

The Native American Ancestry of the McGee Family



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Prepared for S. Barker
18 November 2006

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18 November 2006 (#4033401 – S. Barker)

INTRODUCTION

The work of a professional genealogist begins with an analysis of the information about the ancestor of interest which is provided by descendants. In this case, the ancestor in question was George E. McGEE, who died 15 May 1974 in Wilson, Carter County, Oklahoma. George was born in Bentonville, Benton County, Arkansas on 31 August 1883/84 to Josiah Wesley McGEE and Margaret MATHEWS. Family tradition suggests that George E. McGEE's ancestors were Native American, probably Cherokee. The purpose of research was to prove the Native American ancestry of George E. McGEE.

The following report, research calendar, numbered documents, pedigree chart, and family group sheets will detail what records were searched and what was discovered. Footnotes in the report correspond with the number on the document.

Background on Native American Research

Extensive records were generated during the period of Indian Removal, from 1831 through the turn of the century, when Southeastern Indians were uprooted from their homelands in Georgia, Alabama, Mississippi, and Florida. They were taken west of the Mississippi River in what is now Oklahoma. These records relate to treaties, trade, land claims, removal to Oklahoma, allotments, military affairs, military service and pensions, trust funds, and other activities

Qualifying someone for tribal membership and its inherent benefits differs greatly from proving a relationship to a Native American ancestor. Applications for tribal membership must be accompanied by a *Certificate of Degree of Indian Blood* (CDIB) that has been issued by the Bureau of Indian Affairs. Today, the basic requirements for membership require each applicant to provide *acceptable* legal documents which prove their relationship to an ancestor who is listed with a Roll Number and Blood Degree on the *Final Rolls of Citizens and Freedmen of the Five Civilized Tribes* (Cherokee, Choctaw, Seminole, Chickasaw, and Creek), more commonly called the *Dawes Commission Final Rolls*, which were

compiled between 1896 and 1906. The degree of Indian blood of the tribal members appears on the *Final Rolls*.

Many descendants of Native American ancestors cannot qualify or certify for tribal membership because their ancestors were not enrolled during the *final enrollment*. Generally, they were not enrolled for these reasons:

- They did not submit their applications between 1896 and 1906.
- Their name did not appear on tribal rolls taken in 1883 or 1896.
- They did not have a permanent residence within the boundaries of the reservation of the tribe.
If a person separated from the tribe, they lost their citizenship.

Unfortunately, the majority of Americans who descend from a Native American ancestor **do not qualify** for tribal membership. Their ancestors may have left the tribe long before the 1817 Treaty with the Cherokee, which led to the creation of the *Reservation Rolls* that listed the head of every Indian family residing on the east side of the Mississippi River on lands that were then or would thereafter be surrendered to the United States in exchange for citizenship. They would receive a life estate of 640 acres of land from the federal government. The government then conducted the *1835 Cherokee East of the Mississippi Census*. These Cherokee rolls were followed by a dozen others leading up to the final enrollment.

Therefore, how does someone prove their descent when an ancestor left the tribe before any of the rolls had been compiled? The first records which should be looked at are the census records. Was the ancestor listed as “Indian” in the census? If the ancestor was listed as “White” on census records and on birth, marriage, or death certificates, it will be extremely difficult to prove that they had Native American blood. A study of individuals with the same surname who remained with the tribe and filed an application with the Dawes Commission or government agent Guion Miller may reveal an ancestral “connection” with a tribe, but it will not qualify a descendant for membership in that tribe. Oklahoma marriage records *usually* state the race or ethnicity of the bride and groom. However, that information is usually not given in the marriage records of other states. The marriage of tribal members would have taken place within the tribe or on the reservation, and a record would not have been kept.

Research on families in the past century generally starts with a survey of the federal census records. It is the most efficient method of obtaining information about an individual and his family, while placing them in a specific location at a specific time. Families were listed together every ten years and information about the individuals in the household varied from one census enumeration to the next. Often, Native Americans who left their tribe blended and adapted easily into White society and might have even been mistaken as “Anglo,” or White. In the census enumerations, a Native American may have been identified as *Black, Indian, Mulatto, Negro, White, or Other*. Information given in a census record is subject to further proof, as spellings of names, ages, and birthplaces may have been recorded

incorrectly. Due to privacy laws, the most recent U.S. Census available for public examination is the 1930 census record, and there is no existing 1890 U.S. Census, as it was destroyed in a fire.

George Ellis McGEE

George and Anna McGEE were enumerated with their two sons in Waurika, Jefferson County, Oklahoma in the 1930 U.S. Census.¹ George was a blacksmith by trade and was listed as forty years old and born about 1890 in Oklahoma. The family was listed as *White*, as follows:

1930 U.S. Census: Waurika, Jefferson County, Oklahoma ED, Sheet & Line: ED 20, Page 240A, Line 20 Enumeration Date: 2 April 1930										
House	Family	Name	Age	Sex	Color	Relation	Occupation	Birth Place		
								Self	Fa.	Mo.
7	7	McGee, George	40	M	W	Head	Blacksmith	OK	US	US
		Anna	32	F	W	Wife		MO	MO	MO
		Eugene	13	M	W	Son		OK	OK	MO
		G.D.	8	M	W	Son		OK	OK	MO

George, Annie, and Eugene were enumerated in the 1920 census in Wilson, Carter County, Oklahoma.² George was listed as thirty-three years old, born about 1887 in Oklahoma. Once again, the family was listed as *White*. George was working as a tool dresser in the oil fields.

