



PEEBLES KIDDER

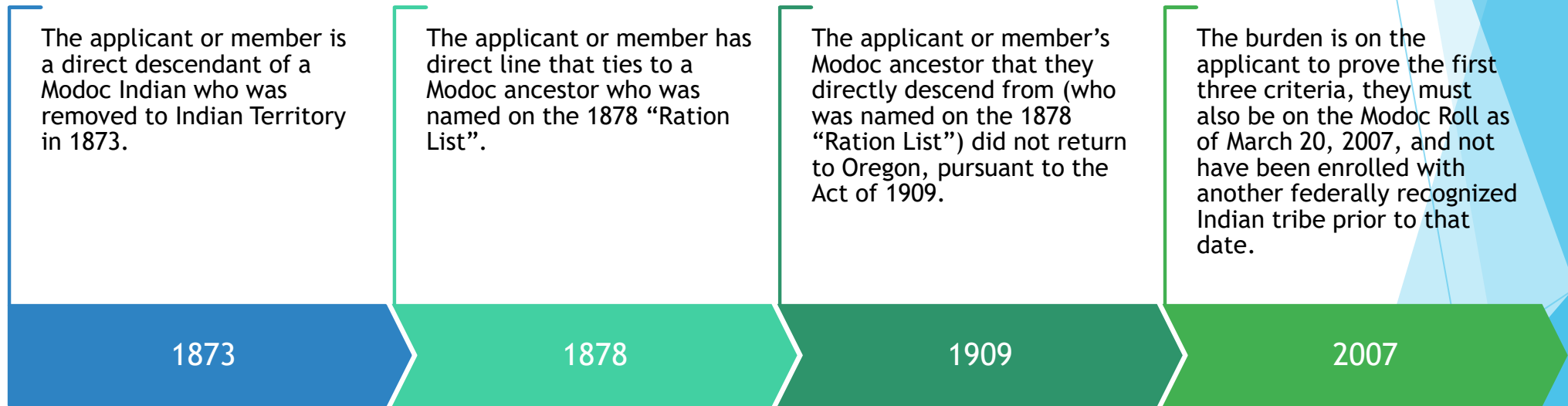
## Enrollment Discrepancies Associated with Modoc Indian Miller's Charley

Presentation to Modoc Nation Enrollment Committee  
July 6, 2022

# Our Assignment

- ▶ Our firm was directed to assess the veracity of a claim of direct lineal descent to Modoc Nation ancestor Miller's Charley (sometimes known as Charley Miller).
- ▶ In conducting our assessment, we have relied upon official records furnished by the Modoc Nation and our independent review of federal census records.

# Modoc Nation Enrollment Criteria



# Key Point

- ▶ The criteria for membership is derived directly from federal law at 25 U.S.C. § 861a(a)(3):

The Modoc Indian Tribe of Oklahoma shall consist of those Modoc Indians who are direct lineal descendants of those Modoc Indians removed to Indian territory in November 1873, and who did not return to Klamath, Oregon, pursuant to the Act of March 9, 1909 (35 Stat. 751), as determined by the Secretary of the Interior, and the descendants of such Indians who otherwise meet the membership requirements adopted by the Tribe.

# Audit

- ▶ An internal investigation of enrollment records followed by an enrollment audit revealed a discrepancy in certain enrollment applications.
- ▶ At issue is whether any person alive today could be a lineal descendant of Miller' Charley.

# Miller's Charley

Modoc Indian

PEEBLES KIDDER BERGIN & ROBINSON LLP

# Who was Miller's Charley?

- ▶ Miller's Charley was born in the Tribe's ancestral homelands (now areas of California and Oregon) in 1836 and fought in the Modoc War 1872-1873.
- ▶ In November 1873, Miller's Charley was removed to Indian Territory.
- ▶ In 1878, Miller's Charley appears on the Quapaw Agency Modoc Census of Subsistence and Ration list as Miller, Charley.
- ▶ He married at least twice. He was married Sophia McCarty about 1886, and the pair remained married until her death in 1890. He was concurrently married Princess Mary and remained married until her death in 1906.
- ▶ He lived in Indian Territory on the Modoc Reservation, Quapaw Agency from 1873 until his death on April 9, 1911.
- ▶ He did not have any surviving children at the time of his death.

# 1878 Ration List

MODOC TRIBE OF OKLAHOMA BASE ROLL  
1878 Quapaw Agency Modoc Census of Subsistence and Ration, as corrected  
(Prepared pursuant to the Act of May 15, 1978, P. L. 95-281)

Base Roll Number	Ration List Number	Name	Sex	Remarks
61	92	Long, John	M	
62	74	Longlegs, Matte	F	
63	53	McCarty, Adam Sonchin	M	
64	52	McCarty, Albert Sonchin	M	
65	49	McCarty, Agnes Sonchin	F	
66	48	McCarty, Emma Sonchin (Emma Rock Baker Wel	F	Modoc Allottee 53, file 1250
67	50	McCarty, Estella Sonchin	F	
68	54	McCarty, Mary Sonchin	F	
69	51	McCarty, Patsy Sonchin	F	
70	57	Miller, Charley	M	
71	59	Miller, Nancy (Kielco)	F	
72	58	Miller, Mary (Princess Mary)	F	Modoc Allottee 39, file 1302
73	7	Moloch, (Mary Ann Modoc)	F	Modoc Allottee 61, file 1289
74	33	River, Carrie	F	
75	34	River, Ruth	F	
76	56	Rock, Abraham	M	



# Miller's Charley or Charley Miller?

“A few Modocs retained the names by which they were known during the war: Scarfaced Charley, Shacknasty Jim, Bogus Charley, and Curley Headed Doctor. But most Modocs adopted names that fit better into the society around them. Some new names were a rearrangement of old names: Miller's Charley became Charley Miller, Faithful William changed to William Faithful, and Long Jim became James Long.”

Source: James, Cheewa. *Modoc: The Tribe That Wouldn't Die*, Happy Camp, CA. p. 186.  
(emphasis added).



territory, showing adoption of Anglo-American clothing and  
sons. (Front row, left to right) Charley Miller (Miller's

Charley) and Ben Lawver (C  
Ball, unidentified, Asa Ti

► “REFUGEE MODOC in Indian Territory, showing adoption of Anglo-American clothing and “Indian” style uncreased Stetsons.

(Front row, left to right) Charley Miller (Miller's Charley) and Ben Lawver (Yellowhammer). Back row, left to right) unidentified, Johnny Ball, unidentified, Asa Tittle, unidentified, Sam Lawver.”

Source: Faulk, Odie. *The Modoc People, Indian Tribal Series*. Phoenix, pp.94-95 (1976). (emphasis added)

# Miller's Charley Timeline

- 1838 Born in what is now Oregon.
- 1872-1873 Fought in the Modoc War in California.
- 1873 Among the 153 Modoc Indians removed to Indian Territory.
- 1878 Named on the Ration List and Married to Mary Miller (Princess Mary), sister of Captain Jack.
- 1885 Married Sophia Charley (née McCarty).
- 1885-1889 Recorded on Modoc Census as married to Sophia Charley
- 1890 Sophia Charley (Sophia McCarty) died.
- 1890-1907 Recorded on the Modoc Census as living alone.
- 1906 Mary Miller (Princess Mary) died without children.
- 1910 Recorded on the United States Census as living alone.
- 1911 Died intestate, at age 75.
- 1914 Report on Heirship filed by the Secretary of Interior states Miller's Charley was "unmarried at the time of his dead and without issue, father or mother, brother or sister or descendants thereof."

# Miller's Charley Report on Heirship

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Law-Heirship 1840  
63474-16  
F W S

Wapaw Indian Agency  
Wyandotte, Okla.  
Rec'd JUN 29 1914 5-107 a

DEPARTMENT OF THE INTERIOR  
OFFICE OF INDIAN AFFAIRS

Approval of heirship  
to estate of Charley  
Miller, Seneca, Oklahoma

JUN 23 1914, 191

Estate of **Charley Miller**

Respectfully submitted to the Secretary of the Interior, recommending finding herewith, as in  
accordance with the laws of **Oklahoma**

It appears from the evidence adduced at the hearing that **the allottee died intestate**  
**April 9, 1911**  
**At the age of about 75 years, unmarried at the time of**  
**his death and without issue, father or mother, brother or**  
**sister or descendants thereof.**

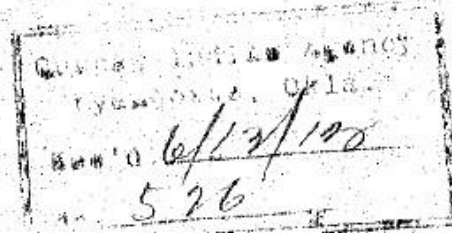
# Princess Mary (Mary Miller) Report on Heirship

From the evidence adduced at the hearing held or concluded May 15, 1911, it appears that the allottee, Princess Mary, died February 23, 1906, and left as her sole heirs a nephew, Joseph Kirk, and a niece, Sissie Wilson, who were entitled to share in her estate equally, each taking one-half. The Superintendent reports that the decedent had no personal property held in trust at the time of her death.

# Princess Mary (Mary Miller) Report on Heirship

L-43048

-3-



It further appears that the decedent was survived by a husband, Charley Miller, who died April 9, 1911, but who in no way would affect the distribution of the estate, as he would not be entitled either as an heir or to the right of curtesy, as his rights would be determined under the common law, and as there were no children born of his marriage relations with the deceased allottee, no right of curtesy, which was the only right allowed a husband by common law, would attach in this estate.

# Census Records of Miller's Charley

# Key Point

- ▶ All the following Modoc census records note Miller's Charley was without children.



# 1885 Modoc Census

No	Indian Name	English Name	Relationship	Sex	Age
#1	Le - lo - pi - io	Miller Charley		M	47
#2	Mau - A' - rash	Ropha McCarty		F	70

This is the column in which a spouse or child would be listed. In Miller's Charley case, there is no notation of either.

# 1886 Modoc Census

32		Quinn Pleasant	Steph. Wright	F	17
33	Kampo	Moses & Est.	Hessbrook	M	60
34	Lo-to-si-ud	Miller Charley	Husband	M	45
35	Man-ki-ush	Sophia Charley	10 yrs	F	65

- Census lists Miller's Charley as married to Sophia Charley.
- Note that none of the Modoc census records indicate the pair had any children.

# 1887 Modoc Census

A handwritten census table with columns for household number, name, relationship, sex, and age. The entries are as follows:

Household	Name	Relationship	Sex	Age
39	Angus Clum	Son	M	1
H0	Le-to-si-us	Mellan Chisley	Hubb	M 49
H1	Mau-ha-wah	Sophia M. Chisley	Wife	F 70
H2		Riley (Bliss)	M	20

# 1888 Modoc Census

42	Le to si us	Muller Charley	Husband	M	50
43	Mam Ki wash	Sophia McCarty	Wife	F	71
44	To Click	Jun Long	Father	M	48

# 1889 Modoc Census

41	Infant Clinton	F	Daugh.	12
42	William Charley	m	Husband	50
43	Sophia McCarty	F	wife	41
44	Sam Long	m	Father	48
45	Annie Long	F	Sister	27

\*This Census is the last record of Sophia Charley/McCarty as she died sometime in early 1890

# 1890 Modoc Census

08 Modoc Modoc				
88	Mary Ann Modoc		F	70
69	Charles Miller		M	40
70	Riley Bliss		M	28
71	Kate Pleasant		F	70
72	Ben Lawver		M	35
73	Samuel Clinton	Husband	M	30

# 1891 Modoc Census

4 (S-128)

CENSUS of the Indians of  
Agency, taken  
by , United States Indian Agent,  
189

NO.	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
58		Cora Pickering	F		30
60		Moses Kist	M.		30
61		Mary Ann Modoc	F		70
62		Charles Miller	M		40
63		Kate Pleasant	F		20
64		Ben. Lawver	M		35

# 1892 Modoc Census

No.	Name.	Relation.	Sex.	Age.
55	Charley Miller,		M.	42.
56	Kate Pleasant,		F.	73.
57	Ben Lawver,		M.	37.
58	Samuel Clinton,		M.	33.
59	Charley Tail,		M.	8.

