

## **MUSCOGEE NATION OF FLORIDA EXECUTIVE SUMMARY**

The Muscogee Nation of Florida, also known as the Florida Tribe of Eastern Creek Indians, is listed as Petitioner Number 32 in the Branch of Acknowledgment of the Bureau of Indian Affairs. We are a tribe of Creek Indian people from towns that existed as part of the Creek Confederacy in the Southeastern United States before the 1814 Treaty of Ft. Jackson. Our government is organized into 5 townships - a central governing township known as Choctawhatchee and 4 satellite townships known as Escambia, Red Ground, Apalachicola and Withalacoochee. Our tribal government consists of a National Council with representatives from each township, an Executive Branch of a Chief and Vice-Chief, and a Judicial Branch. Our townships are located across the interior of Northwest Florida and we are over 1100 members strong in a viable tribal entity.

At one time, Creek domain extended through most of Alabama, Georgia and parts of Mississippi southward to the Gulf of Mexico. Those who formed our modern nation followed the rivers south into the State of Florida to escape the removal policies of the federal government. We came from the old towns of Eufaula, Hickory Ground, and Tuskegee. This migration into the new lands of Florida forced the reestablishment of our traditional grounds, communities, lifestyles, and governance.

On August 1, 1814, General Andrew Jackson called for a meeting of the Chiefs of the Lower Creeks - friendly Creeks - to a meeting at Ft. Jackson. A small percentage of the Chiefs were in attendance for this signing away of our homeland. Shortly afterwards, Northwest Florida became a veritable highway for oppressed and struggling Creeks - the first stage of an Eastern Trail of Tears. The Adams-Onis Treaty with Spain, ratified in 1821, had confined white settlements in Florida to St. Augustine and Pensacola with the remainder occupied by Creek Indians. But, by 1823, Commissioner Gadsden urged the removal of Indians from Florida altogether. This policy was achieved through the Treaty of Camp Moultrie signed on September 18, 1823. It was this treaty that began a division between the modern Creeks and the modern Seminoles. Ultimately, the Treaty of Payne's Landing, signed on May 9, 1832, required the removal of any remaining Creek Indians to Mississippi. After the Seminole's Treaty at Payne's Landing, the 'Apalachicola' Creeks located in Northwest Florida continued to be treated separately. Government agencies kept some records of those Creeks who emigrated or agreed to emigrate. In 1839, the reserve lands of the Apalachicolas were finally "laid off" in conformity with the provisions of the Treaty of Apalachicola that had been concluded on June 18, 1833. Historians failed to note the continuing and unbroken presence of Creek Indians in these eastern Lands. In fact, most people are unaware that there is a Creek people still cohesively living in North Florida who are attached to the Treaty Town of Chief John Blount and the towns of historic Creek Nation. By 1850, our people began the process of forced adaptation to survive. Even so, we continued to honor the basic traditions and governance methods carried from our original homelands in Alabama and Georgia down connecting rivers into Northwest Florida. We have faced and survived many forms of oppression in loss of land, identity, ownership of traditional rights and practices, and the right to remain as Creek people to conduct our own governance and to serve our people in the common way that was brought from Alabama and Georgia. While new

adaptations were made, the Tribe suffered in its Florida homeland with the passage of state legislation that affected the Indian peoples of North Florida. The Act of 1853 passed by the General Assembly removed any possibility of Creek people openly living their traditional lifestyles and worse, identifying themselves as a tribe. This was the first Act of Extermination by the State of Florida through the attempt to extinguish of any form of self governance, traditional ceremonies, practices and lifestyles as Indian people by threat of removal or death:

“It shall be unlawful for any Indian or Indians to remain within the limits of this State, and any Indian or Indians that may remain, or may be found within the limits of this State, shall be captured and sent west of the Mississippi; provided, that Indians and half-breeds residing among the whites shall not be included in this section.”

However, this Act of Extermination did not prevent members of the tribe from living and residing and interacting with each other as Indian people. While the tribe was forced to acknowledge the new policies of the State of Florida and try to survive them, it remained a tribe and continued to function as a tribe with limited interference from the surrounding non-Indian communities. It continued to function with its leadership, subsistence type of living, traditions such as medicine and ceremonies, and in the existence of its townships infrastructure. Second cousin exchange marriage became a way of protection of the Indian bloodline in the more remote areas of our townships. This Act of 1853 legislated the Creeks' adjustment to even the most basic element of the domestic lifestyle which was a forced racial change. There was no allowance made for “Indians” to remain in the rapidly changing areas of Northwest Florida. The Seminoles were afforded a reservation area in the Everglades, but this was not an option we, the Creeks in North Florida, were given. Consequently, we were left without any rights or provisions by the passage of this Act and in the eyes of the government of the State of Florida, there was no longer an Indian population in Northwest Florida to be required to respond to. In other words, the Creek of North Florida, now considered by historians to be its ‘pioneer families’, were legislated to disappear into the fabric of an emerging white or black population. This law remained a part of the statutes of the state until the federal Civil Rights Act superceded it.

In order to protect and retain culture and heritage, the Creek people went “underground” - but still continued the expression of traditional customs, as well as, governance. Townships maintained a leadership vested in a central male, that was either elected by the members, passed down to another tribal member, or was self-appointed. Leadership was based on the man's ability to serve as a liaison between the tribal people and the non-Indian communities because of his bilingual abilities and literacy. These qualities were vital to the survival of the township for the protection from further erosion of the Creek identity and culture. The leader maintained a precarious balance serving as a representative, a mediator, a negotiator, and an advocate for the rights and protection of his community. On the local basis, he was the provider of goods and services for his people. Politically, he was also the liaison between other tribal leaders in other townships when meetings were called to discuss tribal affairs, for ceremonies such as at the grounds of Boggs Pond in Blountstown, for economic cooperation, or for civil and criminal legal issues. Even though legislation and local governments had to become a part of the Creek people's lives, the tribal government continued to

exist through its tribal township leaders, its elders, and its ceremonial events.