1920 U.S. Census: Wilson, Carter County, Oklahoma ED, Sheet & Line: ED 55, Page 172, Line 4 Enumeration Date: 31 January 1920										
House	Family	Name	Age	Sex	Color	Relation	Occupation	Birth Place		
								Self	Fa.	Mo.
138	153	McGee, George E.	33	M	W	Head	Tool dresser	OK	TN	GA
		Annie	22	F	W	Wife		MO	MO	MO
		Eugene W.	3	M	W	Son		OK	OK	MO

¹ 1930 U.S. Federal Census Enumeration, Waurika, Jefferson, Oklahoma, ED 20, page 240A. Reference document 1.

² 1920 U.S. Federal Census Enumeration, Wilson, Carter, Oklahoma, ED 55, page 172A. Reference document 2.

³ World War I Draft Registration Cards 1917-1918 [U.S. Selective Service]. Reference document 3.

G. E. McGEE registered for the World War I draft with the U.S. Selective Service on 5 June 1917 in Carter County, Oklahoma.³ He gave his birthday as 31 August 1887 and his birthplace as Vanita, Oklahoma. Vanita is actually Vinita, now in Craig County, Oklahoma. In 1887 it was part of Cherokee Nation in Indian Territory. In 1917, when George registered for the draft, he was a tool dresser for Fox Construction in the oil fields and was listed as *Caucasian*. George had a wife and one child. Although George was tall with a medium build, brown eyes, and black hair, he was considered Caucasian by the census takers and the Selective Service.

Form 1 REGISTRATION CARD 71044 437

1 Name in full G. E. McGee 30

2 Home address Wirt Okla

3 Date of birth Aug 31 1887

4 Are you (1) a natural born citizen, (2) an alien, (3) or have you declared your intention (specify which)? U.S. C.

5 Where born Vanita Okla.

6 If not a citizen, of what country are you a citizen or subject?

7 What is your grade, trade, occupation, or office? Tool dresser

8 If when employed? 7 of Carter Co

9 Where employed? Wirt Oil Field

10 Have you a father, mother, wife, child under 18, or a sister or brother under 18, wholly dependent on you for support (specify which)? Wife / Child

11 Married or single (which)? Married Name (specify which)? Car.

12 What military service have you had? Rank None

I declare that I have verified above answers and that they are true.

G. E. McGee

REGISTRAR'S REPORT 35-2-1-A

1 Full stature, or short (specify which)? Tall Complexion, or race (which)? Med.

2 Color of eyes? Brown Color of hair? Black Build? ---

3 Has person had one, by hand, foot, or both eyes, or in the otherwise disabled (specify)?

I certify that my answers are true, that the person registered has read his own answers, that I have witnessed his signature, and that all of his answers of which I have knowledge are true, except as follows:

J. E. Girvin
(Signature of Registrar)

Product 11

City or County Carter

State Okla 6/5/17
(Date of registration)

LOCAL EXEMPTION BOARD
 CARTER CO., ARDMORE, OKLA.

WWI DRAFT REGISTRATION OF G. E. MCGEE

An enumeration of George E. McGEE was not found in the 1910 U.S. Census in Oklahoma or Arkansas. George E. McGEE, born August 1884 in Arkansas, was listed with his widowed father Josiah W. McGEE in Cherokee Nation, Indian Territory in the 1900 U.S. Census. Native Americans in Indian Territory were enumerated in a separate “Indian Schedule” which gave the tribal membership and degree or percentage of “Indian” blood. Josiah W. McGEE and his children were enumerated in the “White” schedule of Indian Territory. Josiah was listed as a physician and George as a student. George was listed

³ World War I Draft Registration Cards 1917-1918 [U.S. Selective Service]. Reference document 3.

as fifteen years old, so he would have turned sixteen in August 1900. The McGEE family was listed as follows:⁴

1900 U.S. Census: Township 27, Cherokee Nation, Indian Territory ED, Sheet & Line: ED 8, Sheet 5B, Line 93 Enumeration Date: 9 June 1900										
House	Family	Name	Birth Date	Sex	Color	Relation	Occupation	Birth Place		
								Self	Fa.	Mo.
		McGee, Josiah	Aug 1841	M	W	Head(wd)	Physician	TN	GA	IN
		John B.	Sep 1865	M	W	Son	Carpenter	TN	GA	TN
		William N.	Jan 1868	M	W	Son	Carpenter	MO	GA	TN
		Mollie	Dec 1878	F	W	Daughter		MO	GA	TN
		George E.	Aug 1884	M	W	Son	Student	AR	GA	TN
		Sarah E.	Apr 1886	F	W	Son	Student	AR	GA	TN
		Davis W.	Aug 1890	M	W	Son		AR	GA	TN

In 1900, George E. McGEE was living in the area which in 1907 (when Oklahoma became a state) would become Craig County, Oklahoma. The Craig County marriage records were searched, and George did not marry Anna SUMMERS in Craig County.