35250



# 1893 Modoc Census

51	Carroll Pickering	f.	26
52	Moses Keist	m	38
53	Mary A. Modoc	f.	75
54	Charley Miller	m	43
55	Ben Lawver	m	38
56	Samuel Colinton	m	34
57	Charley Tait	m	9

# 1894 Modoc Census

9	44	Nancy Snyder		f	85
	45	James Kirk	Grand Son	m	17
	46	Emma Rock		f	44
	47	Amos Kist		m	20
	48	Sally Clark		f	75
	49	James Clark	Grand Son	m	23
	50	Ettie Stanley		f	29
	51	Sallie Spicer		f	29
	52	Cora Pickering		f	32
	53	Mary Ann Modoc		f	30
	54	Charley Miller		m	44
	55	Ben Lawver		m	38
	56	Samuel Clinton		m	35
	57	Charley Tail		m	10

# 1895 Modoc Census

by \_\_\_\_\_, United States Indian Agent,  
1895

No.	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
47		Etta Stanley	F		30
48		Sallie Spies	F		34
49		Carra Pickering	F		33
50		May Ann Modde	F		31
51		Chas Miller	M		45
52		Ben Lavour	M		40
53		Sam Vinton	M		36
54		John " "	M	son	

# 1896 Modoc Census

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
47		Ettie Stanley	F		31
48		Ballie Spier	F		31
49		Lora Harman	F		34
50		May Ann Modoc	F		82
51		Miller Charley	M		46
52		Ben Lawrence	M		41
53		Samuel Linton	M		37
54		John	M	son	1

# 1897 Modoc Census

CENSUS of the *Modoc Tribe* Indians of  
*Quappaw* Agency, *Indian Territory* taken  
 by *Geo. S. Doane*, United States Indian Agent,  
*June 30th* 1897

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
45		<i>Ben Hayman</i>	F		35 ✓
46		<i>Monie G. "</i>	M	<i>son</i>	7
47		<i>May Ann Modoc</i>	F		83 ✓
48		<i>Miller Chisty</i>	M		47
49		<i>Ben Larrow</i>	M		42
50		<i>Samuel Christie</i>	M		88
51		<i>Jesse</i>	M	<i>son</i>	5
52		<i>Erin M. "</i>	F	<i>Daughter</i>	17

# 1899 Modoc Census

5-128.

CENSUS of the MODOC Indians of  
QUAPAW Agency, INDIAN Territory taken  
by EDWARD GOLDBERG, United States Indian Agent,  
June 30, 1899., 189...

NUMBER.	INDIAN NAME	ENGLISH NAME.	SEX.	RELATION.	AGE.
1		Minnie Snyder Burns	f	mother	21
2		MAMIE BURNS	f	daughter	3
3		Samuel Ball	m		80
4		John Ball	m	father	39
5		Macy Ball	m	son	18
6		Daniel Clinton	m	husband	34
7		Jennie Clinton	f	wife	39
8		Gilbert Clinton	m	son	9
9		Miller Charley	m		60
10		Louis Charley	m		9

# 1900 Modoc Census

CENSUS of the MODOC Indians of  
Chaparral Agency, Indian Territory taken  
by Edward Selberg, United States Indian Agent,  
June 30, 1900

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Winnie Snyder Burns	f	mother	22
2		Emmie Burns	f	daughter	4
3		Samuel Ball	m		61
4		John Ball	m	father	40
5		Maey Ball (blind)	w	son	19
6		Daniel Clinton	m	husband	32
7		Jennie Clinton	f	wife	46
8		Gilbert Clinton (infant) Clinton	m	son	10
10		Miller Charley	m		61
11		Samuel Clinton	m		41
12		William Faithful Pleasant	m		59

# 1901 Modoc Census

CENSUS of the Modoc Indians of  
Quapaw Agency, under Seneca School, I.T. taken  
by Edgar A. Allen, Superintendent, Acting, United States Indian Agent,  
June 30, 1901, 1901

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
7		Minnie Snyder Burns	f	mother	23
8		Maie Burns	f	daughter	8
9		Samuel Ball	m		62
10		John Ball	m	father	41
11		Macey Ball (blind)	m	son	20
12		Daniel Clinton	m	husband	36
13		Jennie Clinton	f	wife	41
14		Gilbert Clinton	m	son	11
15		Horace Clinton	m	son	1
16		Miller Charley	m		62
17		Samuel Clinton	m		42
18		William Faithful Pleasant	m		60
19		U. S. Grant (blind)	m		92
20					



# 1902 Modoc Census

2-128.

CENSUS of the Modoc Indians of  
Quapaw Agency, Indian Territory taken  
by Horace B. Durant, Supt. & Acting, United States Indian Agent,  
June 30, 1902, 190...

NUMBER	INDIAN NAME	ENGLISH NAME	SEX.	RELATION.	AGE
1		Minnie Snyder Burns	f	mother	24
2		Namie Burns	f	daughter	6
3		Samuel Ball	m		63
4		John Ball	m	father	42
5		Macey Ball Blind	m	son	21
6		Daniel Clinton	m	husband	37
7		Jennie Clinton	f	wife	42
8		Gilbert Clinton	m	son	12
9		Horace Clinton	m	son	9
10		Miller Charley	m		65
11		Samuel Clinton	m		45
12		William Faithful Pleasant	m		61

# 1903 Modoc Census

V<sup>120</sup>

CENSUS of the Modoc Indians of  
Quapaw Agency, Wyandotte, Indian Territory taken  
by Herace B. Durant, Supt. United States Indian Agent,  
June 30, 1903, 190...

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION.	AGE
1		Minnie Snyder Burns	f	mother	25
2		Marie Burns	f	daughter	7
3		Samuel Ball	m		84.
4		Jehn Ball	m	father	43
5	Blind	Macey Ball	m	son	22
6		Daniel Clinton	m	husband	38
7		Jennie Clinton	f	wife	43
8		Gilbert Clinton	m	son	13
9		Herace Clinton	m	son	3
10		Miller Charley	m		64
11		Samuel Clinton	m		44
12		William Faithful Pleasant	m		62

# 1904 Modoc Census

2-129.

Modoc

CENSUS of the Quapaw Agency, Wyandotte, Indian Territory Indians of

by Horace B. Darnall, Superintendent United States Indian Agent,

June 30, 1904. 190

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Minnie Snyder Burns	f	mother	26
2		Marie Burns	f	daughter	8
3		Samuel Ball	m		85
4		John Ball	m	father	48
5	Blind	Macy Ball	m	son	23
6		Daniel Clinton	m	husband	39
7		Jennie Clinton	f	wife	44
8		Gilbert Clinton	m	son	14
9		Horace Clinton	m	son	4
10		Miller Charley	m		64
12		Samuel Clinton	m		48
12	Born Jan'y. 6, 1904-	Paul Clinton	m	son	5 M
13		William Faithful Pleasant	m		63
14	Blind	U. S. Grant	m		95

# 1905 Modoc Census

5-128.

**Modoc**

CENSUS of the \_\_\_\_\_ Indians of  
 Quapaw \_\_\_\_\_ Agency, Wyandotte, Indian Territory taken  
 by Horace B. Durant, Supt. & \_\_\_\_\_, United States Indian Agent,  
 June 30, 1905. \_\_\_\_\_, 189...

NUMBER.	INDIAN NAME	ENGLISH NAME.	SEX.	RELATION.	AGE.
1		Minnie Snyder Burns	f	mother	27
2		Mamie Burns	f	daughter	9
3	Born February 10, 1904-	Hiram Richard Robbins	m	son	1
4		Samuel Ball	m		86
5		John Ball	m	father	45
6		Macy Ball	m	son	24
7		Daniel Clinton	m	husband	40
8		Jennie Clinton	f	wife	45
9		Gilbert Clinton	m	son	15
10		Horace Clinton	m	son	5
11		Miller Charley	m		65
12		Samuel Clinton	m	father	45
13		Paul Clinton	m	son	1
14		William Faithful Pleasant			

# 1906 Modoc Census

5-128.

CENSUS of the Modoc Indians of  
Quapaw Agency, Wyandotte, Indian Territory taken  
by Horace B. Durant, Supt. A., United States Indian Agent,  
June 30, 1906, 190

NUMBER	INDIAN NAME	ENGLISH NAME	SEX.	RELATION.	AGE
1	1	Minnie Snyder Robbins	f	mother	28
2	2	Mamie Burns	f	daughter	10
3	3	Hiram Richard Robbins	m	son	2
4	4	<del>Samuel Ball (dead)</del>			
5	4	John Ball	m	father	46
6	5	Macy Ball (blind)	m	son	25
7	6	Daniel Clinton	m	husband	41
8	7	Jennie Clinton	f	wife	46
9	8	Gilbert Clinton	m	son	16
10	9	Horace Clinton	m	son	6
11	10	Miller Charley	m		66
12	11	<del>Samuel Clinton</del>	m	father	46
13	12	Paul Clinton	m	son	2
14	13	William Faithful Pleasant	m		65
16	14	Charles Hood	m	husband	40

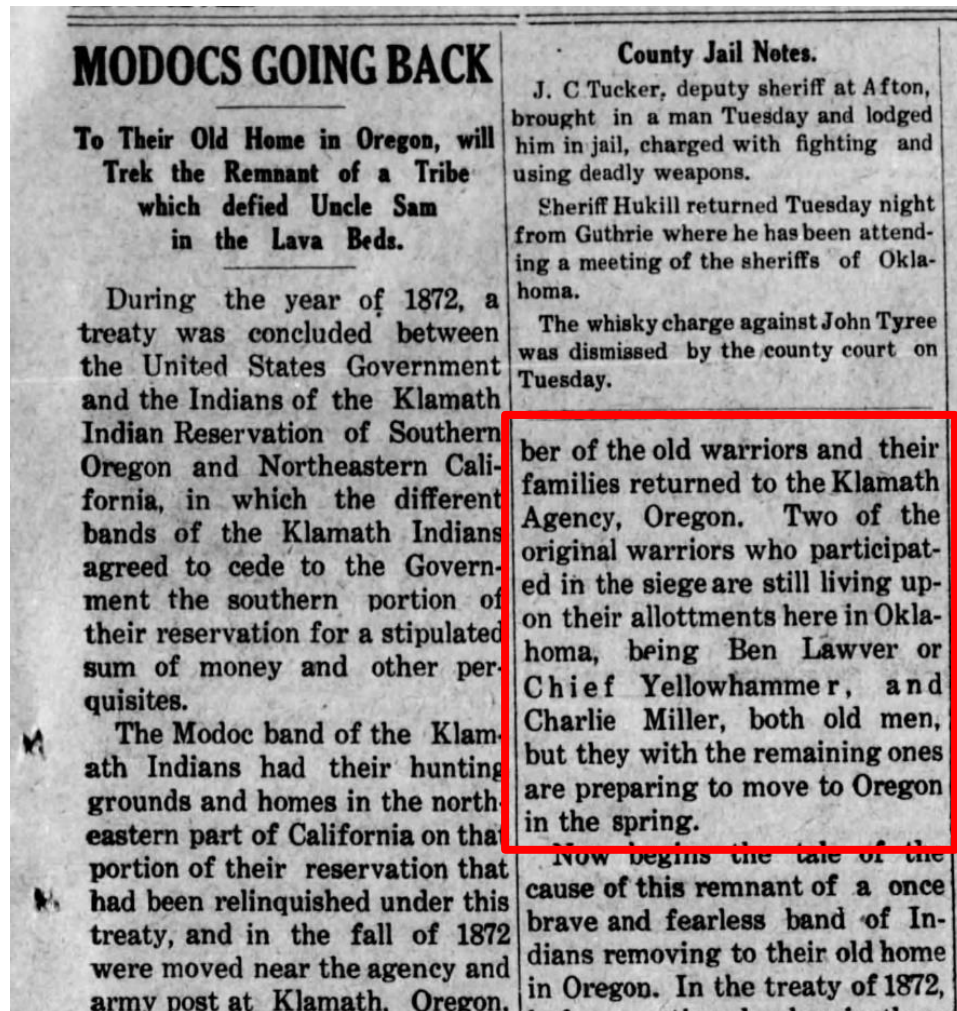
# 1907 Modoc Census

*CENSUS of the* Modoc *Indians of*  
Quapaw *Agency, Wyandotte, Indian Territory* *taken*  
*by Horace B. Durant, Superintendent & S. D. A., United States Indian Agent,*  
*June 30th, 1907., 1907.*

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Minnie Snyder Robbins,	F	Mother	29
2		Mamie Burns,	F	Daughter	11
3		Hiram Richard Robbins,	M	Son	3
4		John Ball;	M	Father	47
5		Macy Ball, (blind)	M	Son	28
6		Daniel Clinton,	M	Husband	48
7		Jennie Clinton,	F	Wife	47
8		Gilbert Clinton,	M	Son	17
9		Horace Clinton,	M	Son	7
10		Nancy Jane Clinton,	F	Daughter	4
11		Miller Charley,	M		67
12		Samuel Clinton,	M	Father	47
13		Paul Clinton,	M	Son	3

# Miami Record-Herald (Miami, Oklahoma)

• Fri, Jan. 14, 1910 • Page 1



- Charlie Miller is reported with the intent to depart the Modoc Reservation and return to the Klamath Reservation in Klamath, Oregon.
- This also indicates he is still residing on his Modoc Reservation allotment.