Since 1862, the Bruce Community in Walton County Florida has served as a center for education, social interaction, and other types of traditional events that were and are still a part of Muscogee Nation. For the past 150 years, our people have maintained ceremonial events and traditional practices. One of the major events that took place in the lives of Creek people was the move to incorporate some sort of organized religion into the community through the work of outside missionaries and circuit riders in the late 1800s. The Bruce Church, established in 1912, is recognized as a Native American Church by the Methodist Conference. The community also had a separate Creek Indian School from 1890 until 1948 which had a cooperative arrangement between tribal leaders and the School Board of Walton County.

Entering the new century of the 1900s, the communities and people of the Muscogee Nation continued to practice traditional form of government within the townships with traditional customs, medicine, language, hunting and fishing, and cooperative labor. During this period, the tribe saw an increase in its membership, and families had large groups of children. The men often maintained multiple households and the townships supported each other from a communal type living. In the late 1930s, however, the economics shifted and that affected the aboriginal area. Turpentine industries declined, as did logging. The tribal townships were faced with developing new methods to ensure the economic survival of their people. Liquor production filled this desperately needed void of revenue utilizing farming abilities and enabled the communities to locally produce crops for its creation such as corn, rice, and sugar cane. This was a tribally sanctioned enterprise with many members across the townships actively involved.

By 1940, the war effort of World War II brought in a new threat of extinction to the tribe. Eminent domain included lands owned and settled by Creek fishing families who were displaced into other areas and received little to no compensation. Again, these Indian families had to start over. One of the losses to the people was a ceremonial grounds located in the Mary Esther area, along with known burial areas that suddenly fell under federal jurisdiction through the establishment of Eglin and Hurlburt Air Force Bases. Under new management of the federal government, the tribe no longer had access to its aboriginal homelands for hunting and fishing. While the new military bases provided jobs and an influx of military personnel to work those jobs, it also contributed to tribal members marrying military personnel and leaving the tribal area. Also, tribal members were forced to find employment at these installations which forced a move from the old tribal township into the urban areas in order to support these families. The men had often maintained multiple households and supported each other from a communal type living.

In 1947, an announcement was made by the Bureau of Indian Affairs for a Land Claim Settlement that would affect the historic Creek Nation. The people of the Muscogee Nation of Florida were participants in this litigation through a supportive agreement with Creek Nation East of the Mississippi. The litigations required a suit be filed against Creek Nation of Oklahoma because the Bureau of Indian Affairs considered all southeastern Creeks to be either dead or removed. Designated representatives from this tribe's leaders were present in the halls of Congress when a

determination was made in favor of many of our people. The land claims settlement of the 1950s shaped the membership of the modern Muscogee Nation. Before this litigation, our townships had been a loose knit group of Indian people joined by blood and marriage. The tribal entity conducted its affairs in an informal environment through leadership inside the tribal townships and the exchange of social and economic ties. With the Land Claim Settlement, the governmental structure of the tribe became more formal. It took until 1971 for the monetary settlement due our people to be received. In 1974, the State of Florida created an agency 'council' called the Northwest Florida Creek Indian Council under Florida Statute 285 to deal with issues affecting this 'new minority'. The state appointed council served our people until 1978, when the formal structure of the Florida Tribe of Eastern Creek Indians came into being - a Tribal Council elected by our people with representatives from our townships. A constitution was created that same year and a petition for federal acknowledgment was turned in to the Bureau of Indian Affairs. However, this petition was returned to the tribe to re-submit because of significant changes that had affected the process for applying for federal acknowledgment.

In 1986 the Senate and the House of Representatives for the State of Florida passed concurrent Resolutions that recognized the Florida Tribe of Eastern Creek Indians as the governing agent for Creeks in the State. During this same time, the tribal government established a cooperative effort for repatriation with the Air Force and the Navy. This stayed in effect until the law was changed that prevented repatriation by non-federal tribes. A set of tribal codes was completed by 1990. Today, the tribe has an acceptable accounting system in place with regular audits for state and federal contracts. It has been the recipient of local, state and federal grants for Environmental Mitigation, Language Preservation, and Public Education.

In 1996, the second petition for recognition was filed with the Bureau of Indian Affairs. The Tribe requested and received a Technical Assistance Review Letter which it chose to respond to. This response is now complete and the tribe is awaiting being placed on Active Consideration.

The elected Tribal Council for the Muscogee Nation of Florida continues to serve the Creek people within its townships referred to as Escambia, Red Ground, Choctawhatchee, Apalachicola, and Withalacoochee. After many years of hard work by the Representatives of the Tribal Council, a new constitution was adopted on January 21, 2001. This document reflects a streamlined governing approach through the use of the old tribal township structures that were our history long before a state appointed Council. The new constitution brings a cohesive method of governing across a large tribal area (10 counties) through a Legislative, Judicial, and Executive Branch. It successfully carries government policies to the Creek people who are spread across the interior of North Florida and allows for the development of local committees that can provide better input on community needs to elected Tribal Council Representatives, while working with local non-Indian leaders.

The Muscogee Nation of Florida has never been a part of another tribe other than through the cooperative effort of our tribal leaders in the Land Claim Settlement of 1955. We are a tribe with direct blood ties to the towns of Creek Nation that existed prior to Removal policies of the federal government. We have members who still live on original homesteads, dating back to the mid-19th

century. We have lived together, labored together, worshiped together, and stayed together as a tribe despite the adversities created by a state government that did not want us here and attempted to legislate us out of existence.

