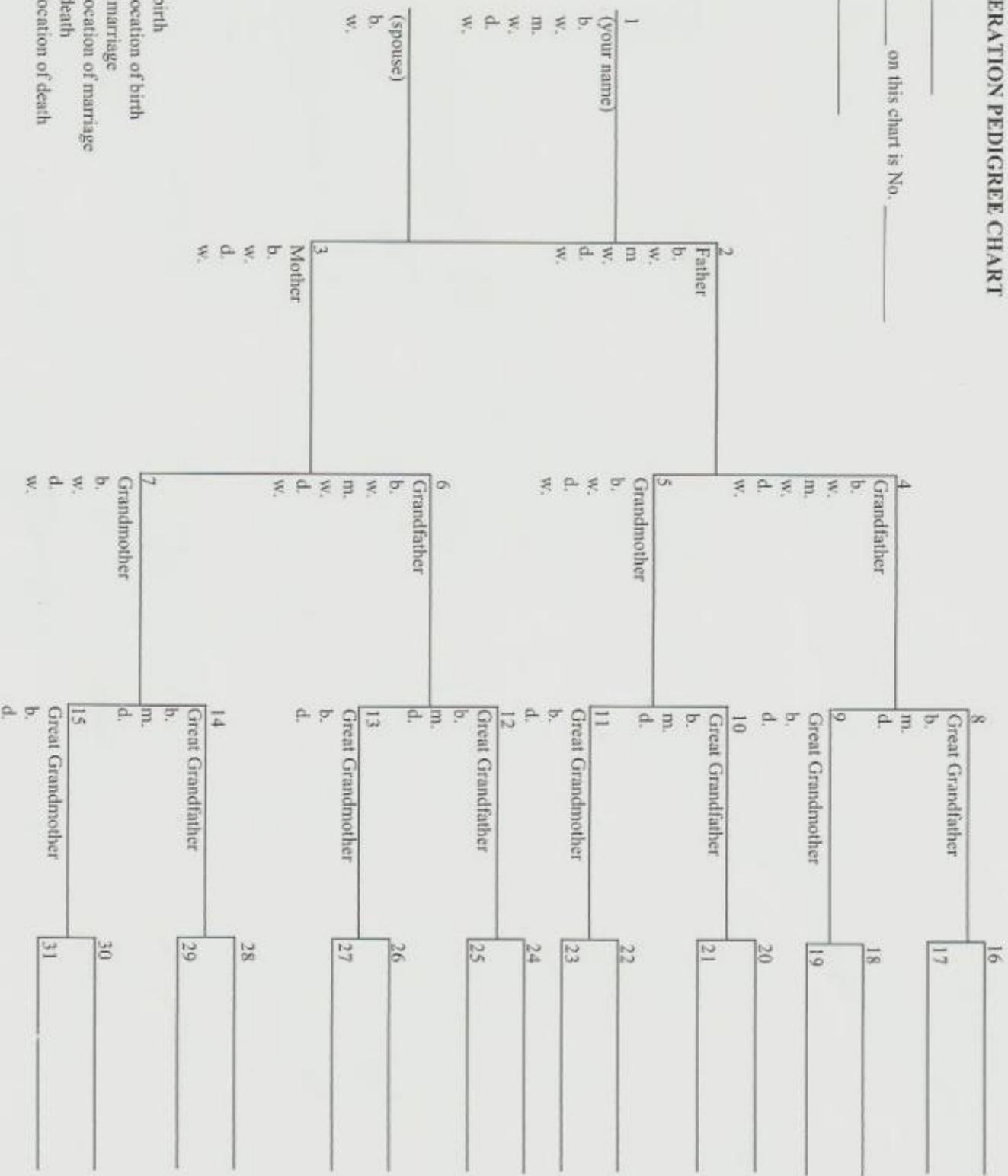
This is to name just a few. The Cherokee Family Research Center at the Cherokee Heritage Center and the T. L. Ballenger Room in the John Vaughn Library at Northeastern State University has just some of these records

# FIVE GENERATION PEDIGREE CHART

Chart No. \_\_\_\_\_

No. \_\_\_\_\_ on this chart is No. \_\_\_\_\_

on chart No. \_\_\_\_\_



b = date of birth  
 w = where/location of birth  
 m = date of marriage  
 w = where/location of marriage  
 d = date of death  
 w = where/location of death