# Louis Charley

Modoc Indian

PEEBLES KIDDER BERGIN & ROBINSON LLP



# Who was Louis Charley?

- ▶ Louis Charley was born in 1890 and is first reported on the June 1891 Census of the Modoc Tribe in Indian Territory.
- ▶ Louis Charley was the son of Scarface Charley and Ella Charley.
- ▶ The spelling of his name varies between governmental documents, including:
  - ▶ “Louis Charlie”
  - ▶ “Lewis Charley”
  - ▶ Louis is also sometimes referred to as “Louis Scarface”

# Louis Charley Timeline

- 1890 Born in Indian Territory.
- 1891-1897 Recorded on Modoc Census as the son of Scarface and Ella Charley.
- 1897-1898 Louis and his sister, Minnie, lost their entire family and were orphaned.
- 1898-99 Recorded on Modoc Census as living alone.
- 1900 “Louis Charley” listed on US General Census as 10 years old.
- 1900 Died, at age 10.

# Census Records of Louis Charley

# Key Points

- ▶ Census records of the Modoc Nation from 1891-1899 prove that Louis Charley was the son of Scarface and Ella Charley.
- ▶ After the 1900 General Census, there is no record of any “Louis” or “Lewis” as a member of the Modoc Nation, further supporting the conclusion that Louis died in 1900 at age 10.

# 1891 Modoc Census

(A-128.)

CENSUS of the *Modoc Tribe of* Indians of  
*Quapaw* Agency, *Indian Territory* taken  
by *J. J. Moore*, United States Indian Agent,  
*June 30*, 1891

NO.	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		<i>Scow Face Charley</i>	<i>M</i>		<i>60</i>
2		<i>Ella Charley</i>	<i>F</i>	<i>wife</i>	<i>40</i>
3		<i>Misonie Snyder</i>	<i>F</i>	<i>daur</i>	<i>10</i>
4		<i>Jayus Rhoads</i>	<i>M</i>	<i>son</i>	<i>8</i>
5-		<i>Lewis Charley</i>	<i>M</i>	<i>son</i>	<i>1/2</i>
6		<i>George Dennis</i>	<i>M</i>		<i>55</i>
7		<i>Frances Dennis</i>	<i>F</i>	<i>daur</i>	<i>8</i>
8		<i>Elve Dennis</i>	<i>M</i>	<i>son</i>	<i>6</i>



# 1892 Modoc Census

CENSUS OF THE MODOC INDIANS OF QUAPAW AGENCY,  
INDIAN TERRITORY, TAKEN BY T. J. MOORE,  
UNITED STATES INDIAN AGENT, JUNE 30, 1892.

No.	Name.	Relation.	Sex.	Age.
1	Scarface Charley,	Father,	M.	62.
2	Ella Charley.	Mother,	F.	42.
3	Minnie Snyder,	Daughter,	F.	14.
4	James Roads,	Son,	M.	10.
5	Louis Scarface,	Son,	M.	2.
6	George Dennis,	Father,	M.	57
7	Francis Dannie,	Daughter,	F.	10.
8	Elve Dannie,	Son,	M.	9.

# 1893 Modoc Census

5-128.

CENSUS of the *Modoc* Indians of  
*Quahaw* Agency, *Ind. Ter.* taken  
by *J. J. Moore*, United States Indian Agent,  
*Jan 13*, 1893.

NO.	INDIAN NAME	ENGLISH NAME	SEX.	RELATION	AGE
1		<i>Searface Charley</i>	<i>M.</i>	<i>Father</i>	<i>45</i>
2		<i>Ella Charley</i>	<i>F.</i>	<i>Wife</i>	<i>10</i>
3		<i>Minner Snider</i>	<i>F.</i>	<i>S.</i>	<i>15</i>
4		<i>James Roads</i>	<i>M.</i>	<i>S.</i>	<i>11</i>
5		<i>Louis Searface</i>	<i>M.</i>	<i>S.</i>	<i>5</i>
6		<i>Thomas M. Searface</i>	<i>M.</i>	<i>S.</i>	<i>3 Mo.</i>
7		<i>George Janner</i>	<i>M.</i>	<i>Father</i>	<i>58</i>
8		<i>Fredrick Janner</i>	<i>F.</i>	<i>S.</i>	<i>11</i>
9		<i>Alva Janner</i>	<i>M.</i>	<i>S.</i>	<i>10</i>

# 1894 Modoc Census

Census of Modoc Indians of Quasaw Agency, Ind. Ter.,  
taken by Geo. S. Deane, U.S. Indian Agent, June 30th, 1894.

No.	Name	Relation	Sex	Age
1	Scarface Charley		m	64
2	Ella Charley	Wife	f	44
3	Mimmie Snyder	Daughter	f	18
4	James Reads	Son	m	12
5	Louis Charley	"	m	4
6	Thomas Moore Charley	"	m	2
7	Infant Charley	Daughter	f	
8	George Denny		m	59
9	Alvey Denny	Son	m	11
10	William Lawver		m	39



# 1895 Modoc Census

Form No. 128

CENSUS of the *Modoc* Indians of  
*Quapaw* Agency *Indian Territory* taken  
by *Wm. D. Spain*, United States Indian Agent,  
*June 30<sup>th</sup>*, 1895

No.	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		<i>Dearyae Charley</i>	<i>M.</i>		<i>65</i>
2		<i>Ella</i>	<i>F.</i>	<i>wife</i>	<i>45</i>
3		<i>Minnie Snyder</i>	<i>F.</i>	<i>D.</i>	<i>17</i>
4		<i>James Roads</i>	<i>M.</i>	<i>son</i>	<i>19</i>
5		<i>Louis Charley</i>	<i>M.</i>	<i>"</i>	<i>5</i>
6		<i>Thos Moore</i>	<i>M.</i>	<i>"</i>	<i>3</i>
7		<i>Infant</i>	<i>M.</i>	<i>"</i>	<i>1</i>
8		<i>Geo. Denny</i>	<i>M.</i>		<i>60</i>
9		<i>St.</i>	<i>M.</i>		<i>12</i>

# 1896 Modoc Census

5-122.


CENSUS of the *Modoc* Indians of  
*Quapaw* Agency, *Indian Territory* taken  
by *Geo. S. Doane*, United States Indian Agent,  
*June 30th*, 1896

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		<i>Scarface Charley</i>	<i>m</i>		<i>66</i>
2		<i>Lella</i>	<i>f</i>	<i>wife</i>	<i>46</i>
3		<i>James Rhodie</i>	<i>m</i>	<i>son</i>	<i>14</i>
4		<i>Louis Charley</i>	<i>m</i>	<i>"</i>	<i>6</i>
5		<i>Thos M.</i>	<i>"</i>	<i>"</i>	<i>4</i>
6		<i>Infant Hood</i>	<i>f</i>	<i>5/2/12</i>	
7		<i>George Denny</i>	<i>m</i>		<i>61</i>
8		<i>Alvey</i>	<i>"</i>	<i>son</i>	<i>13</i>

# 1897 Modoc Census

(1)

CENSUS of the *Modoc Tribe* Indians of  
*Quapaw* Agency, *Indian Territory* taken  
by *Geo. S. Dore*, United States Indian Agent,  
*June 30th*, 1897.

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		<i>Kella Charley</i>	<i>F</i>		<i>47</i>
2		<i>James Blake</i>	<i>M</i>	<i>son</i>	<i>15</i>
3		<i>Louis Charley</i>	<i>M</i>	<i>"</i>	<i>7</i>
4		<i>Thomas Tom</i>	<i>M</i>		<i>5</i>
5		<i>George Dorey</i>	<i>M</i>		<i>62</i>
6		<i>Ally</i>	<i>M</i>	<i>son</i>	<i>14</i>
7		<i>Am Lewis</i>	<i>M</i>		<i>40</i>
8		<i>Olga</i>	<i>F</i>	<i>wife</i>	<i>37</i>

# 1898 Modoc Census

5-12a. B

CENSUS of the Modoc Agency, Indians of taken by United States Indian Agent, 1898.

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
45		Samuel Clinton	m	father	39
46		James Clinton	m	son	3
47		Eva Clinton	f	daughter	1
48		(infant)	f	daughter	1 m
49		Louis Charley	m		8
50		Clark Jim	m		23
51		Jim Rhodes	m		16

# 1899 Modoc Census

5-12N.

CENSUS of the MODOC Indians of  
QUAPAN Agency, INDIAN Territory taken  
by EDWARD GOLDBERG, United States Indian Agent,  
June 30, 1899, 189

SUMMER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Minnie Snyder Burns	f	mother	21
2		WAMIE BURNS	f	daughter	3
3		Samuel Ball	m		60
4		John Ball	m	father	59
5		Macy Ball	m	son	18
6		Dahlia Clinton	m	husband	34
7		Jennie Clinton	f	wife	30
8		Gilbert Clinton	m	son	9
9		Miller Charley	m		68
10		Louis Charley	m		9
11		Samuel Clinton	m	husband	40

# 1899 Modoc Census

Miller's Charley and Louis Charley

5-1226.

CENSUS of the MODOC Indians of  
QUAPAN Agency, INDIAN Territory taken  
by EDWARD GOLDBERG, United States Indian Agent,  
June 30, 1899, 189...

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Minnie Snyder Burns	f	mother	21
2		MAMIE BURNS	f	daughter	3
3		Samuel Ball	m		50
4		John Ball	m	father	52
5		Macy Ball	m	son	18
6		David Clinton	m	husband	34
7		Jennie Clinton	f	wife	30
8		Gilbert Clinton	m	son	9
9		Miller Charley	m		60
10		Louis Charley	m		9
11		Samuel Clinton	m	husband	40

- ▶ 1899 Modoc Census lists both Miller Charley and Louis Charley and does not note any relation between the two.

# 1900 Modoc Census

CENSUS of the MODOC Indians of  
Agency, Indian Territory taken  
by Edward Goldberg, United States Indian Agent,  
June 30, 1900

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Winnie Snyder Burns	f	mother	22
2		Winnie Burns	f	daughter	4
3		Samuel Ball	m		31
4		John Ball	m	father	40
5		Macey Ball (blind)	m	son	19
6		Daniel Clinton	m	husband	34
7		Fannie Clinton	f	wife	40
8		Gilbert Clinton (infant) Clinton	m	son	10
9		Miller Charley	m		61
10		Samuel Clinton	m		41
11		William Faithful Pleasant	m		39

There are no Census records of Louis Charley after the 1900 Modoc Census



# Miami Record-Herald (Miami, Oklahoma)

• Fri, Dec. 17, 1909 • Page 8

It is noteworthy that Miller's Charley did not inherit from Louis Charley. A further indication that the two were not related.

Listed for sale and advertised this 17th day of December,  
Bids to be opened January 17, 1910, after 2 o'clock p. m.

INDIVIDUAL MODOC INDIAN ALLOTMENTS.

No 1 John Ball, Modoc allottee No 26, lot No. 133, containing 24 acres.  
No 2 Macy Ball, Modoc allottee No 27, lots 80 and 81, containing 48 acres.  
No 3 Samuel Clinton, Modoc allottee No 65, lot Nos 110 and 112, containing 48 acres.  
No 4 James Clark, Modoc allottee No 56, lots No 1 and 2, containing 48 acres.  
No 5 Amos Kist, Modoc allottee No 54, lots No 135 and 137, containing 48 acres.  
No 6 Ben Lawver, Modoc allottee No 64, lot No 149, containing 24 acres.  
No 7 Martha Lawver, Modoc allottee No 48, lots No 92 and 162, containing 48 acres.  
**No 8 Charlie Miller, Modoc allottee No 62, lot No 97, containing 24 acres.**  
No 9 Myra Grant, Robbins, Modoc allottee No 37, lot No 59, containing 24 acres.  
No 10 Minnie Snyder Robbins, Modoc allottee No 3, lots Nos 114 and 151, containing 48 acres.  
No 11 Asa Tuttle, Modoc allottee No 42, lots Nos 129, 143 and 144, containing 72 acres.

INHERITED MODOC INDIAN ALLOTMENTS.

No 12 Scarface Charley, deceased Modoc allottee No 1, Minnie Snyder Robbins, heir; petitioner for sale of lots 150 and 121, containing 24 acres.  
**No 13 Lewis Charley, deceased Modoc allottee No 6, Minnie Snyder Robbins, heir; petitioner for sale of lots Nos 115 and 116, containing 48 acres.**  
No 14 U. S. Grant, deceased Modoc allottee No 38, Myra Grant Robbins, heir; petitioner for sale of lot No 57, containing 24 acres.  
No 15 Edith Smith, deceased Modoc allottee No 38, Myra Grant Robbins, heir; petitioner for sale of lots Nos 58 and 60, containing 48 acres.  
No 16 Samuel Lawver, deceased Modoc allottee No 31, Dolly Lawver et al, heirs; petitioners for sale of lots Nos 163 and 164, containing 48 acres.

NOTE—Regulations approved October 20, 1909.



# Miami Record-Herald (Miami, Oklahoma)

• Fri, Jan 21, 1910 • Page 5

Listed for sale and re-advertised this 19th day, of January,  
Bids to be opened February 15, 1910, after 2 o'clock p. m.