Today, the people and the Tribal Council of the Muscogee Nation of Florida awaits its sovereignty. Our people are among the rural poor of Northwest Florida, but we have many talented, industrious members and strong tribal leaders. We believe that, as an acknowledged tribal entity, we can provide the avenues for better housing, education and job training and can ensure adequate health care for our people and a better quality of life for our elderly. The people of Muscogee Nation of Florida are asking for federal acknowledgment and the opportunity to take care of our own, to protect our traditions and our language, and to preserve our way of life through the generations.

## Site Observation Report Muscogee Nation of Florida

This report is to provide personal observations of the people, community, and continuing traditions of the Muscogee Nation of Florida. It has been my own professional interest in establishing common practices and knowledge about the Creek people and ties among our Coushatta people. I have found many common values, traditions and a spirit of community among the people of the Nation.

There is a strong identity as a community of Indian people in the established townships and the continued identity and practices among the members of the townships. There is no doubt that the members of the Nation still and have always possessed these unique and common values throughout its history in Northwest Florida. The identity of township as a community is very much evident, and I have had personal contact with members who share these centuries old values, and some even practice the teachings of their people passed on through families and kinship structures. I can verify the sense of community and lifestyle in the area of their seat of government in Bruce, Florida.

In the recent months, I have visited Bruce Indian Community and have enjoyed the fellowship and acceptance that is the common thread of the Creek people. Their families and homes have opened to me and I have found the spirit of welcome and my return to my relatives of years past that is genuine and fulfilling.

During my visits, I have observed many of the traditions remaining and in practice. Family and kinship is an important part of the Nation's members in a social setting. The centuries old tradition of the males being served first at family gatherings, followed by women and children is still common today. These social settings and traditions continue to be observed in the modern setting at the Bruce Indian Church where the familiar eating places are still in place outside in the church yard. There are still members of the Nation that practice both the Christian and traditional beliefs and worship both in a church and grounds setting. The grounds are still being used and the traditions of the Creeks are being maintained by a large group of adults and young adults.

Many other Indian people share in these events with the members of the Nation. On different occasions, members of the Seminole and Miccosukee tribes participate in the ceremonies at the grounds located at the Treaty Town of Blountstown.

There are instances where traditional leaders from the Creek Nation of Oklahoma are involved as mentors in teaching the youth of the Nation, and members of the Nation have been guests of the Creeks in Oklahoma. As a result of the inter-tribal visits over many years, there is the knowledge by other Indian tribes and people that there continues to exist the tradition of the Creeks in Northwest Florida. In the recent years, there has been a major focus among the leadership to retain these traditions and this has brought the community together in language classes, arts and crafts, and dances. It is important to note that the instructions come from within the tribal resources. The knowledge and appreciation of the heritage remain strong within the tribe and its members.

Among its rich heritage there remains the infrastructure of the clan system where many of the families continue to observe the clans, and often times perhaps even conduct their governance in traditional form. I have observed their seating arrangements in the Council House and have been a silent observer in their proceedings, beginning with the custom of prayer in the Creek language by the ceremonial Chief. For governance and other activities, the tribe observes traditions in leadership styles and in hosting events that represent a clan family. These activities represents a continual existence of oral, spiritual, and leadership of the Muscogee Nation. In spite of the history of the people there values remain as part of their daily lives. These and other distinct lifestyles represent a community of people who remain as one with an identity that has never ceased. These members are proud of their heritage and through their kinship structure will ever grow in strength in the years ahead.

As a community, Bruce is the center of government, a ceremonial center, and a place of communal support and offering of support to each and every member. There is never an occasion where a member in need is not provided guidance, comfort, and even services to assist in their daily living. These members enjoy sending out gestures of spiritual support and comfort during a loss of one of their members. This is usually accomplished through traditional burial ceremonies conducted by the community through their traditional medicine keeper. Traditional Creek burial ceremonies are common where the final resting place is in one of the Creek cemeteries in the surrounding area. These cemeteries are identified with symbolic markers known to Creek people and followed by cleansing ceremonies of the body and the residence of the deceased. These again are in keeping with the Creek tradition of honoring the deceased and offering comfort and healing to the remaining family. One of the more noticeable markings of the cemeteries are the placing of shells on the graves and frame structures on some of the others. This is still a common practice among the closely related tribes in Louisiana and Texas. The observance of the four day visitation of the grave and placing of special items on the grave is still practiced today among the members.

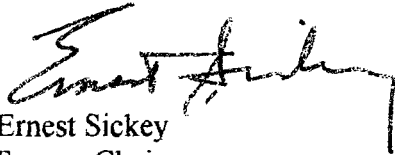
In support of its retention of the traditions among its members there is knowledge and practice of time through the common 13 month calendar of the Creek people. I have seen the presentation of this unique calendar used among our people. Along with these strong ties and identity to Creek traditions, there exists knowledge and awareness of the Mobilian trade language which further reinforces the tribe's efforts in commerce with other tribes and eventually non-Indian neighbors.

I have witnessed and have been a part of interviews with members who shared lifestyles that included subsistence living such as fishing, hunting, and trapping. I have knowledge of grounds, burial sites, communities, and educational issues. I understand the problems related to being Indian in Northwest Florida under many forms of oppression from removal period to acts of the Florida Legislature placing bounties and terminating their existence during 1852 and 1853.


As a Nation, the Muscogee people have maintained a lifestyle that supports their history as Creek people. In spite of the hardship, the members continued to live and adapt as a part of the dominant society, but yet retain the core and energy of Creek people. The members had to adjust to survive and become part of the economy with a changing environment, and while assimilation was important to the government, the Creek people of Northwest Florida lead dual lives and have become stronger people.