G. E. McGEE and Miss Annie SUMMERS were married 14 June 1914 at the Broadway Baptist Church in Ardmore, Carter County, Oklahoma.⁵ George gave his age as twenty-five and Annie was eighteen. Both were residents of Wilson, Oklahoma at the time of the marriage. The marriage record did not record the race or color of the bride or groom, nor does it list the names of the parents.



MARRIAGE LICENSE OF G. E. MCGEE & ANNIE SUMMERS

⁴ 1900 U.S. Federal Census Enumeration, Twp. 27, Cherokee Nation, Indian Territory, ED 8, page 5B. Reference document 4.

⁵ Marriage Records, 1914, Carter County, Oklahoma. Court Clerk, v. 5, p. 483. Reference document 5.

Information about George Ellis McGEE and his ancestors has been submitted to Ancestry.com's *One World Tree*.⁶ As with any submitted information, the data needs to be verified with original documents, but it can provide valuable leads in the research process. Josiah Wesley McGEE died 5 February 1902, presumably in Cherokee Nation, since that is where he was living in 1900. After Josiah's first wife, Margaret MATHEWS, died on 30 December 1884, Josiah married three more times. Each time, his new wife had a child or two and then died.

Josiah's father, James Giles McGEE, died 17 March 1888 in Thornfield, Ozark County, Missouri. His children and grandchildren settled in Oklahoma, New Mexico, and California.

The death of Dr. J. W. McGEE of Centralia was mentioned in *The Indian Weekly & Vinita Leader* in the February 6, 1902 issue.⁷ His fourth wife, Mrs. J. W. McGEE, died a few weeks before the February 6th newspaper. Josiah's son, Mr. McGEE, married Jessie HUNTER in February 1901 in Centralia.

Neither Josiah nor George McGEE was mentioned in the available Craig or Carter County histories. Josiah's grave inscription was not found in the available Craig County cemetery records.

Sometime between 1884 (when George E. was born) and 1900 (when the census was taken), Josiah W. McGEE moved his family from Benton County, Arkansas to Cherokee Nation, Indian Territory. It was not necessary to be a member of the Cherokee tribe to live in Cherokee Nation. As a matter of fact, in 1900 there were 68,027 *White* settlers in Cherokee Nation, compared to only 23,750 *Indians*.

After Margaret McGEE died in December 1884, leaving three-month-old George, Josiah W. McGEE married (Nancy) Jane WRIGHT on 8 July 1885 in Benton County, Arkansas.⁸ Nancy Jane gave birth to Sarah Elizabeth McGEE on 5 April 1886 in Bentonville. Nancy died five days later. Josiah then married Harriet Washington BUTTRAM, on 5 October 1886 in Benton County, Arkansas (Reference document 8:4). Harriet gave birth to Walter (1887), Davis (1890), and Margaret (1892). Harriet died 1 August 1894 in Cincinnati, Washington County, Arkansas. Of her three children, only Davis survived childhood.

Josiah Wesley McGEE was listed as Wesley in the 1880 U.S. Census of Osage Township, Benton County, Arkansas.⁹ This census was taken four years before George E. McGEE was born. Once again, the entire family was listed as *White*.

⁶ *Ancestry's One World Tree*, Submitted information. Reference documents 6:1 – 6:7.

⁷ *Births, Deaths & Marriages from The Indian Weekly Chieftain & Vinita Leader 1900-1912*, compiled by Dixie Woodard [Vinita, OK: Craig County Genealogical Society, 1998]. Reference documents 7:1 – 7:2.

⁸ *Marriages of Benton County, Arkansas 1877-1895*, compiled by Verba Jo Pearce and Gail Scott [Rogers, AR: Northwest Arkansas Genealogical Soc., 1978]. Reference documents 8:1 – 8:4.

⁹ 1880 U.S. Federal Census Enumeration, Osage, Benton, Arkansas, ED 15, page 64D. Reference document 9.

1880 U.S. Census: Osage Township, Benton, Arkansas ED, Sheet & Line: ED 15, Sheet 64D, Line 1 Enumeration Date: 7 and 8 July 1800										
House	Family	Name	Age	Sex	Color	Relation	Occupation	Birth Place		
								Self	Fa.	Mo.
560	560	McGee, Wesley	39	M	W	[self]	Farmer	TN	GA	IN
		Margaret	36	F	W	Wife	House keeper	TN	NC	NC
		John	15	M	W	Son	Farmer lab.	TN	TN	TN
		William	12	M	W	Son	Farmer lab.	TN	TN	TN
		James	10	M	W	Son	Home	TN	TN	TN
		Eugene	7	M	W	Son	Home	TN	TN	TN
		Omar	5	M	W	Son	Home	TN	TN	TN
		Mary	1	F	W	Daughter	Home	TN	TN	TN

Josiah Wesley McGEE's parents, James and Sarah, were enumerated in Marion Township, Ozark County, Missouri in the 1880 U.S. Census.¹⁰ Like Josiah, James McGEE was listed as *White*, rather than *Indian*.