INDIVIDUAL MODOC INDIAN ALLOTMENTS.

No 1 John Ball, Modoc allottee No 26, lot No. 133, containing 24 acres.  
No 2 Macy Ball, Modoc allottee No 27, lots 80 and 81, containing 48 acres.  
No 3 Samuel Clinton, Modoc allottee No 65, lot Nos 110 and 112, containing 48 acres.  
No 4 James Clark, Modoc allottee No 56, lots No 1 and 2, containing 48 acres.  
No 5 Amos Kist, Modoc allottee No 54, lots No 135 and 137, containing 48 acres.  
No 6 Ben Lawver, Modoc allottee No 64, lot No 149, containing 24 acres.  
No 7 Martha Lawver, Modoc allottee No 48, lots No 92 and 162, containing 48 acres.  
No 8 Charlie Miller, Modoc allottee No 62, lot No 97, containing 24 acres.  
No 9 Myra Grant, Robbins, Modoc allottee No 37, lot No 59, containing 24 acres.  
No 10 Minnie Snyder Robbins, Modoc allottee No 3, lots Nos 114 and 151, containing 48 acres.  
No 11 Asa Tuttle, Modoc allottee No 42, lots Nos 129, 143 and 144, containing 72 acres.

INHERITED MODOC INDIAN ALLOTMENTS.

No 12 Scarface Charley, deceased Modoc allottee No 1, Minnie Snyder Robbins, heir; petitioner for sale of lots 150 and 121, containing 48 acres.  
No 13 Lewis Charley, deceased Modoc allottee No 6, Minnie Snyder Robbins, heir; petitioner for sale of lots Nos 115 and 116, containing 48 acres.  
No 14 U. S. Grant, deceased Modoc allottee No 38, Myra Grant Robbins, heir; petitioner for sale of lots No 57, containing 24 acres.  
No 15 Edith Smith, deceased Modoc allottee No 38, Myra Grant Robbins, heir; petitioner for sale of lots Nos 58 and 60, containing 48 acres.  
No 16 Samuel Lawver, deceased Modoc allottee No 31, Dolly Lawver et al, heirs; petitioners for sale of lots Nos 163 and 164, containing 48 acres.

NOTE—Regulations approved October 20, 1909.

# Claims of Lineal Descent to “Charley Miller” and “Louie Miller.”

# Background

- ▶ From official correspondence of the Modoc Nation:
  - ▶ In 2000, Ricky R. Phillips applied for enrollment in the Tribe.
  - ▶ Mr. Phillip’s application was submitted on an assertion that his Great-Grandfather Louie A. Miller was the son of Modoc Indian Charley Miller (Miller’s Charley).
  - ▶ Mr. Phillips based this claim on the 1900 General Census of the United States which reports:  
**Charley, Miller | Head” and “----- Louis | son**

# Original 1900 General Census

7-404.  
TWELFTH CENSUS OF THE UNITED STATES. B

SCHEDULE No. 1.—POPULATION.  
INDIAN POPULATION.

State Indian Territory Supervisor's District No. 219 Sheet No. 9  
 County LeFlore Enumeration District No. 2  
 Township or other division of county Moore Name of Institution, \_\_\_\_\_  
 Name of incorporated city, town, or village, within the above-named division, \_\_\_\_\_ Ward of city, \_\_\_\_\_  
 Enumerated by me on the 25 day of June, 1900, Leona G. Gass, Enumerator.

LOCATION. IN CITIES.	NAME of each person whose place of abode on June 1, 1900, was in this family. <small>Enter surname first, then the given name and middle initial, if any. Insert every person living on June 1, 1900. Omit children born since June 1, 1900.</small>	RELATION. <small>Relationship of each person to the head of the family.</small>	PERSONAL DESCRIPTION.								NATIVITY.			CITIZENSHIP. <small>Place of birth of each person and parents of each person enumerated. If born in the United States, give the State or Territory; if of foreign birth, give the Country only.</small>	OCCUPATION, TRADE, OR PROFESSION of each person TEN YEARS OF AGE and over. <small>OCCUPATION (See instructions below.)</small>	EDUCATION.					OWNERSHIP OF HOME.								
			DATE OF BIRTH. Month. Year.	Color or race.	Whether single, married, widowed, or divorced.	Number of years married.	Number of years single.	Number of years married.	Number of years single.	Place of birth of this person.	Place of birth of Father of this person.	Place of birth of Mother of this person.	Male (in 1900) (10)			Female (in 1900) (11)	Can read.	Can write.	Can speak English.	Owned (See instructions.)	Mortgage.	Number of times rented.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	
	68 68	Charles <sup>217</sup> Miller	Head	In	W							Oregon	Oregon	Oregon															
	69 69	Wife	Wife	In	M	10	S					Indiana	Oregon	Oregon															
	70 70	Burt <sup>217</sup> Miller	Head	In	F	22	M				11	Indiana	Oregon	Ind															
		Baby	Baughter	In	F	Oct 1897	2	S				Indiana	Oregon	Oregon															

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
68 68	Charles <sup>217</sup> Miller	Head	In	W								Oregon	Oregon	Oregon			
	Wife	Wife	In	M	10	S						Indiana	Oregon	Oregon			
69 69	Burt <sup>217</sup> Miller	Head	In	F	22	M				11		Indiana	Oregon	Ind			
70 70	Baby	Baughter	In	F	Oct 1897	2	S					Indiana	Oregon	Oregon			

# Original 1900 General Census

INCLUDE every person living on June 1, 1900.  
OMIT children born since June 1, 1900.

		Color of	Sex.
3	4	5	6
Charles Miller	Head	W	M
— Louis	son	W	M
Rick <del>Miller</del>	Head	W	M
—			

The line written before Louis' name means that his last name is also Charley.

# Background

- ▶ It is noteworthy that, in 1994, Mr. Phillips sought and obtained amendments the 1958 death certificate of his Great-Grandfather, Louie Andrew Miller.
- ▶ Mr. Phillips requested that the death certificate be amended:
  - ▶ To identify Louie A. Miller's race from "White" to "Modoc Indian" and
  - ▶ To change Louie A. Miller's date of birth from "**December 18, 1881**" to "**March, 1890.**"

STATE OF OKLAHOMA - DEPARTMENT OF HEALTH

AMENDMENT TO CERTIFICATE OF DEATH

2nd. Amendment

Certificate of Death of Louie A. Miller  
 Date of Death Oct 25, 1958 Place of Death Okla City, Okla.  
 State File No. 58-16583

ITEMS TO BE AMENDED

Item	Entry before amendment	Entry after amendment
Item #6	White	Modoc Indian
Item #6	12/18/1881	March, 1890

ABSTRACT OF SUPPORTING DOCUMENTARY EVIDENCE

	By whom issued	By whom signed	Date issued	Date signed
Documents Presented	1. Twelfth Census of the United States Census Records		12/12/1994	
	2. Showing the deceased as age 10 years in the year 1900			
	3.			
Information Concerning Registrant in Document	1. Modoc Indian/March, 1890			
	2.			
	3.			
Additional Information	*Special Inquires Relating to Indians showing race as			
	Modoc Indian			

Amendment Requested by Ricky R. Phillips Related to Registrant as Great Grand Son

CERTIFICATION BY STATE REGISTRAR: I hereby certify that I have examined the documents referred to above, that the abstract is true and correct, that the documents show no changes or erasures, and appear to be authentic.

State Registrar [Signature]  
 File Date DEC 12 1994

(V.S. 127 a-70)

## Disputed By Modoc Historian

On July 12, 2000, Modoc Tribal Historian Patricia Scruggs Trolinger sent a letter in response to Ricky Phillips request for enrollment, stating:

“I have gone through the Bureau of Indian Affairs Heirship File on Charlie Miller and am enclosing the final hearing on the case. It proves without a doubt that he died 9 April 1911 “unmarried at the time of his death and without issue, father or mother, brother or sister or descendants thereof.”

... I have read 20 or 25 testimonies and all say Charley Miller had no children. I am sure this is correct regardless of what the 1900 Census says.”





**MODOC TRIBE OF OKLAHOMA**

515 G Southeast  
Miami, Oklahoma 74354  
918-542-1190 • FAX 918-542-5415

12 July 2000

Mr. Ricky Phillips  
P. O. Box 746  
Vian, OK 74962-0746

Dear Ricky,

I have gone through the Bureau of Indian Affairs Heirship File on Charlie Miller and am enclosing the final hearing on the case. It proves without a doubt that he died 9 April 1911 "unmarried at the time of his death and without issue, father or mother, brother or sister or descendants thereof".

When a Modoc man, woman or child died leaving no family, the agency would call tribal members to court to determine who were heirs of the deceased. Often the closest heirs were Modoc who were not exiled to the Quapaw Agency as prisoners of war. Each person who testified would tell the court what they knew of the person's family. I have read 20 or 25 testimonies and all say Charlie Miller had no children. I am sure this is correct regardless of what the 1900 census says.

Whether census records are correct depends on the census taker. In my home county in East Tennessee, it is a proven fact that the 1850 census is incomplete and misleading. Every genealogist I know has a story where the census as relating to their family is incorrect. It all depended on how well the census taker did his job. The same applies to present day census records.

If you have further questions, please do not hesitate to let me know.

Sincerely,

Patricia Scraggs Trolinger  
Modoc Tribal Historian

# Subsequent Request for Enrollment

- ▶ From official correspondence of the Modoc Nation:
  - ▶ We are informed that in March 2019, another applicant requested then-Tribal Registrar, Jessica Mullin, to review two death certificates and marriage licenses to determine whether a link existed between his family and a purported Modoc Indian named “Louie Miller.”
  - ▶ On July 10, 2019, Ms. Mullin replied (copying incoming Tribal Registrar Cara Williams) that she did believe there was a connection and asked the applicant to provide a family tree.
  - ▶ The family tree was submitted on July 11, 2019.

# Subsequent Request for Enrollment

- ▶ From official correspondence of the Modoc Nation (Cont.):
  - ▶ On September 16, 2019, the applicant applied for enrollment onto the rolls of the Modoc Nation. The enrollment application was based on lineage to his great grandfather Louie A. Miller - the son of his great-great grandfather Charley Miller.
  - ▶ On October 1, 2019, the Tribal Registrar processed the applicant for enrollment to Modoc Nation, pending approval by the Enrollment Committee.
  - ▶ Since 2019, there have been **222 individuals** processed for enrollment based on the claim that they are lineal descendants of Charley Miller and Louie A. Miller.

# Key Question

- ▶ If Miller's Charley (Charley Miller) died without ever fathering children and Louis Charley was not his son, then who are Charley Miller and Louie A. Miller?

# Charles “Charley” Miller

- ▶ Charles “Charley” Miller was born in Indiana in about 1853.
- ▶ The 1910 Census reports that Charles’ reports his race as **White** and that his **father was born in Indiana** while his **mother immigrated from France**.
- ▶ Charles married Anna “Annie” Taylor in 1880 and had at least 5 children with her, including their son, **Louie A. Miller**.
  - ▶ (1881) Louie Andrew Miller
  - ▶ (1888) Jessie Robert Miller
  - ▶ (1893) John Benjamin Miller
  - ▶ (1894) Joe “Jodie” Miller
  - ▶ (1897) Manuel Newton Miller
- ▶ Charles later married Mary Turner and had at least 4 children with her.
  - ▶ (1905) Ida Miller
  - ▶ (1906) Claude Miller
  - ▶ (1908) Willie Miller
  - ▶ (1910) Elijah Miller

# Charles “Charley” Miller and Anna “Annie” Taylor, Married in Sebastian County, Arkansas. Nov. 14, 1880.

Arkansas, U.S., Compiled Marriages from Select Counties, 1779-1992 - Ancestry.com

## Charley Miller

in the Arkansas, U.S., Compiled Marriages from Select Counties, 1779-1992

Detail

Source

Name: Charley Miller  
Marriage Date: 14 1880 Nov  
Spouse: Anna Taylor  
County: Sebastian  
State: Arkansas

© 2022 Ancestry.com

Detail

Source

### Source Information

Ancestry.com. *Arkansas, U.S., Compiled Marriages from Select Counties, 1779-1992* [database on-line]. Provo, UT, USA: Ancestry.com Operations Inc, 2004.

Original data: Hunting For Bears, comp.. *Arkansas Marriages, 1779-1992*. Arkansas marriage information taken from county courthouse records. Please contact the appropriate county clerk for original source information.