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There is no doubt the Muscogee Nation of Florida possesses a higher evaluation of their history as a tribe than some who cannot establish a clear identity and even a community. There is present evidence of a community, values, tradition, and a common strength through family ties and existence as a tribe of people.



Ernest Sickey  
Former Chairman  
Coushatta Tribe of Louisiana

Subscribed and sworn to on the 19<sup>th</sup> day of February in the year 2002 by  
the signature listed above who produced identification in the form of:  
Federal Tribe Identification - Coushatta Tribe Roll # 



Ann D Tucker  
My Commission DD026230  
Expires May 15, 2005

Muscogee Nation of Florida

Petitioner No. 32

TA Review Letter Response

The following documentation addresses your TA Review Letter in the order that it was written. We have used a section by section basis, beginning with your comments that were entitled "Specific Concerns". When your letter asks certain questions or cites specific issues, our response lists the page number and paragraph number from the TA Review Letter. The statements are highlighted in bold print and are followed by the Tribe's response to your comment with any applicable exhibits denoted.

We believe this to be both a comprehensive and rational approach that will lend itself to fewer misunderstandings. Please note that both new and clarification type data has been provided in sections 83.7 (a) through 83.7 (f). These sections have been addressed by listing your comments followed by our response. The general comments are then followed by a part/sub-part breakdown of the entire section with evidence/explanations/clarifications furnished from the Muscogee Nation of Florida.

At the end of this written response is a comprehensive numerical listing and description of every Exhibit that has been furnished by our Nation. Each exhibit is stamped and numbered. If an exhibit has multiple pages or if there are multiple documents that are of the same source or type, the exhibit will be numbered with an alphabetical denotation such as 1(a), 1(b), 1(c).

Please pay special attention to additional comments that may follow the number and general description of each piece of evidence in the Exhibit Listing. They may serve to clarify or add to the overall importance of the document(s).

**Specific Concerns**

**Page 2, paragraph 1**

**“The petition of the Florida Tribe of Eastern Creeks has been reviewed. Many of the current leaders of the group have been closely involved with two groups whose petitions have already been denied under the 25 CRF Part 83 regulation: the Lower Muskogee Creek and the Principal Creek Nation. Copies of these two final determinations, with the preceding Proposed Findings and Technical Reports, are enclosed for your review. Please have your researchers pay particular attention to the portions of these prior findings which address documentation which was found insufficient for Federal acknowledgment for those petitioners. Some of this documentation has now been resubmitted, in essentially unchanged, in the Florida Tribe of Eastern Creeks Indians’ petition. This particularly includes the discussion of the Ward family narrative and church data in the Lower Muskogee Creek Case.”**

The members that form the townships of the Muscogee Nation of Florida have not been formally associated with either of these past petitioners’ organizations. The question seems to be from your researchers, who are *we* as a tribal people? To put the answer both bluntly and succinctly, we are a Tribe of Creek Indians whose genealogical, linguistic and social data has been used, borrowed, and taken when it is advantageous to others to do so - but have been otherwise ignored.

We are legitimate Indians who have *also* associated with current leaders of your federally recognized Poarch Band of Creeks, as our data well supports. In lieu of the context in which your paragraph is written, this fact is either an oversight on your part or you failed to pay special attention to it in the Specific Concerns of your Technical Assistance letter. It should also be mentioned that in more recent times, we have served on State Councils with Seminoles and Miccosukees who are also federally acknowledged Indian Tribes. (Exhibits 1 and 2) We have also worked to establish partnerships that could create economic self-sufficiency. One of the

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Muscogee Nation's primary business plan involves the bottling of spring water. **(Exhibit 3)** *(A business plan can be made available upon request of your agency.)*

The two *non-federally recognized* organizations cited in your letter were known to this tribal government many years ago because of local newspaper reports, geographic proximity and, in one case, mutual participation in a state agency's council of representatives. **(Exhibit 4)** There was never a formal working relationship with either of these groups by this tribal government, nor was there ever a consideration of having such a relationship. Some of our members may have even been unknowingly listed on these tribal rolls, but since we have never seen rolls from these organizations, we cannot be sure of this, just as we cannot be sure of who is now federally recognized in the Poarch Band of Creek Indians and may be on our rolls.

Our tribe, the Muscogee Nation of Florida, has always maintained its own autonomy and its own membership with adequate documentation and protection of its members. In terms of past petitioning Indian groups, the Muscogee Nation of Florida, known as the Florida Tribe of Eastern Creek Indians, passed a resolution in support of the petitioning efforts of the Poarch Band of Creek Indians for which, the Bureau of Indian Affairs sent a letter of receipt to our Tribal Council. That is the sole resolution the Tribal Council has passed in support of any Southeastern tribal recognition effort. **(Exhibit 5)**

Based on a review of the BIA findings of Principal Creek Nation and the Lower Muskogee which your agency mailed to our researchers, we have identified two individuals of the Muscogee Nation of Florida who may have had ties to the groups in question: W.V. Williams, a past Chairman of our petitioning tribe and now a member of the federally recognized Poarch Band of Creeks, and our traditional or Ceremonial Chief, Andrew Ramsey, who remains a member of this tribe and a ceremonial leader of our townships.

Chief Ramsey informally provided technical assistance upon the request of Wesley Thomley of the Lower Muskogees of Florida because he knew that Mr. Thomley was lacking **(b) (6)**

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education and the skills required to develop a petition on behalf of the people who elected to follow his leadership. Chief Ramsey has a Doctorate in Education and feels a traditional, personal responsibility towards people who do not have the benefit of ██████████, particularly Indian people. The intent of Andrew Ramsey was no more than informal assistance. Chief Ramsey knew that Wesley Thomley's membership included members of the McGhee family who had chosen not to associate with the Poarch Band of Creeks because of the changes in leadership that had affected their family. Andrew Ramsey has been a lifelong resident of Blountstown Florida and there are federally enrolled members of the McGhee family who reside in that community.

