

M1773

EASTERN CHEROKEE CENSUS ROLLS, 1835–1884

Jerry Clark provided the descriptive material and  
the introduction for this microfilm publication.

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## INTRODUCTION

On the three rolls of this microfilm publication, M1773, are reproduced census and other rolls listing names of Cherokee Indians, primarily of the Eastern Band of that tribe. These census rolls are among records relating to “Removal” or forced migration of most of the Cherokee Nation in the years 1835–1839 (the so-called “Trail of Tears”). Some of the rolls were made well after the removal period, but they have been maintained in this series, Eastern Cherokee Census Rolls, 1835–1884, which is part of the Records of the Bureau of Indian Affairs, Record Group (RG) 75.<sup>1</sup>

These 23 volumes and unbound papers include original rolls, partial rolls, extra copies of rolls, and name indexes for the rolls. Since Cherokees constitute one the most numerous of Native peoples in America, with a long history of relationships with other Indians, Europeans, and Africans, the various rolls in this series are frequently used as sources of genealogical information about persons with Cherokee lineage. This pamphlet describes the several Cherokee rolls in this series and identifies other Cherokee rolls, providing historical context for the creation of each one.

## HISTORICAL BACKGROUND

When the Spanish explorer Hernando De Soto first encountered them in 1530, the Cherokees were a numerous and warlike people (speaking a language related to that of the Iroquois) and inhabiting southern Appalachia, an area of highlands now encompassing parts of Alabama, Georgia, North Carolina, South Carolina, and Tennessee. Cherokees were one of five Native populations that occupied much of territory that is now the southern United States. The Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles adopted many aspects of European culture, customs, and technology, and became known as the “Five Civilized Tribes.” Over time, many Cherokees intermarried with non-Cherokee Indians, Europeans, and Africans resulting in many persons of mixed-blood ancestry. Sometimes persons with Cherokee lineage became separated from tribal authority (and the subsequent jurisdiction of the Bureau of Indian Affairs) and thus may have left little trace in either tribal or government records. However, many family traditions of Cherokee ancestry may find confirmation among information provided by the various census rolls of the series Eastern Cherokee Census Rolls, 1835–1884.

From the time of President Thomas Jefferson’s administration, Federal Government policy sought to persuade the Cherokees and other southern Indian tribes to voluntarily give up their lands and emigrate west of the Mississippi River. Some Cherokees moved to Arkansas Territory after 1817 and to Indian Territory (now Oklahoma) after 1828 and were known as “Western Cherokees” or “Old Settlers.” Another band of Cherokees went to Texas (then a Spanish possession), but after 1839 was expelled

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<sup>1</sup> For a brief description of this series, listed as Entry 219, and of related series, see Edward E. Hill, comp., *Preliminary Inventory of the Records of the Bureau of Indian Affairs, Vol. I*. PI 163 (National Archives, Washington, DC: 1965).

by the Lone Star Republic, and became merged with the “Old Settlers” in Indian Territory.

Several events in 1828 sealed the fate of the Cherokees and the other “Civilized Tribes.” In that year, gold was discovered on Cherokee lands in Georgia (accompanied by America’s first “Gold Rush”), the Georgia legislature asserted its jurisdiction over the Cherokee lands, and Andrew Jackson won reelection as President, in part, on a platform of Indian removal.

Later, by authority of the Indian Removal Act of 1830, the administrations of Presidents Andrew Jackson and Martin Van Buren applied both governmental and military means to force the five southern Indian nations from their homelands. From 1831 to 1840, Choctaws, Chickasaws, Creeks, Seminoles, and Cherokees were forced to migrate to Indian Territory (now Oklahoma), in a process then called “Indian Removal,” but now better known as “The Trail of Tears.” This was done despite a decision of the United States Supreme Court in *Worcester v. Georgia* (1832), in which the Indian Removal Act was declared unconstitutional. President Jackson ignored this ruling and was said to have remarked, “Justice Marshall has rendered his decision, now see how he enforces it.”

In the fall of 1835, officials of the Office of Indian Affairs were sent into the Cherokee Nation to enumerate the Indians in order to determine the number of Cherokees to be removed by the government. This 1835 Census of Cherokees Living East of the Mississippi River is sometimes called the “Henderson Roll,” and is included as part of the series Eastern Cherokee Census Rolls, 1835–1884, even though most of those listed on this census roll were subsequently sent westward to Indian Territory.