### Description

This database contains marriage information from selected areas of Arkansas, USA, for over 300,000 individuals from 1779-1992. Information that may be found in this database for each individual includes their name, spouse's name, and marriage date and location. [Learn more...](#)

# Charles "Charley" Miller and Mary Turner, Married in Hartshorn, Indian Territory. Aug. 31, 1903.

Clarke & Courts, Manufacturing Stationers, Galveston. **569**

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, } ss.  
CENTRAL DISTRICT. } **MARRIAGE LICENSE. No. 3731**

To any Person Authorized by Law to Solemnize Marriage—Greeting:

You are hereby commanded to Solemnize the Rite and Publish the Bans of Matrimony between Mr. *Charles Miller*  
of *Hartshorn* in the *I. T.*  
aged *48* years, and Mrs. *Mary Turner*  
of *Hartshorn* in the *I. T.* aged  
*27* years, according to law, and do you officially sign and return this License to the parties herein named.

Witness my hand and official seal, this *31st* day of *Aug* A. D. 190*3*

*E. J. Jamieson*  
Clerk of the United States Court.  
By *W. C. Smalley* Deputy.

# 1910 General Census (Charles "Charley" Miller)

STATE Alabama COUNTY Montgomery TOWNSHIP OR OTHER DIVISION OF COUNTY Simpson NAME OF INCORPORATED PLACE X WARD OF CITY X 1910. William P Jones ENUMERATOR

DEPARTMENT OF COMMERCE AND LABOR—BUREAU OF THE CENSUS  
THIRTEENTH CENSUS OF THE UNITED STATES: 1910—POPULATION

Start # 60. SUPERVISOR'S DISTRICT NO. 3 SHEET NO. 5 B  
ENUMERATION DISTRICT NO. 77 DAY OF MONTH 25 DAY OF YEAR April

LOCATION	NAME	RELATION	PERSONAL DESCRIPTION	SATIETY			OCCUPATION	EDUCATION				MARRIAGE									
				Place of birth of this person	Place of birth of father of this person	Place of birth of mother of this person		Whether able to read and write	Whether able to speak English	Whether able to speak other language	Whether able to speak other language	Whether able to speak other language	Whether able to speak other language	Whether able to speak other language	Whether able to speak other language						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
72	73	Anniston Sara	Servant	ma	18	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Head	ma	29	7	2	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Wife	f	28	7	3	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Child	ma	7	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Thomas R	son	ma	5	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Leah	son	ma	1	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
73	74	William Edward	Head	ma	26	2	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	22	3	2	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Son	ma	2	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Mary	daughter	f	3	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
74	75	Alfred James H	Head	ma	32	9	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	26	7	4	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Daughter	f	7	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Daughter	f	6	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		William P	daughter	f	4	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		George A	son	ma	2	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Constance	daughter	f	1	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
75	76	John James M	Head	ma	25	2	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	19	2		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Virginia	daughter	f	3	2	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
76	77	George	Head	ma	40	19	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	33	19		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Daughter	f	14	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Daughter	f	6	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Robert Walter	son	ma	3	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
77	78	Barbara	Head	ma	12	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Wife	f	19	4		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Daughter	f	3	8		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		William David	son	ma	1	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
78	79	William David	Head	ma	21	2	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	22	2	1	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Charles	son	ma	5	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
79	80	Miller Charles	Head	ma	47	7	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	34	7	6	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Son	ma	16	5		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Daughter	f	15	5		Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Newton	son	ma	11	5	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Ida P	daughter	f	5	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Clarence	son	ma	2	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Willie	son	ma	3	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Clay	son	ma	2	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		William Ross B	daughter	f	15	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
80	81	John James	Head	ma	33	9	Alabama	Alabama	Alabama	English	Farmer	General Farm	ca	20	0	1	0	0	0	0	0
		Wife	f	21	9	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Ida M	daughter	f	7	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Helma	daughter	f	7	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None
		Edith	daughter	f	6	8	Alabama	Alabama	Alabama	English	None	None	None	None	None	None	None	None	None	None	None



# 1910 General Census (Charles "Charley" Miller)

Charley Miller self-reports as White, as does his entire family; and that he and his father were born in Indiana, and that his mother was from France.

79	81	Miller Charley	Head	M	W	57	M	27	Indiana	Indiana	Eng	France	English	None	General Farm	0	0	0
		Marj E	wife	F	W	34	M	27	Texas	Texas	unknown		English	None				
		Jodie	Son	M	W	16	S		Oklahoma	Indiana	Texas		English	None				
		Johnie	Son	M	W	15	S		Oklahoma	Indiana	Texas		English	None				
		Newton	Son	M	W	11	S		Oklahoma	Indiana	Texas		English	None				
		Ida P	Daughter	F	W	5	S		Oklahoma	Indiana	Texas		None	None				
		Claude	Son	M	W	4	S		Oklahoma	Indiana	Texas		None	None				
		Willie	Son	M	W	2	S		Oklahoma	Indiana	Texas		None	None				
		Elsah	Son	M	W	3/2	S		Oklahoma	Indiana	Texas		None	None				
		Turner Rosa B	Step daughter	F	W	15	S		Oklahoma	unknown	Texas		None	None				
80	82	Rea Paris	Head	M	W	23	M	9	Arkansas	Tennessee	Eng	Tennessee	English	Farmer	General Farm	0	0	0
		Armit L	wife	F	W	20	M	9	Missouri	Indiana	Tennessee		English	None				

# Louie Andrew Miller

- ▶ Born in 1881 to parents Charles “Charley” Miller and Anna “Annie” Taylor in Blaine County, Indian Territory.
- ▶ Louie submitted his World War I Draft Registration card in 1918, indicating he was a White male and not of Indian citizenship.
- ▶ Census records list Louie’s occupation as being a farmer or blacksmith (1950).
- ▶ In 1906 Louie married Ollie Sawyer in Massie, Indian Territory. The 1950 Census lists Louie A. Miller as Divorced.
- ▶ The 1920 Census reports Louis and Ollie with three children. The 1930 Census reports four more children.
- ▶ Louie submitted his World War II Draft Registration card in 1942, indicating he was a White male and not of Indian citizenship.
- ▶ Died in 1958, aged 76.

# Louie Andrew Miller and Ollie Sawyer, Married in Massey, Indian Territory. Oct. 9, 1906

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DEO. D. BARNARD & CO., BLANK BOOK MFRS. PRINTERS, LITHOGRAPHERS ST. LOUIS.

UNITED STATES OF AMERICA, }  
INDIAN TERRITORY, } ss.  
Central District.

MARRIAGE LICENSE. No. 5725  
To any Person Authorized by Law to Solemnize Marriage-Greeting:

YOU ARE HEREBY COMMANDED TO SOLEMNIZE THE RITE AND PUBLISH THE BANS OF MATRIMONY

between Mr. *L A Miller* of *Massey* in  
the *Ind Ter* aged *22* years, and  
Mrs *Ollie Sawyer* of *Massey* in  
the *Ind Ter* aged *25* years, according

to law, and do you officially sign and return this License to the parties herein named.

WITNESS my hand and official seal this *9<sup>th</sup>* day of *Oct* A. D. 1906

*E. J. Jamieson*  
Clerk of the United States Court.  
*J. B. Roe* Deputy.

By

# Louie Andrew Miller, World War I Draft Card

Sept. 12, 1918

Louie A. Miller self-reported as White. Also, the card notes his birthday on December 18 and not in "March, 1890."

### REGISTRATION CARD

SERIAL NUMBER 2300 ORDER NUMBER 829

1 Louie Miller

2 PERMANENT HOME ADDRESS:  
A.H. 2 McAlaster Pitts Okla

Age in Years 30 Date of Birth December 18 1882

RACE

White	Negro	Oriental	Indian
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

U. S. CITIZEN      ALIEN

Native Born	Naturalized	Citizen by Father's Naturalization Before Registrant's Majority	Declarant
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15 If not a citizen of the U. S., of what nation are you a citizen or subject?

16 PRESENT OCCUPATION Harming EMPLOYER'S NAME

18 PLACE OF EMPLOYMENT OR BUSINESS:  
A.H. 2 McAlaster Pitts Okla

NEAREST RELATIVE  
Name Olie Miller  
Address

I AFFIRM THAT I HAVE VERIFIED ABOVE ANSWERS AND THAT THEY ARE TRUE  
P. M. G. O. Louie Miller  
Form No. 1 (Red) (Registrant's signature or mark)

### REGISTRAR'S REPORT

35-1-19-C

DESCRIPTION OF REGISTRANT

HEIGHT			BUILD			COLOR OF EYES	COLOR OF HAIR
Tall	Medium	Short	Slender	Medium	Stout		
	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

19 Has person lost arm, leg, hand, eye, or is he obviously physically disqualified? (Specify.)  
no

20 I certify that my answers are true; that the person registered has read or has had read to him his own answers; that I have witnessed his signature or mark, and that all of his answers of which I have knowledge are true, except as follows:

W. G. Bennett  
(Signature of Registrar)

Date of Registration Sept. 12 1918

Local Board for Division No. 1,  
for the County of Pittsburg, State of Okla  
McAlaster, Okla

(STAMP OF LOCAL BOARD)

(The stamp of the Local Board having jurisdiction of the area in which the registrant has his permanent home shall be placed in this box.)

# Louie Andrew Miller, World War II Draft Card

## April 25, 1942

**REGISTRATION CARD—(Men born on or after April 28, 1877 and on or before February 16, 1897)**

SERIAL NUMBER 323 1. NAME (Print) Luie Andrew Miller ORDER NUMBER \_\_\_\_\_  
(First) (Middle) (Last)

2. PLACE OF RESIDENCE (Print) Bowers Latimer Oklahoma  
(Number and street) (Town, township, village, or city) (County) (State)  
 [THE PLACE OF RESIDENCE GIVEN ON THE LINE ABOVE WILL DETERMINE LOCAL BOARD JURISDICTION; LINE 2 OF REGISTRATION CERTIFICATE WILL BE IDENTICAL]

3. MAILING ADDRESS Route 2 Wilburton, Oklahoma  
[Mailing address if other than place indicated on line 2. If same insert word same]

4. TELEPHONE \_\_\_\_\_ 5. AGE IN YEARS 57 6. PLACE OF BIRTH Indian Territory  
(Town or country)  
 DATE OF BIRTH December 18, 1884 Oklahoma  
(Mo.) (Day) (Yr.) (State or country)

7. NAME AND ADDRESS OF PERSON WHO WILL ALWAYS KNOW YOUR ADDRESS Ollie Miller Route 2, Wilburton, Oklahoma Wire

8. EMPLOYER'S NAME AND ADDRESS farming for myself

9. PLACE OF EMPLOYMENT OR BUSINESS Bowers Latimer Oklahoma  
(Number and street or R. F. D. number) (Town) (County) (State)

I AFFIRM THAT I HAVE VERIFIED ABOVE ANSWERS AND THAT THEY ARE TRUE.

D. S. S. Form 1 (Revised 4-1-42) (over) 16-21630-2 Louie Andrew Miller  
(Registrant's signature)

Note, this card reports his race as White and provides other physical features. His birthday is again listed as December 18<sup>th</sup>.

**REGISTRAR'S REPORT**

**DESCRIPTION OF REGISTRANT**

RACE	HEIGHT (Approx.)	WEIGHT (Approx.)	COMPLEXION	
			Light	Dark
White	<u>5' 11"</u>	<u>150</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Negro	Blue	Blonde	<input type="checkbox"/>	<input type="checkbox"/>
Oriental	Gray	Red	<input type="checkbox"/>	<input type="checkbox"/>
	Hazel	Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Indian	Brown	Black	<input type="checkbox"/>	<input type="checkbox"/>
	Black	Gray	<input type="checkbox"/>	<input type="checkbox"/>
Filipino		Bald	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>

Other obvious physical characteristics that will aid in identification: Scar on right leg.

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

Registrar for Local Board 1 Latimer Co. Okla.  
(Number) (City or county) (State)

Date of registration April 25, 1942

THE LOCAL BOARD  
 COURT HOUSE  
 WILBURTON, Latimer County  
 OKLAHOMA  
 (STAMP OF LOCAL BOARD)

(The stamp of the Local Board having jurisdiction of the registrant shall be placed in the above space)

16-21630-1



# 1920 General Census (Louis Andrew Miller)

STATE Oklahoma COUNTY Pottawatomie TOWNSHIP OR OTHER DIVISION OF COUNTY Buckley NAME OF INCORPORATED PLACE \_\_\_\_\_ WARD OF CITY \_\_\_\_\_

DEPARTMENT OF COMMERCE—BUREAU OF THE CENSUS FOURTEENTH CENSUS OF THE UNITED STATES: 1920—POPULATION

SUPERVISOR'S DISTRICT No. 7 SHEET No. A  
 ENUMERATION DISTRICT No. 174

NAME OF INSTITUTION \_\_\_\_\_ ENUMERATED BY ME ON THE 12 DAY OF January, 1920. Charles C. Ross ENUMERATOR.