There was never any intention on the part of Chief Ramsey to be considered a member of the Lower Muskogee. He has served as a past Chairman of the tribe and has been an elected leader and advocate for rights of the members of the Muskogee Nation of Florida since the formal organization of 1978. Chief Ramsey has always claimed his Creek blood and his tribal affiliation throughout his lifetime. His loyalties and actions have been directed to fostering the interests of the townships that make up this tribe. **(Exhibit 6)**

It is noted that Andrew Ramsey is of mixed blood with ties to Cherokee and Miccosukee. Oft times, that creates a confusion on the part of outsiders who speak with him but do not know or understand his lineage. He is fluent in the Cow Creek/Apalachicola dialects of our language and has been a teacher to tribal youth for many years. He served as a Tribal Council Representative, Council Representative to the Governor's Council on Indian Affairs, and serves as Ceremonial Chief of what is now the Muskogee Nation of Florida. With the revision of the Constitution in January 2001, he became the Ceremonial Chief of this tribe. **(Exhibit 7)** He sits on the National Council and is called on to mediate disputes, maintain the culture and history of the tribe and, when the council is in a debate with little chance of resolution, he furnishes a reasoned voice to resolve the conflict within the tribal government.

The only tribal leader of the Florida Tribe of Eastern Creek Indians, now the Muskogee Nation of Florida, that had a more personal working relationship to the Lower Muskogees was W.V.

Williams - which we found by reading the BIA findings on the Lower Muskogee. W.V. Williams was an original member of the Northwest Florida Creek Indian Council and, during the years of the Gubernatorial appointed Council's oversight of the Tribal Council, he served as a Representative to the Florida Tribe of Eastern Creek Indian. According to your report, Mr. Williams had disassociated himself with the Lower Muskogees as early as 1973. He represented his collective people - no names singularly furnished - as the Coweta Band at the first meeting of the Florida Tribe of Eastern Creek Indians in Bruce, Florida in 1978. He served as a Council Representative elected by Creek Indian people of Escambia County, Florida, along with Perloca Linton. When Mr. Williams was not re-elected as a Council Representative to the Florida Tribe, he became disgruntled. Mr. Williams and Juanita Felter, a past Chairwoman and disgruntled Escambia County Representative, altered the corporate charter of the Florida Tribe of Eastern Creek Indians which had to be recovered in District Court by the elected Tribal Council. **(Exhibit 8)**

It is noted for this response that the petition researchers of the Muscogee Nation contacted Mr. William's home in June 2001 and was told by his wife, Nell, that W.V. Williams became a member of Poarch Band in 1990, apparently for personal gain and affiliation with federal recognition. Mr. Williams had both a need for personal control of an entity and a history of changing tribal affiliations and loyalties to Creek people of the State of Florida. Unfortunately, this type of personality is similar to others that our people have been required to work with through the years because of the Land Claim Settlement litigation and the Creek Council set in place by the State of Florida. **(Exhibit 9)**

Wesley Thomley was *never* enrolled in Muscogee Nation of Florida. He attended meetings of the Florida Tribe of Eastern Creek Indians Tribal Council as a leader of the Lower Muskogees, totally separate from this tribal government. **(Exhibit 10)** Once again, using the BIA Findings provided to us, we have found that Mr. Thomley called himself a 'medicine man' inside a group that was known as 'Principal Creek Nation'. This information has been particularly distasteful to this Tribal Council, as Muscogee Nation of Florida has historically maintained secular religious and

ceremonial activity which has never included Wesley Thomley. Section 83.7 (b) has been revised in our response and specifically addresses the history of the recognized ceremonial grounds within this tribal area.

It seems from the B.I.A. Final Determinations that Mr. Thomley and Mr. Turner, the self-appointed leader of Principal Creek Nation, had a disagreement and Mr. Thomley 'created' a unified tribe with Neal McCormick in the early 1970s. If we understand the old newspaper articles correctly, these two groups believed themselves to be the Georgia and Florida tribal entities of Creek Nation East of the Mississippi (Poarch Band) in Atmore, Alabama who were appointed under the leadership of Houston McGhee and were visited regularly by Buford Rolin. However, Wesley Thomley broke away from Neal McCormick when McCormick was about to be turned down for federal recognition and came to the Florida Tribe of Eastern Creek Indians for help.

Wesley Thomley is found to have referred to himself as the Chief of the Florida Creeks anytime he was interviewed in articles that we have located. We cannot verify how or if he was truly given this title, but the members of this tribe never looked upon him as such. We are quite sure that none of our people participated in an election that had him on the ballot for this title. Leaders of the Muscogee Nation of Florida's communities became familiar with Mr. Thomley through an election that was held on May 13, 1978 by the state appointed Northwest Florida Creek Indian Council, as is evidenced by the letter of notice received by the Treasurer of the Muscogee Nation of Florida. (Exhibit 11) Consequently, as a result of this first election and Mr. Thomley's place on this Council, Representatives from our tribal townships became acquainted with Wesley Thomley. (Exhibit 10) And, of course, the docket settlements were a cooperative effort of many people throughout Alabama and Florida, even though Wesley Thomley was not listed on the payee roll we received from the Muskogee Area Office after Docket 272. We have never found any evidence to show that our tribal members were connected to his organization in any formal way, nor did the tribal council ever officially authorize anyone to represent our membership or documentation to Wesley Thomley or vice versa. Mr. Thomley's legitimacy was only through his

relationship, real or imagined, with Houston McGhee in Atmore, Alabama and his service on the state appointed council that led to a short term seat on the Florida Tribe of Eastern Creek Indians as a first elected representative from Escambia County.