1880 U.S. Census: Marion Township, Ozark County, Missouri ED, Sheet & Line: ED 108, Page 513A, Line 7 Enumeration Date: 11 June 1880										
House	Family	Name	Age	Sex	Color	Relation	Occupation	Birth Place		
								Self	Fa.	Mo.
100	100	McGee, James	72	M	W		Farmer	GA	SC	SC
		Sarah	64	F	W	Wife	House keeper	IN	SC	SC
		Nancy	23	F	W	Daughter		TN	GA	IN
		William	39	M	W	Son	Farmer	TN	GA	IN
		James	12	M	W	Grandson	At home	TN	TN	TN
		John	10	M	W	Grandson	At home	TN	TN	TN
		Thomas	8	M	W	Grandson	At home	MO	TN	TN
101	101	McGee, Jasper	22	M	W		Farmer	TN	GA	IN
		Polly	16	F	W	Wife	Keep. House	KY	KY	KY

James McGEE was born in Georgia and believed that both his parents were born in South Carolina. Nancy, William, and Jasper McGEE were Josiah's siblings.

¹⁰ 1880 U.S. Federal Census Enumeration, Marion Twp., Ozark, Missouri, ED 108, p. 513A. Reference document 10.

In 1870, Josiah W. and Margaret McGEE were enumerated in Marion Township, Ozark County, Missouri with their three oldest children.¹¹ Again, the family claimed to be *White*, or were mistaken for Caucasian.

1870 U.S. Census: Marion Township, Ozark County, Missouri									
Enumeration Date: 16 August 1870									
Page	House	Name	Age	Sex	Color	Occupation	Value of Estate		Birth Place
							Real	Pers.	
215	70	McGee, J.W.	28	M	W	Farmer	400	492	TN
		Margarett	26	F	W	Keep. House			TN
		John B.	4	M	W	At home			TN
		William R.	2	M	W	At home			MO
		James	2 m.	M	W	At home			MO

Nineteen-year-old Josiah W. McGEE was enumerated with his parents, J. G. and Sarah, in the 1860 U.S. Census in Lowryville, Hardin County, Tennessee.¹² Race or color was not recorded in the 1860 census. On the eve of the Civil War, James G. McGEE had a fair share of property, which was probably lost during the war. His oldest sons would serve in the Confederate Army from the state of Tennessee.

1860 U.S. Census: District 7 (Lowryville), Hardin County, Tennessee									
Enumeration Date: 10 August 1860									
Page	House	Name	Age	Sex	Color	Occupation	Value of Estate		Birth Place
							Real	Pers.	
334	723	McGee, J.G.	53	M		Farmer	2800	6439	GA
		Sarah	45	F					IN
		John H.	22	M		Teacher			TN
		Wm. M	20	M		Teacher			TN
		Josiah W.	19	M		Farmer			TN
		J.M.	16	M		(at school)			TN
		C.L.	13	M		(at school)			TN
		Emily J.	11	F		(idiot/birth)			TN
		Thos. H.	8	M		(at school)			TN
		Solen E.	6	M		(at school)			TN

¹¹ 1870 U.S. Federal Census Enumeration, Marion, Ozark, Missouri, page 215. Reference document 11.

¹² 1860 U.S. Federal Census Enumeration, Dist. 7, Hardin, Tennessee, page 334. Reference document 12.

1860 U.S. Census: District 7 (Lowryville), Hardin County, Tennessee									
Enumeration Date: 10 August 1860									
Page	House	Name	Age	Sex	Color	Occupation	Value of Estate		Birth Place
							Real	Pers.	
		Nancy E.	4	F					TN
		Jessee J.	2	M					TN

After much searching in the 1850 U.S. Census indexes of Tennessee, Georgia, and South Carolina, the enumeration of the James McGEE family was found in Lawrence County, Tennessee under the name McGUE, as follows:¹³

1850 U.S. Census: Dist. 7, Lawrence County, Tennessee									
Enumeration Date: 29 October 1850									
Page	House	Family	Name	Age	Sex	Color	Occupation	Real Estate	Birth Place
728	90	90	McGue, Jas.	41	M		Farmer	1200	TN
			Sarah	45	F				IN
			Mary J.	17	F				TN
			John	13	M				TN
			Wm.	11	M				TN
			Josiah	9	M				TN
			Marion	6	M				TN
			LaFayette	4	M				TN
			Emily	2	F				SC

James McGEE’s place of birth was listed as Tennessee instead of Georgia, and the youngest daughter Emily was supposedly born in South Carolina. However, this sort of clerical error was often made in the census records.