PLACE OF ABODE.	NAME	RELATION.	SEX.	AGE.	MARRIAGE.	CITIZENSHIP.	EDUCATION.	NATIVITY AND MOTHER TONGUE.						OCCUPATION.
								PERSON.		FATHER.		MOTHER.		
Place of birth of each person and parents of each person enumerated. If born in the United States, give the state or territory. If of foreign birth, give the place of birth. In addition, the mother tongue. (See instructions.)								Place of birth.	Mother tongue.	Place of birth.	Mother tongue.	Place of birth.	Mother tongue.	
1	Miller, Louis A.	Head	M	38	2	U.S. born	High school	Oklahoma	Indian	English	Missouri	English	Farmer	General farm
2	Ellie	Wife	F	39	2	U.S. born	High school	Texas	Arkansas	Texas	English	Housewife		
3	Lillian	Daughter	F	10	5	U.S. born	High school	Oklahoma	Oklahoma	Texas	English	None		
4	Urbid	Son	M	7	5	U.S. born	High school	Oklahoma	Oklahoma	Texas	English	None		
5	Ed Clifford	Son	M	2	5	U.S. born	High school	Oklahoma	Oklahoma	Texas	English	None		
6	Regie Clark	Head	M	31	2	U.S. born	High school	Missouri	Missouri	Missouri	English	Farmer	General farm	
7	Edna	Wife	F	28	2	U.S. born	High school	Texas	Texas	Texas	English	Housewife		
8	Emma	Head	F	48	2	U.S. born	High school	Kansas	England	English	Illinois	Farmer	General farm	
9	L.C.	Wife	F	45	2	U.S. born	High school	Kansas	England	English	Mississippi	Housewife		
10	John	Son	M	16	8	U.S. born	High school	Oklahoma	Texas	Irish	Texas	None		
11	Cloud, Edward W.	Head	M	45	2	U.S. born	High school	Oklahoma	Indian	Indian	Indian	Farmer	General farm	
12	Emma E	Wife	F	23	2	U.S. born	High school	Oklahoma	Illinois	Illinois	English	None		
13	Myrtle	Daughter	F	14	0	U.S. born	High school	Oklahoma	Illinois	Illinois	English	None		
14	Anna V	Daughter	F	12	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
15	Anna	Son	M	7	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
16	Edgar M	Son	M	7	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
17	Edgar M	Son	M	7	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
18	Paula	Daughter	F	7	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
19	Edgar M	Son	M	7	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
20	Edgar M	Son	M	7	8	U.S. born	High school	Oklahoma	Indian	Oklahoma	Oklahoma	None		
21	Margaret	Wife	F	23	2	U.S. born	High school	Missouri	Missouri	Missouri	English	Teacher	Public school	
22	Ruby	Daughter	F	5	3	U.S. born	High school	Oklahoma	Missouri	Oklahoma	Oklahoma	None		
23	Madeline	Son	M	2	3	U.S. born	High school	Oklahoma	Missouri	Oklahoma	Oklahoma	None		
24	Anna W	Son	M	7	8	U.S. born	High school	Oklahoma	Missouri	Oklahoma	Oklahoma	None		
25	Perle, William	Head	M	30	4	U.S. born	High school	Oklahoma	North Carolina	North Carolina	Arkansas	Farmer	Stock farm	
26	Henry	Son	M	6	7	U.S. born	High school	North Carolina	North Carolina	North Carolina	Arkansas	Farmer	Home farm	
27	Elizabeth	Wife	F	70	2	U.S. born	High school	Arkansas	Arkansas	Arkansas	English	None		
28	Paula	Daughter	F	24	2	U.S. born	High school	Oklahoma	North Carolina	Arkansas	Arkansas	None		
29	Willie	Daughter	F	7	8	U.S. born	High school	Oklahoma	Arkansas	Oklahoma	Oklahoma	None		
30	Jackie	Daughter	F	4	5	U.S. born	High school	Oklahoma	Arkansas	Oklahoma	Oklahoma	None		
31	Thomas	Son	M	1	5	U.S. born	High school	Oklahoma	Arkansas	Oklahoma	Oklahoma	None		
32	Robert J.	Head	M	39	2	U.S. born	High school	Texas	North Carolina	Arkansas	Arkansas	Farmer	Stock farm	
33	Regie	Wife	F	36	2	U.S. born	High school	Mississippi	Arkansas	Arkansas	Arkansas	None		
34	Charles	Son	M	17	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	Teacher	Public school	
35	Edna	Son	M	15	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
36	Henry	Son	M	13	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
37	John	Son	M	11	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
38	John	Son	M	7	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
39	John	Son	M	6	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
40	John	Son	M	4	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
41	John	Son	M	2	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
42	John	Son	M	2	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
43	John	Son	M	2	5	U.S. born	High school	Oklahoma	Texas	Mississippi	Arkansas	None		
44	Robert Edward	Head	M	33	2	U.S. born	High school	Texas	North Carolina	Arkansas	Arkansas	Farmer	General farm	
45	Anna	Wife	F	29	2	U.S. born	High school	Texas	Arkansas	Arkansas	Arkansas	None		
46	John	Son	M	6	5	U.S. born	High school	Oklahoma	Texas	Arkansas	Arkansas	None		
47	John	Son	M	2	5	U.S. born	High school	Oklahoma	Texas	Arkansas	Arkansas	None		
48	Edson Adams	Head	M	46	2	U.S. born	High school	Arkansas	Arkansas	Arkansas	Oklahoma	Farmer	General farm	
49	Thurmon	Wife	F	17	2	U.S. born	High school	Oklahoma	Arkansas	Arkansas	Mississippi	None		

# 1920 General Census (Louis A. Miller)

NAME OF INSTITUTION \_\_\_\_\_ (Insert name of institution, if any, and indicate the lines on which the entries are made. See instructions.)

ENUMERATED BY ME ON THE 12 DAY OF January, 1920. Charles C. Koss ENUMERATOR.

PLACE OF ABODE.				NAME of each person whose place of abode on January 1, 1920, was in this family. Enter surname first, then the given name and middle initial, if any. Includes every person living on January 1, 1920. Omit children born since January 1, 1920.	RELATION. Relationship of this person to the head of the family.	TENURE.		PERSONAL DESCRIPTION.					CITIZENSHIP.		EDUCATION.		NATIVITY AND MOTHER TONGUE.						Whether able to read and write.	OCCUPATION.				
Street, avenue, or farm, etc. (See instructions.)	House number or farm, etc. (See instructions.)	Number of dwelling house in order of visitation.	Number of family in order of visitation.			Home owned or rented.	If owned, free or mortgaged.	Sex.	Color or race.	Age at last birthday.	Single, married, widowed, or divorced.	Years in United States.	Naturalized or alien.	If naturalized, date of naturalization.	Attended school since age 5 years.	Whether able to read.	Whether able to write.	PERSON.		FATHER.		MOTHER.		Trade, profession, or particular kind of work done, as spinner, salesman, laborer, etc.	Industry, business, or establishment in which at work, as cotton mill, dry goods store, farm, etc.	Employer, salary or wage worker, or working on own account.	Number of farm schedule.	
																		Place of birth.	Mother tongue.	Place of birth.	Mother tongue.	Place of birth.						Mother tongue.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
				Miller Louis A.	Head	M	W	38	M						Yes	Yes	Oklahoma		Indiana		Missouri		Yes	Farmer	General farm	1		
	✓			Miller Alice	wife	F	W	39	M						Yes	Yes	Texas		Arkansas		Texas		Yes	None				
	✓			Miller Lillie	daughter	F	W	10	S					Yes	Yes	Oklahoma		Oklahoma		Texas		Yes	None					
	✓			Miller Alfred	son	M	W	7	S					Yes	Yes	Oklahoma		Oklahoma		Texas		Yes	None					
	✓			Miller Ed Clifford	son	M	W	2	S					Yes	Yes	Oklahoma		Oklahoma		Texas		Yes	None					
				Rogers Charles F	Head	M	W	31	M					Yes	Yes	Kansas		Missouri		Missouri		Yes	Farmer	General farm	2			
	✓			Rogers Hazel	wife	F	W	23	M					Yes	Yes	Texas		Texas		Texas		Yes	None					
				Rogers N	Head	M	W	48	M					Yes	Yes	Kansas		England	English	Illinois		Yes	Farmer	General farm	3			

Louis reports as White, as does his entire family. He also reports Indiana as the place of birth for his father.



# 1930 General Census (Louis A. Miller)

DEPARTMENT OF COMMERCE—BUREAU OF THE CENSUS  
FIFTEENTH CENSUS OF THE UNITED STATES: 1930  
POPULATION SCHEDULE

State Oklahoma Incorporated place \_\_\_\_\_ Enumeration District No. 61-12 Sheet No. 4 B  
 County Pittsburg Ward of city \_\_\_\_\_ Block No. \_\_\_\_\_ Supervisor's District No. 12  
 Township or other division of county Buckleytownship Unincorporated place \_\_\_\_\_ Institution \_\_\_\_\_ Enumerated by me on April 11, 1930 Charles L. Addison Enumerator.

PLACE OF ABODE	NAME	RELATION	HOME DATA		PERSONAL DESCRIPTION		PLACE OF BIRTH			MOTHER TONGUE OR NATIVE LANGUAGES OF FOREIGN BORN		CITIZENSHIP, ETC.		OCCUPATION AND INDUSTRY		EMPLOYMENT		VETERAN		
			Household	Room	Color	Sex	Age	Marital	PERSON	FATHER	MOTHER	Language spoken in home before coming to the United States	Year	Place	Industry or occupation	Code	Class	Year	Place	Year
51	Canada	Employer			W	21	1910	W	Oklahoma	Texas	Arkansas									
52	Levin	Wife			X	21	21	X	Missouri	Texas	Missouri									
53	Biddle	Head			X	21	21	X	Oklahoma	Arkansas	Missouri									
54	Wife	Wife			X	21	21	X	Arkansas	Missouri	Missouri									
55	Wife	Wife			X	21	21	X	Oklahoma	Arkansas	Arkansas									
56	Wife	Wife			X	21	21	X	Oklahoma	Texas	Missouri									
57	Wife	Wife			X	21	21	X	Oklahoma	Arkansas	Arkansas									
58	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
59	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
60	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
61	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
62	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
63	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
64	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
65	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
66	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
67	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
68	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
69	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
70	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
71	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
72	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
73	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
74	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
75	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
76	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
77	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
78	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
79	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
80	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
81	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
82	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
83	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
84	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
85	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
86	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
87	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
88	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
89	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
90	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
91	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
92	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
93	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
94	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
95	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
96	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
97	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
98	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
99	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									
100	Wife	Wife			X	21	21	X	Oklahoma	Texas	Arkansas									

# 1930 General Census (Louis A. Miller)

69	70	Lewis Miller	Head R			yes	M	46	71	23	no	yes	Oklahoma	Indiana	Missouri	86		yes	Farmer	Farm
71	72	Ollie	Wife			x	F	47	71	24	no	yes	Oklahoma	Missouri	Tennessee	86		yes	none	
		Bramelton	Son			x	M	13	8		yes	yes	Oklahoma	Oklahoma	Missouri	86		yes	none	
		Jim	Son			x	M	8	8		yes		Oklahoma	Oklahoma	Missouri	86			none	
		Ruby R.	daughter			x	F	7	8		yes		Oklahoma	Oklahoma	Missouri	86			none	
		Bertha	daughter			x	F	4	12	20			Oklahoma	Oklahoma	Missouri	86			none	
73	74	Reed	Maggie	Head		NO	F	65	74		no	yes	Oklahoma	Tennessee	Tennessee	86		yes	none	
75	76	Ware James C.	Head	0	1250	yes	NO	35	71	22	no	yes	Arkansas	Kentucky	Arkansas	84		yes	Lineman	Power & Light

# Louie Miller Rites Are Monday

Last rites were Monday at 2:30 p.m. at Evans Funeral Home, Hartshorne, for Louis Miller, 77, who died Saturday in University hospital, Oklahoma City, where he had been a patient for a month and two days.

He has been ill since last November and had been in and out

Born in Blaine, Okla. on December 18, 1880, he had been a farmer and a blacksmith until he retired.

former Nancy Vanderpool, survives, as do five children, 36 grandchildren and three great grandchildren.

The children are Lilly Evans, Jay Miller and Ruby Boggs, Wilburton; Bill Miller, Hollis, Okla. and Bertha Hill, Clarkville, Ark.

His stepchildren are Myrtle Calhoun, McAlester; Harvey Vanderpool, Mojave, Calif.; Willie Vanderpool, North Powder, Ore.; Annie

Three brothers survive. They are Newt and John Miller, Hartshorne and Jess R. Miller, Morro Bay, Calif.

Six children preceded him in death.

Burial was in Elmwood cemetery. Rev. Don Evans, pastor of the First Baptist church, Haileyville, officiated at the funeral services.

# Louie Andrew Miller Obituary

The Hartshorne Sun (Hartshorne, Oklahoma)  
Oct. 30, 1958.