As your report on the Lower Muskogee demonstrates, Mr. Thomley had designated 'Clan Leaders' (not in the traditional sense) who were residing in some of the same counties as our primary service areas. However, the names of the people listed in your Findings on the Lower Muskogee are not people we have known as documented Creek Indians in our communities, with the exception of Joe McGhee. Mr. Thomley is now deceased and was interred in Pensacola, FL. The affidavit of Andrew Ramsey makes reference to this subject, as he was asked to give Mr. Thomley's in our native language. **(Exhibit 6)**

In terms of your question of this tribe's close association with Wesley Thomley, it is repeated that this tribe became associated with Wesley Thomley through his appointment onto the Northwest Florida Creek Indian Council. This Council served as the Executive Director for the Florida Tribe of Eastern Creek Indians until 1980. At that time, the Tribal Council began to take steps to reduce the Northwest Florida Creek Indian Council to an Administrative Council. While the two organizations were after the same goal (i.e., the federal acknowledgment of the Florida Tribe), there were differences that must be pointed out : the Florida Tribe's Council (Muscogee Nation of Florida) was elected by Creek Indians to govern Creek Indians, whereas the Northwest Florida Creek Indian Council was appointed by the Governor of the State and served many Indian groups. This is why the Agendas of the meetings always delineated between the Florida Tribe of Eastern Creek Indians and whatever other groups was present at the meeting, including the Lower Muskogee and Wesley Thomley. In fact, based on the history of this individual, this tribal government assumed that he died as a member of the Poarch Band of Creeks. Our researchers were somewhat surprised at these comments from the BAR staff because we do not consider these issues relevant to our tribal government.

The second tribe you have listed was *Principal Creek Nation*, led by Arthur Turner. It appears that this man had a group of family members near the Alabama border, in northern Walton County, who could trace their genealogy to a Creek woman named Catherine McIntosh. Turner was from a small town called Paxton in north Walton County Florida. He was a County Employee and as such, was known to many residents of Walton County who had a professional working relationship with him - but not as an Indian Chief. His petitioning group was not involved in the Northwest Florida Creek Indian Council nor did they have any other contact with the members of the Muscogee Nation of Florida, as a tribal government. The members of the Bruce Indian Community have not had a formal relationship with this individual. **(Exhibit 12)** Jesse Turner was known to the Bruce Indian Community through his service to Chief Calvin McGhee of Poarch Band on the Council of the Creek Nation East of the Mississippi. Beyond that information, we do not know anything about his groups nor the names he may have filed as a roll of tribal members.

Please note that our constitution, which is furnished in this response, requires individuals to give written notification and officially withdraw if they have chosen to align themselves with another governing body in the past or present, federal or non-federal. The forms have been supplied in response to the 83.7 (e) Membership and can be referred to for additional information.

We have furnished a copy of the Federal Register dated January 2, 1979 of Petitioning Groups that clearly provides evidence that we are a separate entity, not affiliated with any others that are on this list. However, old documentation on these groups' activities is all that we can provide. Since they are 'no longer in business' as non-profit organizations and their leaders are dead, we cannot provide anything new or enlightening. **(Exhibit 13)** .

The Church records being submitted by the Muscogee Nation of Florida are rolls from 1913 and 1919 from the Bruce Methodist Church which is a Native American (Creek Indian) Church. These rolls contain the names of Creek Indians who many members of our tribe have a relationship with - by direct lineal descent or by marriage. **(Exhibit 14)** In addition to this, we

have furnished a letter from another Methodist Conference Church exhibiting that the church is a minority church along with one of the past minister's reports. When the Church roll is combined with information and affidavits on families that attended the ceremonial grounds in the Blountstown Treaty town or at Antioch, along with other historical and genealogical documentation, our tribal membership will be clearly identified. If our Church Records have been submitted before, it was without the knowledge of the Tribal Council - some of whom have been members of that church since birth.

A review of the Final Determination on the Lower Muskogees listed citations on a "Ward Journal" that was listed as a source of Wesley Thomley's evidence. It involved Church meetings and moderators. The members of the Ward family in Bruce, Florida were asked to authenticate a document entitled the "Eva Dixon Ward Diary" by Dr. Lucius Ellsworth of the History Department of the University of West Florida in Pensacola, Florida. This request was made in 1981, while he was conducting research on a grant from the Florida Endowment for the Humanities. While some of the earliest dates and information appeared correct, it was the opinion of tribal members who knew the Ward's history that the diary was fraudulent. No such hidden or secret journal would have been kept by a non-Indian spouse on the leadership family of the Bruce community without their being aware of this. There were entries and dates that were not in keeping with the known history of the Wards, and wrong names (i.e., not the recognized familial name) were used in entries.

The Bruce Methodist Church (whose rolls you now possess) has never had a title that was called 'Moderator'. The Tribal Council is concerned that it does not know what data Wesley Thomley or Arthur Turner managed to acquire, nor how they presented it. However, the members of the Muscogee Nation of Florida are quite sure that they had never seen nor heard of this Diary prior to being asked to conduct a review by the University of West Florida. The copy that the tribe was provided from Dr. Lucius Ellsworth is on file at the Council House with notations on the Journal's discrepancies. It was not the first time that people outside the Muscogee Nation's Creek Indian Communities tried to furnish 'altered' records to justify being Creek Indian. This

happened in the 1950s land claim settlements where courthouse documents were both stolen and forged. Fortunately, the Ward's relationship with the attorney in charge of the litigation, Lenoir Thompson, prevented their members from using these types of false records in applications to the Bureau of Indian Affairs. **(Exhibit 15)**