The Cherokees were the most numerous of the Five Tribes and the last to be removed. This removal occurred in stages and involved various categories of Cherokees, with each category resulting in separate documentation. One group of Cherokees, led by a tribal leader named “Major Ridge,” cooperated with the removal policy, and became known as the “Treaty” or “Ridge” faction. Members of this group signed a treaty of dubious legality with the United States Government at the Cherokee town of New Echota on December 29, 1835, despite lacking proper authority to give away tribal lands. Principal Chief John Ross led the majority portion of the tribe that was opposed to removal, and they were called the “National” or “Ross Party.” Despite the opposition of the Ross faction, the treaty was ratified by the United States Senate on May 23, 1836.

The “Ridge” faction of Cherokees removed themselves to the west, either individually or in several Government-run detachments, between 1835 and 1838, in the first phase of the removal. The second stage of removal occurred when other Cherokees (mostly those residing in Georgia) were rounded up by troops commanded by Gen. Winfield Scott in the spring of 1838 and sent to Indian Territory, using boat transportation via the Tennessee, Ohio, Mississippi, and Arkansas Rivers. The third phase is the one most often identified as “The Cherokee Trail of Tears.” In the fall and winter

of 1838–39, most remaining Cherokees migrated to Indian Territory under the leadership of Chief Ross and traveled in 1 boat detachment and 12 large wagon trains (each with about 1,000 persons). Since there are few Federal Government records about this entirely Cherokee-run migration under Chief Ross, documentation about this portion of the Removal must be sought elsewhere. The nearly 13,000 Cherokees who removed to the west between 1835 and 1839 were called “Eastern” or “Emigrant” Cherokees. After 1838 they merged with the “Old Settlers” to form the Cherokee Nation West.

Perhaps 1,500–2,000 Cherokees remained behind and became known as “The Eastern Band.” These are the people listed by the various rolls in this series. In the decades after removal, the Office of Indian Affairs compiled a number of other census or payment rolls for those Indians remaining in North Carolina, as well as some residing in Alabama, Georgia, Tennessee, and Washington, DC.

A group of Cherokees remaining in North Carolina were at first known as the “Oconalufy Band” and were joined by various other groups of Cherokees on their reservation in that state, called the “Qualla Boundary.” This land had been purchased by William Holland Thomas for use of the Cherokees in North Carolina. A few persons of Cherokee ancestry living in Alabama, Georgia, and Tennessee were included in various rolls for the “Eastern Band of North Carolina.” These rolls constitute the remaining rolls among those in this series.

## **RECORDS DESCRIPTION**

Each of the Eastern Cherokee census rolls was compiled for different administrative reasons, had a different format, and contained different amounts of information. Most of the rolls were made to determine eligibility for payments due under provisions of the 1835 treaty, or were receipt rolls for per capita payments made to tribal members. Some of the rolls are copies that were used by enrolling agents to assist them in their work. Most of the rolls are arranged by geographical location of residence, and most include alphabetical indexes of the names of persons enrolled. There are extra copies of some rolls (some annotated by later enrolling agents) and name indexes for most (but not all) of the census rolls. A much more detailed description of these rolls and their historical context can be found in Gaston Litton, “Enrollment Records of the Eastern Band of Cherokee Indians,” *The North Carolina Historical Review* XVII, 3 (July 1940): 199–231.

### **1835 Census of Cherokees Living East of the Mississippi River (“Henderson Roll”)**

The 1835 Census of Cherokees Living East of the Mississippi River is sometimes called the “Henderson Roll.” During the fall of 1835, the Superintendent of Cherokee Removal, Benjamin F. Curry, appointed officials to enumerate all Cherokees residing within the original Cherokee homelands to determine the number of Indians and value of their property in preparing plans for the removal of the tribe. The enumerators were George W. Underwood and Col. Charles H. Nelson to count Cherokees living in Georgia; Gen. Nathaniel Smith for North Carolina (later appointed

Superintendent of Cherokee Removal); Rezin Rawlings for Alabama; and Daniel Henderson for Tennessee. Chief John Ross instructed his fellow Cherokees to cooperate with the enumeration. Since the Tennessee portion of the Census enumerated by Daniel Henderson appeared first, the entire roll has been misidentified by some as the “Henderson Roll.” The Census was submitted to the Commissioner of Indian Affairs on December 12, 1835, and listed 16,542 Indians, 201 intermarried whites, and some 1,592 black slaves, with a total of 18,335 persons in the Cherokee Nation. The so-called “Henderson Roll” is the definitive listing of the inhabitants and property for the entire tribe (excepting “Old Settlers”) on the eve of removal, and serves as a benchmark for most subsequent Cherokee rolls.