Born in Blaine, Oklahoma

Lists his surviving children:  
Lilly Evans, Jay Miller, and  
Ruby Boggs.

Lists his surviving brothers:

Jess Miller  
John Miller  
Newt Miller

78	Miller, Jessie R	Head	m	w	21	m	2		Oklahoma	Indiana	Eng	Texas		
	Lee E	wife	F	w	22	m	2	3	1	Oklahoma	Kentucky	Illinois		
	Jessie	son	m	w	5	S				Oklahoma	Oklahoma	Oklahoma		
79	Miller, Charley	Head	m	w	57	m	7			Indiana	Fr	Indiana	Eng	France
	Mary E	wife	F	w	34	m	7	6	5	Texas	Texas	Texas	unknown	
	Edna	son	m	w	16	S				Oklahoma	Indiana	Texas		
	Johnie	son	m	w	15	S				Oklahoma	Indiana	Texas		
	Newton	son	m	w	11	S				Oklahoma	Indiana	Texas		
	Ida P	Daughter	F	w	5	S				Oklahoma	Indiana	Texas		
	Claude	son	m	w	4	S				Oklahoma	Indiana	Texas		
	Willie	son	m	w	2	S				Oklahoma	Indiana	Texas		
	Elish	son	m	w	3	S				Oklahoma	Indiana	Texas		
	Turner Rosa B	Step daughter	F	w	15	S				Oklahoma	unknown	Texas		

1910 General Census, Charles "Charley" Miller

# 1900 Census Relied Upon to Support Lineal Descent to Miller's Charley

# Original 1900 General Census

7-404.  
TWELFTH CENSUS OF THE UNITED STATES. B

SCHEDULE No. 1.—POPULATION.  
INDIAN POPULATION.

State Indian Territory Supervisor's District No. 219 Sheet No. 9  
 County LeFlore Enumeration District No. 2  
 Township or other division of county Moore Name of Institution, \_\_\_\_\_  
 Name of incorporated city, town, or village, within the above-named division, \_\_\_\_\_ Ward of city, \_\_\_\_\_  
 Enumerated by me on the 25 day of June, 1900, Leona G. Gass, Enumerator.

LOCATION. IN CITIES.	NAME of each person whose place of abode on June 1, 1900, was in this family. <small>Enter surname first, then the given name and middle initial, if any. Insert every person living on June 1, 1900. Omit children born since June 1, 1900.</small>	RELATION. <small>Relationship of each person to the head of the family.</small>	PERSONAL DESCRIPTION.								NATIVITY.			CITIZENSHIP. <small>Place of birth of each person and parents of each person enumerated. If born in the United States, give the State or Territory; if of foreign birth, give the Country only.</small>	OCCUPATION, TRADE, OR PROFESSION of each person TEN YEARS OF AGE and over. <small>OCCUPATION (See instructions below.)</small>	EDUCATION.					OWNERSHIP OF HOME.							
			DATE OF BIRTH. Month. Year.	Color or race.	Whether single, married, widowed, or divorced.	Number of persons enumerated.	Whether deaf, dumb, or blind.	Whether insane.	Place of birth of this person.	Place of birth of Father of this person.	Place of birth of Mother of this person.	Male (in years) (10-17) (18-24) (25-64) (65 and over)	Female (in years) (10-17) (18-24) (25-64) (65 and over)			Owned (free or mortgaged).	Mortgaged.	Number of acres.										
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
	68 68	Charles <sup>217</sup> Miller	Head	In	W	20	W	U				Oregon	Oregon	Oregon														
	69 69	Wife	Wife	In	W	20	W	U				Oregon	Oregon	Oregon														
	70 70	Bert <sup>217</sup> Miller	Head	In	W	22	W	U			11	Oregon	Oregon	Ind														
		Baby	Daughter	In	W	2	W	U				Oregon	Oregon	Oregon														

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
68 68	Charles <sup>217</sup> Miller	Head	In	W	20		W	U				Oregon	Oregon	Oregon			
	Wife	Wife	In	W	20		W	U				Oregon	Oregon	Oregon			
69 69	Bert <sup>217</sup> Miller	Head	In	W	22		W	U			11	Oregon	Oregon	Ind			
70 70	Baby	Daughter	In	W	2		W	U				Oregon	Oregon	Oregon			

# 1900 General Census

1	2	3	4	5	6	7	8	9	10
68	68	Charles Miller	Head	27	W		W	W	
		Louis	son	10	M			S	
69	69	Wick	Head	25	M			S	
70	70	Burke	Head	22	M				
		Baby	daughter	Oct 1897	F			S	

- The original 1900 Census lists the names in “Last, First” order
- An example of the proper names is in the 1899 Census of the Modoc Indians of the Quapaw Agency, which includes:
  - Miller Charley
  - Louis Charley
  - Amos Kist
  - Minnie S. Burns

CENSUS of the MODOC Indians of QUAPAW Agency, INDIAN Territory taken by EDWARD GOLDBERG, United States Indian Agent, June 30, 1899, 189...

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
1		Minnie Snyder Burns	f	mother	21
2		MAMIE BURNS	f	daughter	5
3		Samuel Ball	m		80
4		John Ball	m	father	39
5		Macy Ball	m	son	18
6		Daniel Clinton	m	husband	34
7		Jennie Clinton	f	wife	39
8		Gilbert Clinton	m	son	9
9		Miller Charley	m		69
10		Louis Charley	m		9

CENSUS of the MODOC Indians of QUAPAW Agency, INDIAN Territory taken by EDWARD GOLDBERG, United States Indian Agent, June 30, 1899, 189...

NUMBER	INDIAN NAME	ENGLISH NAME	SEX	RELATION	AGE
30		Amos Kist	m		25

# USGenWeb Record (Prior to July 1, 2022)

10/1/2019

us-census.org/pub/usgenweb/census/ok/indian-terr/1900/reservations/ed002-pg143b.txt

=====  
 CENSUS YEAR: 1900 STATE: Indian Territory COUNTY: Modoc Nation TOWNSHIP: Modoc MICROFILM#: T623-1854 SUPV/DISTR: I.T.  
 ENUM/DISTR: 2 ENUMERATOR: Jesse L. Dragoo ENUM/DATE: June 28, 2007 CENSUS-DAY: June 1, 1900  
 =====

=====  
 STR BIRTH BIRTH S-M #YRS # #CHILD BIRTH FATHER  
 MOTHER YEAR #YRS NATUR- MONTHS #MO AT CAN CAN SPEAK O-R F-M FARM #FARM OTHER FATHER'S MOTHER'S  
 MIXED CONJUGAL TAX- LAND Transcriber's  
 PG# LN# ED SH# STR NBM DW# FM# LAST NAME FIRST NAME RELATION RACE SEX MONTH YEAR AGE W-D MAR CHILD LIVING PLACE BIRTHPL  
 BIRTHPL IMMI US ALIZED OCCUPATION UNEMPL SCHOOL READ WRITE ENG? HOME MORT HOME SCH NAME TRIBE TRIBE TRIBE  
 BLOOD CONDITION ABLE YEAR ALLOT DWELLING REMARKS  
 (1) (2) (3) (3) (4) (5) (6) (7) (7) (8) (9) (10) (11) (12) (13) (14)  
 (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32)  
 (33) (34) (35) (36) (37) (38)  
 =====

144B 21	2	34B	.	.	68	68	Miller	Charles	Head	In	M	.	.	un	un	.	.	.	Oregon	Oregon	
Oregon	.	.	.	.	.	.	Farm Laborer	8	.	no	no	yes	.	H	.	.	.	Modoc	Modoc	Modoc	0
No	Yes	1888	Yes	Fixed	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
144B 22	2	34B	.	.	68	68	Miller	Louis	Son	In	M	Mar	1890	10	S	.	.	.	Ind Ter	Oregon	
Oregon	.	.	.	.	.	.	.	3	9	yes	yes	yes	.	.	.	.	.	Modoc	Modoc	Modoc	0
No	Yes	1888	Yes	Fixed	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
144B 23	2	34B	.	.	69	69	Kist	Amos	Head	In	M	.	.	25	S	.	.	.	Oregon	Oregon	
Oregon	.	.	.	.	.	.	.	12	.	yes	yes	yes	.	H	.	.	.	Modoc	Modoc	Modoc	0
.	Yes	1888	Yes	Fixed	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
144B 24	2	34B	.	.	70	70	Burns	Minnie S.	Head	In	F	.	.	22	M	.	1	1	Ind Ter	Oregon	
un	.	.	.	.	.	.	.	.	.	yes	yes	yes	.	H	.	.	.	Modoc	Modoc	Modoc	0
No	Yes	1888	Yes	Fixed	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
144B 25	2	34B	.	.	70	70	Burns	Baby	Daughter	In	F	Oct	1897	2	S	.	.	.	Ind Ter	Oregon	
Oregon	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	Modoc	Modoc	Modoc
1/2	.	.	Yes	1888	Yes	Fixed	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.

Here Ends the Enumeration of Modoc Reservation

144B 32 2 34B  
 144B 33 2 34B Page 144B Lines 26-31 and 33-40 are blank

# USGenWeb record is incorrect:

- ▶ The USGenWeb Census record was included in the applications for the purported descendants of Miller's Charley.
- ▶ However, this reproduced census record incorrectly interpreted the original 1900 census and therefore incorrectly transposed "Charley, Miller" as "Charley Miller" and "Charley, Louis" as "Louis Miller."
- ▶ The original 1900 General Census is also incorrect in noting "Louis" as the son of Miller's Charley.
  - ▶ Recall that Miller's Charley had no children and "Louis" was the son of Scarface and Ella Charley, as shown on the 1891-1897 Modoc Census records.



# USGenWeb Record Now Corrected

▶ Our firm alerted the USGenWeb Census Project to the discrepancy with the transposition of the names Charley and Miller. By return email, dated July 1, 2022, Linda Talbot of the USGenWeb Census Project wrote:

▶ *Thank you for contacting us regarding this issue. You are correct in that the transcription was in error with the surname and first name being reversed. The error has been corrected on our transcription page at <http://us-census.org/pub/usgenweb/census/ok/indian-terr/1900/reservations/ed002-pg143b.txt> and the index files have been corrected as well.*

# Corrected USGenWeb Record

INDIAN POPULATION SCHEDULE

CENSUS YEAR: 1900 STATE: Indian Territory COUNTY: Modoc Nation TOWNSHIP: Modoc MICROFILM#: T623-1854 SUPV/DISTR: I.T. ENUM/DISTR: 2 ENUMERATOR: Jesse L. Dragoo ENUM/DATE: June 28, 2007  
 CENSUS-DAY: June 1, 1900

O-R	F-M	FARM	#FARM	OTHER	FATHER'S	MOTHER'S	MIXED	CONJUGAL	TAX-	BIRTH	BIRTH	S-M	#YRS	#	#CHILD	BIRTH	FATHER	MOTHER	YEAR	#YRS	NATUR-	MONTHS	#MO	AT	CAN	CAN	SPEAK					
PG#	LN#	ED	SH#	STR	NBM	DW#	FM#	LAST	FIRST	RELATION	RACE	SEX	MONTH	YEAR	AGE	W-D	MAR	CHILD	LIVING	PLACE	BIRTHPL	BIRTHPL	IMMI	US	ALIZED	OCCUPATION	UNEMPL	SCHOOL	READ	WRITE	ENG?	
(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)						
144B	21	2	34B	.	68	68	Charley	Miller	Head	In	M	.	.	un	un	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	Farm Laborer	8	.	no	no	yes	
.	.	H	.	.	Modoc	Modoc	Modoc	Modoc	0	No	Yes	1888	Yes	Fixed	.	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	.	.	.	.	.	.	
144B	22	2	34B	.	68	68	Charley	Louis	Son	In	M	Mar	1890	10	S	.	.	.	.	Ind Ter	Oregon	Oregon	.	.	.	.	.	3	9	yes	yes	yes
.	.	.	.	.	Modoc	Modoc	Modoc	Modoc	0	No	Yes	1888	Yes	Fixed	.	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	.	.	.	.	.	.	
144B	23	2	34B	.	69	69	Kist	Amos	Head	In	M	.	.	25	S	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	.	.	12	.	yes	yes	yes
.	.	H	.	.	Modoc	Modoc	Modoc	Modoc	0	.	Yes	1888	Yes	Fixed	.	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	.	.	.	.	.	.	.
144B	24	2	34B	.	70	70	Burns	Minnie S.	Head	In	F	.	.	22	M	.	1	1	.	Ind Ter	Oregon	un	.	.	.	.	.	.	.	yes	yes	yes
.	.	H	.	.	Modoc	Modoc	Modoc	Modoc	0	No	Yes	1888	Yes	Fixed	.	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	.	.	.	.	.	.	.
144B	25	2	34B	.	70	70	Burns	Baby	Daughter	In	F	Oct	1897	2	S	.	.	.	.	Ind Ter	Oregon	Oregon	.	.	.	.	.	.	.	.	.	.
.	.	.	.	.	Modoc	Modoc	Modoc	Modoc	1/2	.	Yes	1888	Yes	Fixed	.	.	.	.	.	Oregon	Oregon	Oregon	.	.	.	.	.	.	.	.	.	.