If Ward genealogical documentation was submitted from the Lower Muskogees, as is mentioned in the TA Review Letter, we assume that they consist of census records and public depositions from the Land Claim Litigation. We cannot know who Wesley Thomley's source would have been for these records. However, Perloca Linton, whom your researchers also make reference to, had copies of all of the genealogical records of Creek Nation East of the Mississippi. She worked with Creek families through the late 1960s. We have copies of paperwork where she witnessed the forwarding of tribal applications to Washington D.C. **(Exhibit 16)**

Perloca Linton was in the business of preparing peoples' claim forms for the government, for which she was paid a substantial amount of money. Unfortunately, many of our people did not receive their apportionment because their forms were never turned in to the federal government by Perloca Linton. **(Exhibit 17)** To this tribe's knowledge, Perloca Linton was not able to document being Creek Indian, even though she appealed BIA Land Claim Settlement decisions on her lineage - and neither could Wesley Thomley. Therefore, our relationship with her can only be considered informal via our relationship with Calvin McGhee. Although Mrs. Linton was able to be a candidate under the 1978 guidelines set in place by the state-appointed Northwest Florida Creek Indian Council, she did not complete a year of service as an elected Representative to the Florida Tribe of Eastern Creek Indian Council. It was assumed that she became a member of the Lower Muskogees, as she did not have the minimal credentials required to be a member of this tribe. On the contrary, the Linton family was known to be Creeks (i.e., Mrs. Linton's husband was Indian).

Wesley Thomley and Neil McCormick of the Lower Muskogees and Arthur Turner of Principal Creek Nation never allowed anyone in the Florida Tribe of Eastern Creek Indians, now the

Muscogee Nation of Florida, to see, read, nor comment on their petitioning documents or, more importantly, to look at their rolls. Our tribal researchers have had to locate archival records in Tallahassee, Florida and Atlanta, Georgia and study the Bureau Findings and Determinations to offer the informational data we have furnished. We did such work in an effort to find out what, how, or in what context, our tribal documents were 'previously' submitted.

Obviously, this Tribal Council has no idea of what Wesley Thomley or Arthur Turner presented to the BIA - *one was not able to document his lineage and the other knew absolutely nothing about Creek Indians*. Suffice it to say that we do not know why there is a discussion of the Ward data in the *Lower Muskogee Creek* Petition who were turned down for federal recognition, unless he had Ward members that were separate from this Nation and the Bruce Indian Community. Likewise, we do not know why the petition of the Poarch Band of Creeks, who *are* federally recognized, included a discussion of the Wards' data as one of their peripheral Creek group. We did notice that the Poarch Band's discussion was disregarded by your staff in terms of citing a past or existing relationship between the Muscogee Nation and a federally recognized Creek group. We assume that your staff is aware that we share a history with Poarch Band, but that we consider ourselves to be separate and distinct from Poarch Band of Creeks.

What the Muscogee Nation of Florida clearly *does* know is that the Wards in the Bruce Community, as the genealogy and community historical data demonstrates, were autonomous, Creek Indian, and unrelated to the tribal groups known as Lower Muskogees or Principal Creek Nation. In retrospect, it appears that Wesley Thomley, (and a host of others like him) attached himself to many 'groups' after the death of Calvin McGhee, especially those that allowed for a leadership position that sounded Indian.

Conversely, the Wards made a community decision to become members of the Florida Tribe of Eastern Creek Indians, now called Muscogee Nation of Florida, in accordance with the requirements of the formal constitutional document. Prior to this formal governing document, the Bruce Indian Community - which was the heart of the government and a land historically

familiar to the Wards - committed themselves to support the litigation work led by Calvin McGhee through the leadership of J.J. Ward. Before that, the ceremonial grounds of Antioch on Bruce Creek and the Big House on Boggs Pond provided our people's governance.

There were no other recent tribal governments involved in the lives of our people. The formalized structure of the Muscogee Nation of Florida that replaced the more informal community government, has served as our representative voice to local, state, federal, and other tribal entities since 1978.

It is the position of this Tribal Council that we cannot be held responsible for historical data that other people have submitted without our knowledge or consent or for data that others have subsequently misrepresented to BAR. We are Creek Indians from self-sufficient, internally supported Indian communities who have shared in a successful litigation resulting in monetary land claim settlements. Our genealogical and historical records have withstood past scrutiny of the Bureau of Indian Affairs. For that reason, it would appear that documents of our people are considered valuable to groups who cannot provide their own data. This is particularly true in the case of the Lower Muskogee who, from the comments in the BIA Findings and Determinations stated that this group had major genealogical documentation problems. The term 'ethnic fraud' comes to mind. It is our hope that supplemental data will remove all appearances of tribal affiliation to other groups, as well as, eliminate all notions of 'associations' between other tribes and our members. The tribal roll we offer represents an accounting of tribal Indian families with familial and social ties across our townships. It defines who our people are.

Also, it is extremely important that your staff understands that the genealogical documents that have been furnished by the Muscogee Nation of Florida are not 'copies' that have been made of public documents. Each interview, affidavit, letter, census record, etc. furnished in this report is taken from a document with original signatures. These original documents are kept in a climate controlled locked safe and are available for inspection as to their authenticity by the staff of the Bureau of Indian Affairs. There are many copies of our records in public places, and we are quite

sure that some of these records have been used by other petitioning tribes. However, we are the people that possess the *originals*.