From 1790 to 1840, only the head of household was listed by name in the federal census records. The number of male and female occupants within a household was listed under various age brackets. James McGEE was enumerated in Lawrence County, Tennessee in the 1840 U.S. Census. This is where the ancestral Josiah Wesley McGEE was born.¹⁴

¹³ 1850 U.S. Federal Census Enumeration, Dist. 7, Lawrence, Tennessee, page 728. Reference document 13.

¹⁴ 1840 U.S. Head of Household Census, Lawrence County, Tennessee, p. 144. Reference document 14.

Oklahoma, Arkansas, Missouri, Tennessee, and Georgia county maps (Reference documents 15), show the counties in each state where the ancestral McGEE family lived.¹⁵ While it seems they traveled great distances, many of the counties were close to each other. Benton County, Arkansas is located in the northwestern corner of the state, while Craig County, Oklahoma is just over the border. Ozark County is located on the southern border of Missouri, just a few counties away from Benton County, Arkansas. Hardin, Wayne, and Lawrence counties in Tennessee are on the southwestern border of the state, not far from Missouri and Arkansas.

The area which is now Bartow County, Georgia, where James Giles McGEE was born, is located in the northwestern corner of the state, close to the Tennessee border. Bartow was named Cass County from 1832 to 1861 and was renamed Bartow County in 1861. It is adjacent to Cherokee County, Georgia, which was created in 1831 from Cherokee lands and the counties of Habersham and Hall. There were many White inhabitants living among the Indians in this area as early as 1800.

Several McGEE family web sites explain the connection between Josiah Wesley McGEE and his Cherokee ancestors.¹⁶ In 1896, Josiah and his brothers and sisters appeared before the Cherokee Nation court in to explain their descent from Henry McGEE and Mary OTTERTAIL, who were Cherokee. Their claims were turned down due to lack of sufficient evidence, meaning there was no documentation of these individuals since they had died before the Indian rolls began. The following excerpt was taken from the web site of Randall B. Hughes about the court hearing:

In 1896 a group of Henry McGee's ancestors [sic—should read descendants] tried to get themselves declared Indian based on facts about his life and there was sworn testimony even by an elderly few who knew him. The trial effort failed, but remaining generations are blessed (or cursed, as the case may be) with what was said about long dead Henry McGee. Here is the most pertinent page from the trial;

Case 97

The United States Court for the Northern District of the Indian Territory -
(Georgia)

William M. McGee, et. al.

VS.

The Cherokee Nation

¹⁵ *Red Book: American State, County, and Town Sources*, edited by Alice Eichholz [Salt Lake City, UT: Ancestry, 2004]. Reference documents 15:1 – 15:6.

¹⁶ *Descendants of Joseph McGEE*, web site submitted by Randall B. Hughes. Reference documents 16:1 – 16:33.

Mary B. Hawkins, William M. McGee, Josiah W. McGee, Solon H. McGee, Nancy E. Ward, and Jesse J. McGee of lawful age being duly sworn, each for himself says, that they are respectively Grandsons and Granddaughters of Henry McGee and Mary McGee deceased, and sons and daughter of James G. McGee and Sallie McGee deceased, and further it is through their Grandfather Henry McGee that affiants claim their Indian blood, he being Cherokee Indian as affiants have always been advised by Grandparents, Parent and all who knew them, and traditions of the family corroborate such knowledge, that Henry McGee had but one sister to affiants knowledge named Judy Sellers. The maiden name of Mary McGee affiants Great Grandmother was Ottertail and related as we understand to the Vanns, all of whom, except our Great Grandmother, were members of the Cherokee band of Indians in the old Nation of Georgia.

Grandfather Henry McGee was assassinated by one Bill Reed a quarter blood Cherokee, the trouble growing out of a silver mine which Grandfather owned and operated in connection with Dick Rowe and other Cherokee Indians, near the mouth of Coon Creek on Hitower River now in Bartow County, Georgia, between the years A.D. 1812 and A.D. 1820.

Affiants Grandmother (a white woman, Mary Polly KILBURN) against the advice of her Cherokee neighbors and through fear left her farm and most of her livestock, with no compensation and went to her Father and brothers in east Tennessee, and soon thereafter married Samuel McKinney, he being a white man, which destroyed her interest and property rights as a Cherokee, she moved to middle Tennessee, Lawrence County, where our Father was bound out until he was supposed to be 21 years of age (there being no reliable record of his birth) after this he married Sallie Davis in 1850, a native of Indiana.

Many of the early Scotch-Irish fur traders in the South intermarried with the Cherokee and this is why the Scotch-Irish names are so common among the *Five Civilized Tribes*. Mr. Hughes' web site provides a great deal of information about the descendants of the earliest Scottish McGEE immigrant. This information from this web site appears to be well-documented from court papers and there is reason to "re-invent the wheel" by trying to prove facts that have no written proof. The descendants listed on this web site included Josiah Wesley McGEE, but not his children or grandchildren.