Here Ends the Enumeration of Modoc Reservation

144B 32 2 34B  
 144B 33 2 34B Page 144B Lines 26-31 and 33-40 are blank

# Expert Report

Albert L. Hurtado, PhD.

# Albert L. Hurtado Bio

- ▶ Professor Emeritus of History, University of Oklahoma.
- ▶ Dr. Hurtado has earned a Bachelor of Arts in History, a Master of Arts in History, and a Doctor of Philosophy in History.
- ▶ Dr. Hurtado has taught numerous undergraduate and graduate courses on American Indian history, published several books on Native American history, including a prize-winning work on California Indian history and an article on the history of the Modoc Nation in Oklahoma.
- ▶ Dr. Hurtado's curriculum vitae (CV) provides an extensive summary of his experience and skills.

# Expert Report

- ▶ On June 10, 2022, Dr. Hurtado issued an expert report supported by a declaration made under penalty of perjury.
- ▶ Dr. Hurtado is tendered to the Enrollment Committee as a qualified expert witness in the field of American Indian history who possesses significant experience in historical research of American Indians.
- ▶ Dr. Hurtado was requested by the Modoc Nation to independently review the official records from the Nation, federal census records, and our report.
- ▶ In his expert opinion, Dr. Hurtado found the record to be conclusive that the Miller family lineage has been incorrectly associated with Miller's Charley.

**BEFORE THE  
MODOC NATION  
ENROLLMENT COMMITTEE**

*IN RE*

**AUDIT OF ENROLLMENT RECORDS**

**DECLARATION OF ALBERT L. HURTADO**

I, Albert L. Hurtado, now declare:

1. My name is Albert L. Hurtado. I am Professor Emeritus of History, University of Oklahoma. I have been a Professor of History since 1983 and held the Paul H. and Doris Eaton Travis Chair of History in Modern American History at University of Oklahoma from 1998 to 2012. A complete curriculum vitae is attached hereto as Exhibit "A."
2. The statements herein are my own and do not reflect the positions of institutions with which I am affiliated.
3. I hold a Bachelor of Arts (B.A.) degree in history, a Master of Arts (M.A.) degree in history, and a Doctor of Philosophy (Ph.D.) in history.
4. I have taught numerous undergraduate and graduate courses on American Indian history. I have published several books on Native American history, including a prize-winning work on California Indian history. I have published dozens of articles including one on the history of the Modoc Nation in Oklahoma.
5. For the past four decades, I have approached historical research in a fair and objective manner and have strived to present and summarize complex historical issues in such a way as to facilitate understanding of the events and people in question.
6. Based upon my experience, as described above and in my curriculum vitae, I am qualified to opine on historical research, historical documents, and historical issues relating to Indian tribes and to summarize, organize and provide an opinion on the documentation that I believe will be helpful to the Tribal Registrar and Enrollment Committee of Modoc Nation.
7. I have been asked by the Modoc Nation evaluate and analyze the historical evidence presented to the Tribal Registrar and which has been used in determining eligibility for

enrollment in the Modoc Nation of a lineal descendancy from a particular Modoc Indian, known as Millers Charley.

8. In addition, I have been asked to prepare a brief written report of my findings and conclusions. This report, titled "Enrollment Discrepancies Associated with Modoc Indian Miller's Charley" is attached hereto as Exhibit "B."
9. The documents I relied upon are cited and re-produced in the Peebles Kidder report "Enrollment Discrepancies Associated with Modoc Indian Miller's Charley," dated May 4, 2022.
10. In conducting my research and preparing my report, I have logged approximately five hours.
11. The factual statements contained in my report are true and correct to the best of my knowledge and belief. The opinions expressed herein are my professional expert opinions with respect to the matters addressed therein based upon my research and analysis, education, background, and years of experience as an historian.

I declare under penalty of perjury under 28 U.S.C. § 1746(2) that the foregoing is true and correct.

Executed this 10th day of June 2022 in Roseville, California.



Albert L. Hurtado

# Expert Conclusions

“Miller’s Charley was a Modoc Indian **incarcerated** with other Modocs on the Quapaw agency after the Modoc War. He died without issue and his allotment was bequeathed to collateral relatives according to Oklahoma law.

**Therefore, the numerous members of the Miller family claiming tribal membership today cannot be descended from the Modoc Indian Miller’s Charley because no one was.”**

# Expert Conclusions

“Moreover, there is clear evidence in the census records that the Charles Miller from which the current Miller family is descended was not an Indian but a white man born in Indiana.

It is unfortunate that the confusion of names, a shoddy transcription of the census by a third party and a misreading of the documents that plainly show the truth of the matter has resulted in the enrollment of people in the Modoc Nation who are not qualified for tribal membership under the Modoc Constitution and their Tribal Enrollment Code.”



# Considerations for the Enrollment Committee

# Charles Miller is not Miller's Charley

## Miller's Charley

1838 - Miller's Charley was born in Modoc Homelands of California and Oregon.

1878 - Records indicate Miller's was married to Princess Mary, Mary Miller.

1885 - Records indicate Miller's was married to Sophia McCarty.

1890 - Miller's wife, Sophia died.

1899-1902 - Modoc census records denote Miller's Charley as living alone.

1900 - Twelfth Census lists Miller's Charley as unmarried.

1906 - Miller's first wife, Princess Mary (Mary Miller)

**1910 - Miller's appears on Thirteenth Census as age 72, unmarried, and without children.**

1911 - Miller's Charley died intestate.

1914 - Approval of heirship lists "Charley Miller" as dying unmarried and without descendants.

## Charles Miller

1853 - Charles was born in Indiana.

1880 - Charles married Anna "Annie" Taylor.

1881-1897 - Charles and Annie have 5 children.

1898 - Annie dies

1903 - Charles married Mary Turner.

1903 - Charles and Mary have 4 children.

**1910 - Charles appears on Thirteenth Census as age 57, married to Mary Turner and listed as having several children.**



# Louie A. Miller is not Louis Charley

## Louis Charley

1890 - Louis Charley was born in Oklahoma.

Father was Scarface Charley, mother was Ella Charley

1891-97 - Louis listed on Modoc Census records with his family.

1898 - Louis Charley is orphaned.

1898-99 - Louis Charley listed on Modoc census as living alone.

1900 - **United States Census lists Louis as 10 years old.**

1900 - **Louis Charley died.**

1910 - Miami News Record-Herald advertises allotment for sale, reading “No. 13 Lewis Charley, deceased Modoc Indian.”

## Louie Andrew Miller

1881 - Louie Miller was born in Indian Territory, Blaine County, Oklahoma.

- Father was Charles Miller, mother was Annie Taylor

1906 - Louie marries Ollie Sawyer

1918 - Louie submits World War I Draft Registration card indicating he was a white male and not of Indian citizenship

1940 - United States Census lists Louie as alive, living with his wife Ollie and four children

1942 - Louie Andrew Miller submits World War II Draft card indicating he was a white male and not of Indian citizenship

1958 - Louis Miller died.

## Key Point:

- ▶ The “Louis” listed on the 1900 General Census is not Louie Andrew Miller but rather Louis Charley, son of Scarface and Ella Charley.
- ▶ Although the 1900 General Census lists Louis Charley as the son of Miller’s Charley, the 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, and 1900 Modoc Census all demonstrate that the 1900 General Census was incorrect.

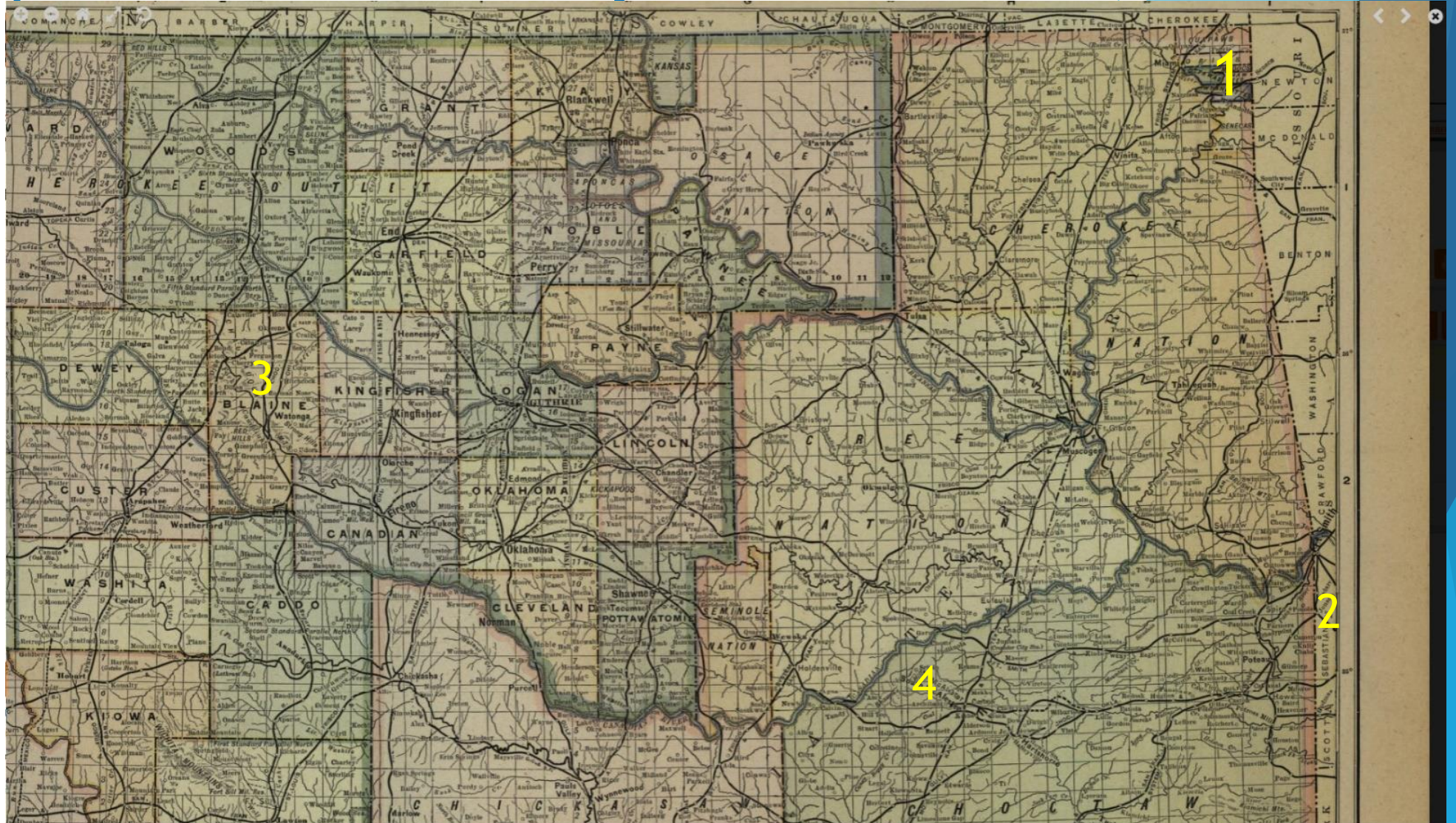
# RESTRICTIONS ON TRAVEL

The Modoc were restricted to the Quapaw Agency, unless granted specific permission to leave.

- ▶ As a general policy, the federal government restricted tribal members to reservations, which are legally defined portions of land allocated to federally recognized tribes. Indian Appropriations Act of 1851, Pub.L. 31-14, 9 Stat. 574 (February 27, 1851).
  - ▶ (1873) The so-called "peace policy" meant that native people who "did not go willingly to the reservations would be driven there by force or exterminated in the process." On the reservation, federal agents would tutor the Indians in the rudiments of white culture. In keeping with this policy, the federal government removed the Modoc prisoners to the Quapaw Agency in December, 1873.
  - ▶ (1876) Alfred B. Meachem was permitted to employ Scarface Charley, Shacknasty Jim, Steamboat Frank, and others, for a speaking tour. However, scant audiences soon brought them back to Oklahoma.
  - ▶ (1886) Eight Modocs, most in poor health, were allowed to return to Oregon. Source: James, Cheewa. *Modoc: The Tribe That Wouldn't Die*, p. 213 (2008). (emphasis added).
  - ▶ (1909) On March 3, 1909, the Oklahoma Modocs were granted permission to return home [to Oregon]. *Id.*, at 229. (emphasis added).

# 1903 Map of Indian Territory

1. Modoc Reservation, Quapaw Agency Indian Territory (1874-1909)
2. Sebastian County, Arkansas
3. Blaine County, Oklahoma
4. Hartshorne, Oklahoma



Thank you.  
Questions?