This roll is a large leather-bound volume of 66 pages, consisting of information written across 2 facing pages counted as a single page. The roll is arranged by state and thereunder by location (usually along a river valley or near a Cherokee settlement). Locations are identified by Cherokee names or with state and county designations. Each page is divided into 37 columns with entries for each family:

- |  |  |
|--|--|
| 1. Name of head of Cherokee family         | 20. Value of corn bought                                   |
| 2. Number of males under 18 years          | 21. Number of mills  |
| 3. Number of males over 18 years           | 22. Number of ferry boats                                  |
| 4. Number of females under 16 years        | 23. Number of farmers over 18 years                        |
| 5. Number of females over 16               | 24. Number of mechanics over 18 years                      |
| 6. Total number of Cherokees in family     | 25. Number of readers in English                           |
| 7. Number of male slaves                   | 26. Number of readers in Cherokee                          |
| 8. Number of female slaves                 | 27. Number of full bloods                                  |
| 9. Total number of slaves                  | 28. Number of half bloods                                  |
| 10. Number of whites connected by marriage | 29. Number of quadroons                                    |
| 11. Number of farms                        | 30. Number of mixed-Catawba                                |
| 12. Number of acres in cultivation         | 31. Number of mixed-Spanish                                |
| 13. Number of houses                       | 32. Number of mixed-Negroes                                |
| 14. Number of bushels of wheat raised      | 33. Number of weavers                                      |
| 15. Number of bushels of corn raised       | 34. Number of spinsters [i.e., spinners]                   |
| 16. Number of bushels of wheat sold        | 35. Number of reservees                                    |
| 17. Number of bushels of corn sold         | 36. Number of descendants of reservees                     |
| 18. Value of corn sold                     | 37. Total number of reservees and descendants of reservees |
| 19. Number of bushels of corn bought       |  |

Column number 1 lists the names of heads of Cherokee families. Many of those named were intermarried whites or mixed-bloods (such as Principal Chief John Ross) with English names. Some names were English translations of Cherokee names (e.g., “The Going Snake”) or transcriptions of Cherokee names using English letters (e.g., “Uchilla”). Some Cherokees also adopted surnames taken from native names, such as Charley Tehee (“tee-hee” means “killer”). The spelling of names is often inconsistent or even eccentric.

Column numbers 35–37 are concerned with some 330 “reservées” and their descendants. “Reservées” were persons provided with 640-acre tracts of land (called “reservations”) under terms of treaties in 1817 and 1819. This microfilm publication contains the following extant versions of the 1835 census:

1. Original version of the Census Roll (with some fragments)
2. Copy (with Alabama, Georgia, and Tennessee; North Carolina missing)
3. Working handwritten copy used by government clerks

### **1848 Mullay Roll**

This roll was compiled by John C. Mullay, a clerk employed by the Office of Indian Affairs, who was instructed to determine “the number and names of individuals and families that remained in North Carolina,” that is, those Cherokees who did not join the removal of the rest of the tribe after 1835. Mullay based his roll on information provided by an earlier (non-government) roll compiled in 1840 by a private citizen of North Carolina named William Holland Thomas, a white merchant who acted as agent and attorney for Cherokees in that state. For a time, Thomas served as the elected chief of the Eastern Band.<sup>2</sup> Thomas listed names of North Carolina Cherokees who perished during the Removal, and whose heirs were due payment under terms of the Treaty of New Echota.