Another McGEE web site listed Dr. Josiah Wesley McGEE, his siblings, and ancestors, but again not his children and grandchildren.¹⁷ This web site involves the McGEE surname DNA project which is seeking participants (Reference documents 17:6 – 17:9). While this DNA project is not specifically seeking to prove Cherokee heritage, it is clear that such a project might be a possibility in the future.

A KILBURN web site also included information on the ancestors of Mary (Polly) KILBURN, who married Henry McGEE.¹⁸ This and other submissions suggest that after Mary (KILBURN) McGEE's husband Henry

¹⁷ Dr. Josiah Wesley McGEE Ancestry. <http://www.mymcgee.com/>. Reference documents 17:1 – 17:9.

¹⁸ Descendants of John KILBURN. <http://genealogybyjenniferamarzahnd.com>. Reference documents 18:1 – 18:9.

was murdered, and that she left Cherokee Nation in Georgia and went to Tennessee with her children, where she married Samuel McKINNEY. Mary supposedly lived from 1773/1776 to 1886, an incredible 110 years. However, none of the submissions give her place of death or residence after she left Georgia. Some time was spent trying to find Samuel, Mary, or Polly McKINNEY in the 1830 - 1880 U.S. Census records, but a match was not found. It was not proved that Mary lived to 110 years.

All available Cherokee rolls were searched McGEE names, specifically for any descendants of Henry McGEE and Mary KILBURN. While the McGEE and McGHEE names do appear on later rolls, the first names do not match with Henry's descendants.

The Cherokee towns in Georgia and their migration routes from Georgia through South Carolina, North Carolina, and Tennessee during the years 1817-1835 are shown on the maps in Reference documents 19.¹⁹

Available rolls of the *Five Civilized Tribes* (Cherokee, Choctaw, Seminole, Chickasaw and Creek) include the following:

- The **Reservation Rolls of 1817** was a listing of those “Cherokee” desiring a 640-acre tract in the East and permitted to reside there in lieu of removing to Arkansas. Upon the death of the applicant or the abandonment of the property, title was to revert to the state.
- The **Emigration Rolls, 1817-1835**, was a listing of those who filed to emigrate to Arkansas, and after 1828 to Oklahoma.
- The **Henderson Roll, 1835**, was a census of over 16,000 Cherokee residing in Alabama, Georgia, Tennessee, and North Carolina to be removed to Oklahoma under the terms of the treaty of New Echota in 1835.
- The **Mullay Roll, 1848**, was a census of 1,517 Cherokee remaining in North Carolina after the removal of 1838. John C. Mullay took the census pursuant to an act of Congress in 1848.
- The **Siler Roll, 1851**, was a listing of those Eastern Cherokee entitled to a per capita payment pursuant to an act of Congress in 1850.
- The **Chapman Roll, 1852**, prepared by Albert Chapman, was a listing of those Cherokee actually receiving payment based on the Siler census.

¹⁹ Baker, Jack D., trans. *Cherokee Emigration Rolls, 1817-1835* [Oklahoma City, OK: Baker Publishing, 1977]. Reference documents 19:1 – 19:2.

- The **Old Settler Roll, 1851**, was a listing of Cherokee still living in 1851 who were already residing in Oklahoma when the main body of the Cherokee arrived in the winter of 1839, as a result of the Treaty of New Echota (1835). Approximately one-third of the Cherokee people at that time were Old Settlers and two-thirds were new arrivals.
- The **Drennen Roll, 1852**, was the first census of the new arrivals of 1839. This was the New Echota Treaty group or the survivors of the “Trail of Tears”.
- The **Swetland Roll, 1869**, prepared by S. H. Swetland, was a listing of those Eastern Cherokee and their descendants who were listed as remaining in North Carolina by Mullan in 1848. It was made pursuant to an act of Congress in 1868 for a removal payment authorization.
- The **Hester Roll, 1883**, compiled by Joseph G. Hester, was a roll of Eastern Band of Cherokee Indians in 1883. This roll is an excellent source of information, including ancestors, Chapman Roll number, age, English name, and Indian name.
- The **Churchill Roll, 1908**, was taken by Frank C. Churchill to certify members of the Eastern Band of Cherokee Indians. Like the Hester Roll, it included a lot of information including degree of blood. Rejections were also included.
- The **Guion Miller Roll, 1909**, compiled by Guion Miller, was a listing of all Eastern Cherokee, not Old Settlers, residing either east or west of the Mississippi. It was ordered by the Court of Claims as a result of a lawsuit won by the Eastern Cherokee for violations of certain treaties.
- The **Baker Roll, 1924**, was supposed to be the final roll of the Eastern Band of Cherokee Indians. The land was to be allotted and all were to become regular citizens of the United States. Fortunately, the Eastern Band of Cherokee avoided the termination procedures, unlike their brothers of the Nation to the west. The Baker Roll “Revised” is the current membership roll of the Eastern Band of Cherokee Indians of North Carolina.
- The **Dawes Roll 1898-1914**, was the *final roll* for allotting the land and terminating the Cherokee Nation of Oklahoma. Senator Henry L. Dawes was the commission’s chairman, and consequently, the name Dawes is associated with the final roll. The roll turned out to not be as final as it was expected to be. Upon the reorganization

of the Cherokee Nation of Oklahoma in the 1970's, the Dawes Roll became the only means of certifying membership.

To be enrolled by the Cherokee Nation, one must prove ancestry to a person enrolled by Dawes.²⁰ Unfortunately, none of the ancestral McGEEs were enrolled by the Dawes Commission.

CONCLUSION

The ancestry of George Ellis McGEE was proved during this research period. His father was Josiah Wesley McGEE, who was born in 1841 in Lawrence County, Tennessee and died in Cherokee Nation, Indian Territory in 1902. Josiah's father was James Giles McGEE, who was born in 1806/1809 in Cherokee Territory, Georgia and died 17 March 1888 in Ozark County, Missouri. The father of James Giles McGEE was Henry McGEE, who was at least one-fourth Cherokee, his grandmother being Mary OTTERTAIL, supposedly full-blood Cherokee, but of which there is no documented proof. Henry was born about 1772 in Cherokee Territory, Georgia and died in about 1818 on Coon Creek near Hytower River in Cherokee Territory, Georgia.

The descendants of Henry McGEE are part Cherokee, but Josiah Wesley McGEE's claim to the Cherokee Nation court was rejected in 1896. None of his ancestors were listed in the Cherokee rolls. Therefore, descendants of Josiah Wesley McGEE will likewise be rejected for membership in the Cherokee Nation.

It has been an honor and pleasure researching McGEE family. It is believed that George Ellis McGEE, Josiah Wesley McGEE, and James Giles McGEE descend from Cherokee ancestors, but unfortunately there is no written proof of this. We hope to be of assistance to you with future research.

LINEAGES, Inc.

Sheri E. Slaughter, Genealogist

²⁰ Secretary of Interior. Commission to the Five Civilized Tribes. *Index to the Final Rolls of the Citizens and Freedmen of the Five Civilized Tribes in Indian Territory* [Washington, D.C.: Govt. Print. Office, 1907]. Reference documents 20:1 – 20:4.

Research Calendar

18 November 2006 (#4033401 – S. Barker)

Subject: McGee	Researcher: SES
Source	Comments
1930 U.S. Federal Census Enumeration Waurika, Jefferson, Oklahoma, ED 20, page 240A Ancestry.com online image	George and Anna McGEE Reference document 1
1920 U.S. Federal Census Enumeration Wilson, Carter, Oklahoma, ED 55, page 172A Ancestry.com online image	George and Anna McGEE Reference document 2
World War I Draft Registration Cards 1917-1918 [U.S. Selective Service] Ancestry.com online image	G. E. McGEE Reference document 3
1900 U.S. Federal Census Enumeration Twp. 27, Cherokee Nation, Indian Territory, ED 8, page 5B Ancestry.com online image	Josiah W. McGEE, son George Reference document 4
Marriage Records, 1909-1918, V. 1-4 Craig County, Oklahoma. Court Clerk. FHL films 1290350, 1290351	George E. McGEE and Anna SUMMERS NIL
Marriage Records, 1909-1916, V. 2- 5 Carter County, Oklahoma. Court Clerk. FHL films 1313675-1313677	G. E. McGEE and Annie SUMMERS, V. 5, p. 483 Reference document 5
The Story of Craig County: Its People and Places [Vinita, OK: Craig County Heritage Assoc., 1991] FHL 976.698 D2s, V. 2	Josiah or George McGEE – NIL
Heritage of Craig County, Indian Territory [Vinita, OK: Craig County Genealogical Society] FHL 976.698 D2s, V.3	Josiah or George McGEE – NIL
One World Tree Submitted information Ancestry.com database	George Ellis McGEE ancestry Reference documents 6:1 – 6:7
Births, Deaths & Marriages from The Indian Weekly Chieftain & Vinita Leader 1900-1912, compiled by Dixie Woodard [Vinita, OK: Craig County Genealogical Society, 1998] FHL 976.698 B38w	J. W. McGEE Reference documents 7:1 – 7:2