The Mullay Roll lists payments to Cherokees authorized by an act of Congress of July 19, 1848 (9 Stat. 264), and became the basis for subsequent rolls of the Eastern Band. The original roll is a leather-bound ledger or daybook of 60 pages, with information written on facing pages. It is arranged in strict numerical order (1–1557), with an enrollment number assigned to each person and names grouped by towns or settlements in North Carolina. The format for the roll contains these columns:

- |                |            |
|----------------|------------|
| 1. Roll number | 3. Age     |
| 2. Name        | 4. Remarks |

The Mullay Roll is the first Cherokee roll to list the names of all members of Cherokee families (the 1835 Census listed only the name of the head of a family). The name of the head of family is shown first, followed by the names of the wife and other family members. The Remarks column sometimes includes annotations about blood degree (e.g., “½ blood”); family relationships, such as “former wife of Jim Woodpecker” (with Woodpecker’s Mullay roll number); or personal information, such as “died August, 1836 in the camps.” Some annotations are quite detailed, such as the “woman killed by falling tree in Tennessee, in route to Arkansas, 1838.” Most of the names are either translated (e.g., “Peckerwood”), or transcribed (e.g., “Junaluska”) from the Cherokee language to English letters, while many are listed only with common

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<sup>2</sup> A typed copy of the Thomas roll is part of the series Miscellaneous Correspondence of the Eastern Cherokee Enrolling Commission, 1925–1928, in the Records of the Bureau of Indian Affairs, RG 75. A microfilmed copy of the roll is among records of the Bureau of American Ethnology of the Smithsonian Institution.

English first names, such as “Betsy” or “Charley.” The Mullay Roll was officially submitted to the Commissioner of Indian Affairs in July 1849. This microfilm publication contains the following extant versions of the 1848 Mullay Roll:

1. Original roll (in two parts)
2. Partial Copy (part 1)
3. 1868 copy
4. 1871 copy
5. 1884 copy (annotated by Joseph G. Hester)

### **1851 Siler Roll**

This roll was prepared by David W. Siler, special agent of the Office of Indian Affairs. The roll was written into a canvas-bound journal or ledger volume with 130 pages. Each page is divided into the following columns:

1. Roll number
2. Name
3. Age
4. Relationship
5. Sex
6. Blood (Indian or white)
7. Remarks

The roll is arranged by state (North Carolina, Tennessee, Alabama, Georgia, and Washington, DC), and thereunder by town or county. Names are also grouped by families, with each family being given a separate consecutive number. Each family member has his or her own enrollment number running consecutively (1–1557). The remarks include information about family relationships, whether a person was Indian or white, and can include such comments as “the grandchildren in this family are illegitimate” or “married to a Catawba [Indian].” At the end of the roll are names of some persons whose Cherokee status was disputed. This is a list of persons who had been enrolled by Mullay and who were still living (or their descendants). After a number of complaints, the Siler roll was shown to not have counted a number of North Carolina Cherokees. Thus it became necessary for additional rolls to be made (the 1852 Chapman and the 1854 Act of Congress Rolls). The Siler Roll was submitted on September 17, 1851, to the Commissioner of Indian Affairs. This microfilm publication contains the following extant versions of the 1851 Siler Roll:

1. Original roll
2. Copy

### **1852 Chapman Roll**

This roll was prepared by Alfred Chapman, special agent of the Office of Indian Affairs, as a list of per capita payments made between December 1851 and January 1852 for Cherokees residing in North Carolina, Tennessee, Georgia, and two individuals in Washington, DC. The original roll is a leather- and clothbound volume of 51 pages. Each page is divided into columns containing the following information:

1. Roll number
2. Name
3. Amount
4. Signature/receipt of payment

The Chapman roll is arranged by state (North Carolina, Tennessee, and Georgia, and Washington, DC), and thereunder by town or county, with names of persons grouped by families. The head of family is listed first, followed by names of other members whose relationship to the head is indicated. Families are grouped by brackets, but the family groups are not numbered. Each individual has his or her own enrollment number arranged from 1 to 2134. Ages are set opposite each name, and the amount of payment made is indicated. The Chapman Roll is quite similar to the Siler Roll but with different enrollment numbers and some names listed by Siler omitted, but the Chapman Roll was considered more accurate than the Siler Roll by the Bureau of Indian Affairs. This roll is a receipt roll for payments actually made. This micro-film publication contains the following extant versions of the 1852 Chapman Roll:

1. Original roll
2. Copy

### **1854 Act of Congress Roll**

This roll was prepared by the Bureau of Indian Affairs to include certain persons omitted by the Siler Roll, under authority of the appropriation act of Congress of July 31, 1854 (10 Stat. 333),` and an opinion of the Attorney General of June 1857. This is a supplemental roll to the Siler Roll that authorized the addition of 88 individuals whose names were omitted by Siler, but who were counted by Mullan or Chapman. Each of the three pages of this document has the following columns:

- |             |                    |
|-------------|--------------------|
| 1. Names    | 4. Residence       |
| 2. Relation | 5. Amount Received |
| 3. Age      |                    |

Some names have enrollment numbers, but most do not. There is no index, nor are the names listed in any apparent order.

### **1867 Powell Roll**

This roll was prepared by Dr. R. J. Powell, special agent of the Treasury Department, to “investigate and report upon the condition [with reference to “the recent Rebellion”] of certain Indians of the Cherokee Nation” in North Carolina and to determine names of Indians due per capita annuity payment and accrued interest for the period July 28, 1859, to July 28, 1866, interrupted by the Civil War. The roll is a large volume, and is arranged consecutively by enrollment numbers (1–1518), with the following columns:

- |                |             |
|----------------|-------------|
| 1. Roll Number | 4. Relation |
| 2. Name        | 5. Remarks  |
| 3. Amount Due  |             |

The roll appears to be incomplete (the first 21 pages appear to be missing) and provides little information about the enrolled Indians. It was submitted to the Secretary of the Treasury on January 19, 1867, with a copy sent to the Commis-

sioner of Indian Affairs, but was superceded by the 1869 Swetland Roll. This microfilm publication contains the following extant version of the 1867 Powell Roll:

The original roll

### **1869 Swetland Roll**

This roll was prepared by S. H. Swetland, special agent of the Bureau of Indian Affairs, under authority of an act of Congress of July 29, 1868 (XV Stat. 228), for payments due to living persons who had been enrolled on the Mullay Roll and their descendants. The original roll is a large leather- and clothbound book, or journal, with 55 pages. This was a roll of payment of interest due upon the per capita fund of \$53.33 for each Indian that was authorized by Congress to Cherokees residing in Alabama, Georgia, Tennessee, North Carolina, and South Carolina, and it was keyed to the 1848 Mullay Roll. The Swetland Roll is arranged first by date, then locality (town or county), and thereunder numerically by enrollment number of the person (1–1815). The roll includes the following columns:

- |                          |   |
|--------------------------|---|
| 1. Family Number         | 11. Hogs                                    |
| 2. Name                  | 12. Sheep                                   |
| 3. Age                   | 13. Wheat                                   |
| 4. Sex                   | 14. Corn                                    |
| 5. Indian                | 15. Oats                                    |
| 6. Breed                 | 16. Rye                                     |
| 7. Estate                | 17. Read and Write                          |
| 8. Horses                | 18. Parents (living or dead)                |
| 9. Mules                 | 19. Remarks (including Mullay Roll numbers) |
| 10. Cattle (oxen & cows) |   |

This roll was apparently intended to replicate the type of information concerning property that was provided on the 1835 Cherokee Census (the “Henderson Roll”). The roll was submitted to the Commissioner of Indian Affairs on May 24, 1869. This microfilm publication contains the following extant versions of the 1869 Swetland Roll:

1. Original roll
2. 1881 Second Auditor’s copy
3. Copy
4. Copy

### **1884 Hester Roll**

This roll was prepared by Joseph G. Hester, a special agent of the Office of Indian Affairs, under authority of an act of Congress in 1882. This was a new census of members (either by birth or adoption) of the Eastern Band of Cherokees, but with references to the earlier enrollments of Mullay, Siler, Chapman, and Swetland. The Hester Roll is arranged by enrollment number (1–2956), and mostly lists names of persons residing in the main settlement of Cherokees on the “Qualla Boundary” in western North Carolina. However, the roll also denotes Cherokees residing in

Georgia, Tennessee, Alabama, South Carolina, Kentucky, New Jersey, Virginia, Illinois, Kansas, Colorado, and California. Each page is divided into columns:

- |  |  |
|--|--|
| 1. Roll Number (Hester)                        | 8. Relationship (to head of family)      |
| 2. Roll Number (Mullay)                        | 9. Sex                                   |
| 3. Roll Number (Siler)                         | 10. Age                                  |
| 4. Roll Number (Chapman)                       | 11. Name (of ancestor on previous rolls) |
| 5. Roll Number (Swetland)                      | 12. Relationship (to ancestor)           |
| 6. Name (as appears on previous rolls)         | 13. Present Residence                    |
| 7. Name of Enrollee (Indian and English names) | 14. Remarks                              |

The roll was submitted to the Commissioner of Indian Affairs on January 5, 1884. This microfilm publication contains the following extant versions of the 1884 Hester Roll:

1. Original Roll
2. Copy

## **RELATED RECORDS**

### **Textual Records in the National Archives**

RECORDS OF THE BUREAU OF INDIAN AFFAIRS, RECORD GROUP 75

#### **Council Roll of Eastern Band of Cherokee (1907) [Entry 593]<sup>3</sup>**

This roll of two volumes is also known as the Harris, Blythe, and French Roll, and is keyed to the 1884 Hester Roll. There is an index.

#### **Rolls of Eastern Band of Cherokee (1908, called the Churchill Roll) [Entry 594]**

These rolls were prepared by Inspector Frank C. Churchill. These rolls are keyed to both the Hester and Council Rolls, and are nearly identical to the latter.

#### **Rolls of Eastern Band of Cherokee (1928) [Entry 602]**

This series consists of two rolls. Both were prepared by Fred A. Baker under provisions of an act of Congress of June 4, 1924. One is a roll of deceased Eastern Cherokee annuitants, and the other is a list of the members of the Eastern Band of Cherokees as of 1928. These rolls are considered the "Final Roll" for establishing membership in the Eastern Band of North Carolina Cherokees. There are related records for the Eastern Cherokee Enrolling Commission.

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<sup>3</sup> These record series in Record Group 75 are listed by entry number and described in Edward E. Hill, comp., *Preliminary Inventory of the Records of the Bureau of Indian Affairs*.

## **National Archives Microfilm Publications**

### *M595, Indian Census Rolls, 1885–1940*

Rolls 22–26 of this microfilm publication contain censuses of Cherokees residing on the North Carolina reservation for the period 1898–1939. There were no similar census rolls for Cherokees in Indian Territory since there was no reservation for the western Cherokees.

### *M574, Special Files of the Office of Indian Affairs, 1807–1904*

Special File 102 on roll 16 of this series contains records relating to Cherokee claimants who had been omitted by Siler and not listed on the Act of Congress Roll and who were investigated in 1855 by special agent Albert Chapman.

### *M685, Records Relating to Enrollment of the Eastern Cherokee by Guion Miller, 1908–1910*

This series contains reports and related records of Special Commissioner Guion Miller used in certifying the enrollment of Eastern Cherokee Indians. Roll 6 includes the Eastern Cherokee Roll, May 28, 1909 (also known as the Guion Miller Roll).

### *M1059, Selected Letters Received by the Office of Indian Affairs Relating to the Cherokees of North Carolina, 1851–1905*

This series contains later correspondence of Cherokees with the Bureau of Indian Affairs concerning their claims, land issues, litigation, and other matters. The records include detailed notes and testimony compiled by Joseph G. Hester for his 1884 roll.

### *M1104, Eastern Cherokee Applications of the U.S. Court of Claims, 1906–1909*

This publication contains copies of applications submitted to Special Commissioner Guion Miller for settlement of claims from those Cherokees affected by the 1835 Treaty of New Echota and the subsequent removal of the Cherokee Nation, 1835–1839. Roll 1 includes a general index to the applications, as well as the Eastern Cherokee Roll of 1909 (also known as the Guion Miller Roll). There were some 47,000 applications submitted, and each contains considerable genealogical information for persons providing proof of Cherokee ancestry.

## ROLL LIST

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2	<b>1851 Siler Roll</b> Original Roll Copy Index  <b>1852 Chapman Roll</b> Original Roll Copy Index  <b>1854 Act of Congress Roll</b> Original Roll  <b>1867 Powell Roll</b> Original Roll Index
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