Subject: McGee	Researcher: SES
Source	Comments
Marriages of Benton County, Arkansas 1877-1895, compiled by Verba Jo Pearce and Gail Scott [Rogers, AR: Northwest Arkansas Genealogical Soc., 1978] FHL 976.713 V28p, v. 1, 3	J. W. McGEE <p style="text-align: right;">Reference documents 8:1 – 8:4</p>
1880 U.S. Federal Census Enumeration Osage, Benton, Arkansas, ED 15, page 64D Ancestry.com online image	Wesley and Margaret McGEE <p style="text-align: right;">Reference document 9</p>
1880 U.S. Federal Census Enumeration Marion Twp., Ozark, Missouri, ED 108, p. 513A Ancestry.com online image	James and Sarah McGEE <p style="text-align: right;">Reference document 10</p>
1870 U.S. Federal Census Enumeration Marion, Ozark, Missouri, page 215 Ancestry.com online image	J. W. McGEE <p style="text-align: right;">Reference document 11</p>
1860 U.S. Federal Census Enumeration Dist. 7, Hardin, Tennessee, page 334 Ancestry.com online image	Josiah McGEE, age 19 <p style="text-align: right;">Reference document 12</p>
1850 U.S. Federal Census Index Tennessee, Georgia, South & North Carolina Ancestry.com online database	James G. McGEE, Josiah McGEE NIL
1850 U.S. Federal Census Enumeration Dist. 7, Lawrence Co., Tennessee, p. 728 Ancestry.com online image	Jas. McGUE <p style="text-align: right;">Reference document 13</p>
1840 U.S. Head of Household Census Lawrence County, Tennessee, p. 144 Ancestry.com online image	James McGEE <p style="text-align: right;">Reference document 14.</p>
1830–1880 U.S. Federal Census All States Ancestry.com online database	Mary or Polly McKINNEY No match
Red Book: American State, County, and Town Sources, edited by Alice Eichholz [Salt Lake City, UT: Ancestry, 2004] FHL Ref 973 D27rb	Oklahoma, Arkansas, Missouri, Tennessee, and Georgia maps with county lines <p style="text-align: right;">Reference documents 15:1 – 15:6</p>
Centralia Cemeteries, compiled by Mary Oakley [Vinita, Oklahoma : M.M. Oakley and C.A. Schofield, c2002] FHL 976.698 V3c	Josiah W. McGEE NIL
The Ozark Region, its History and its People [Springfield, Missouri : Interstate Historical Society, 1917] FHL 977.8 H2o v.1-3	James Giles McGEE NIL
Cook, Fredrea M. H. Cook. Forgotten Oklahoma Records: Cherokee Land Allotment Books [Wyandotte, OK: Gregath Publishing, 1992] FHL 970.3 C424co	McGEE and McGHEE – Yes No Josiah or George E.

Subject: McGee	Researcher: SES
Source	Comments
Jordan, Jerry Wright, comp. Cherokee by Blood—Records of Eastern Cherokee Ancestry in the U.S. Court of Claims, 1906-1910 [Bowie, MD: Heritage Books, 1987] FHL 970.3 C424j V.1-9	McGEE and McGHEE – Yes No Josiah, Solon, William M., or Jesse
Starr, Emmet. History of the Cherokee Indians [Muskogee, OK: Hoffman Printing Co., 1984] FHL 970.3 C424ste	McGEE – Yes No Mary Ottertail, Henry, James, or Josiah McGEE
1835 Cherokee Census [Park Hill, Oklahoma, 2002] FHL 970.3 C424ei	McGEE NIL
Descendants of Joseph McGEE http://familytreemaker.genealogy.com/users/h/u/g/Randall-B-Hughes/PDFGENE5.pdf	James Giles McGEE, etc. Reference documents 16:1 – 16:33
Dr. Josiah Wesley McGEE Ancestry http://www.mymcgee.com/web/mcgeelines/mrmcgee_maryottertail.html	McGEE DNA study, etc. Reference documents 17:1 – 17:9
Descendants of John KILBURN http://genealogybyjenniferamarzahnd.com	Mary Polly KILBURN family Reference documents 18:1 – 18:9
Baker, Jack D., trans. Cherokee Emigration Rolls, 1817-1835 [Oklahoma City, OK: Baker Publishing, 1977] FHL 970.3 C424be	OTTERTAIL – NIL McGEE or McGHEE – NIL Migration Map Reference documents 19:1 – 19:2
Secretary of Interior. Commission to the Five Civilized Tribes. Index to the Final Rolls of the Citizens and Freedmen of the Five Civilized Tribes in Indian Territory [Washington, D.C.: Govt. Print. Office, 1907] FHL 970.1 Un3c Index	McGEE and McGHEE No Josiah or George Reference documents 20:1 – 20:4
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Reservation Roll, 1817 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Emigration Rolls 1817-1835 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Henderson Roll, 1835 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Mullay Roll, 1848 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Siler Roll, 1851 McGEE or OTTERTAIL – NIL

Subject: McGee	Researcher: SES
Source	Comments
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Chapman Roll, 1852 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Swetland Roll, 1869 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Hester Roll, 1883 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Churchill Roll, 1908 McGEE – Yes, no George E. OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Guion Miller Roll, 1909 McGEE – Yes, no George E. OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 1: Eastern Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Baker Roll, 1924 McGEE – Yes, no George E. OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 2: Western Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Old Settler Roll, 1851 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 2: Western Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Drennen Roll, 1852 McGEE or OTTERTAIL – NIL
Blankenship, Bob. Cherokee Roots, Vol. 2: Western Cherokee Rolls (Cherokee, N.C.: Bob Blankenship, 1992)	Dawes/Guion Miller Rolls, 1898-1914 McGEE – Yes, no George E. OTTERTAIL – NIL

Copies of all documents found during
research session go here.

Pedigree Charts and Family Group Records

Copies of pedigree charts and family group records associated with this line go here.