The Muscogee Nation of Florida's records are more credible than any other claim in Northwest Florida. They span the history of an Indian people who have lived, worked, governed, and worshiped collectively through time and who continue to do so today. The Ward family records of Bruce, Ward's Basin and Wardsville in historic Walton County Florida have been used on many occasions to justify the 'Indianness' of both petitioners and Indian organizers, as have our members' records in the Treaty Town of Blountstown in Calhoun County Florida. Members of Muscogee Nation of Florida have never been allowed to view the petitioning documents from *any* other group, nor has the Tribal Council certified evidence for other petitioners or consented to the use of our tribal information in the petitioning documents of others. The evidence we provide according to the requirements of 25 CFR 83.7 should clearly demonstrate the difference between Ward documentation consisting of public records and Ward documentation of correspondence between community members, lawyers and public officials that members of the Muscogee Nation of Florida had the forethought to protect from outside sources.

**Technical Assistance Review Letter: Specific Concerns: Page 2: Paragraph 2**

**"The BIA has received a letter of intent to petition for Federal acknowledgment by the Apalachicola Band of Creek Indians. Your response should include a section explaining the circumstances of the apparent split between the Florida Tribe of Eastern Creek and the Apalachicola Band of Creek Indians and its impact upon the enrolled membership of the Florida Tribe of Eastern Creek Indians and the political structure of the Florida Tribe of Eastern Creek Indians."**

It seems that your researchers would like to look upon this situation as an 'apparent Split' with this Nation because you have assigned a subset of our petitioning number to a Letter of Intent submitted by an individual who now calls herself 'Mary Blount'. Mrs. Blount (whom we knew as Mary Lou Blunt Morris) supposedly represents a tribal entity called the Apalachicola Band of Creek Indians. This 'Band' is not an historic 'Band' in any sense of the word and was not even

known to this tribe in 1978. In fact, her Notice of Intent letter was dated 1995, ten years after this tribe had obtained State Recognition and was bound by Legislative charter to assist other Creek Indians as the 'governing agent of Creeks in Florida' per the Senate and House Resolutions passed by the state legislature. **(Exhibit 18)**

The Tribal Council is deeply concerned that the BAR staff chose to assign the same petitioner number to Mary Blount's letter, thus giving an appearance of some sort of legitimate split in a tribe - particularly since we have been in this process for so long. There has been no *split* with the exception of Mary Blunt Morris' leaving. Our tribal members have had to write letters to have their names removed from rolls that they had not signed. The exhibits provided should more than answer this question. Exhibit 20 is a report submitted per the direction of Virginia de Marce of the Branch of Acknowledgment and Research who was notified by our Tribal Administrator, Anne Tucker, of Mrs. Blount's failure to allow a taped transcription or provide a deposition on November 3, 2000 as she had previously agreed to do.

**Preliminary Information:**

Due the lack of knowledge on the Apalachicola Band of Creek Indians by this tribal council, Resolution 2000-10 was voted on by the Tribal Council to authorize Anne Tucker to contact and conduct this interview on behalf of the Muscogee Nation of Florida. **(Exhibit 19)** This resolution was passed by the National Council to protect its own identity and to avoid the appearance of any connection or dual membership or political affiliation with any other group. The protection of the autonomy of this tribe was and is foremost. An interview was held with Mary Blount on November 2, 2000, 11:30 a.m. EST at 104 4<sup>th</sup> Ave., Tallahassee FL, the home of Mary Blunt Morris. This report has been notarized with a copy furnished to your staff. **(Exhibit 20)**.

**General Interview Observations:** It was noted that "The Council House" was "For Sale" at the time of the interview. Therefore, at the time of the submission of this package, we do not know Mrs. Morris' whereabouts, nor the status of the Apalachicola Band.

Mary Blunt Morris had agreed to a taped interview and written statement on behalf of the Apalachicola Band of Creeks prior to the tribal liaison's interview. She refused to do either. There were no officers nor members of the Apalachicola Band Tribal Council present. Her current title and affiliations inside the band remains unknown.

The Tribal Council has never had any formal communications with the Apalachicola Band. We are unaware of any documents that may govern this Band. We do know that Billy McClellen was originally the 'Chief' of Mrs. Blount's Band when it was first created. However, Mr. McClellen is now deceased. Upon his death, his wife a.k.a. 'Yellow Hair' (Ann McClellen) assumed his position. Mrs. McClellen has never had official contact with this Tribe. There has never been any type of correspondence, invitations, governmental requests, nor does she have blood ties to Muscogee Nation tribal members. We are unaware that she is Indian.

**History of the Muscogee Nation's relationship with Mary Blunt Morris:** The Calhoun County Board of County Commissioners, where the old Blunt (Blount) Reservation is located, recognizes the governing authority of the Florida Tribe and supports the tribe's federal acknowledgment. In fact, the tribe has maintained a satellite office in the county courthouse for many years. There is a current resolution from the County government included in this petitioning document under Section A.

The Tribe was first approached by Mary Blunt Morris, now calling herself Mary Blount, in 1984. Mrs. Morris had contacted Creek Nation of Oklahoma in 1982 when she was searching for an Alabama-Coushatta blood line or a Polk County 'Indian' bloodline. A letter was forwarded to this Tribe. **(Exhibit 21)** Mrs. Morris approached the Tribal Council of the Florida Tribe of Eastern Creek Indians during this same time period to fill in the gaps of her genealogical history because there are members of this Nation that have do have direct blood ties to the Blount Reservation and were known to Robert Trepp, who served Creek Nation of Oklahoma for many years. The Tribe has often assisted individuals with genealogy because of the database that has

been collected over the years. Therefore, this request did not seem out of the ordinary. Mary Blunt Morris then began to make quick friendships with older leaders inside the Blountstown Indian Community. She made a journey to visit the John Blount Treaty Land in 1984 and was shown the reservation area by our people. **(Exhibit 22)** She continued to maintain regular contact with elders in our community and suddenly decided that she would move back to Florida, even though 'her people' were in the State of Texas. Supposedly, she knew all about the reservation. However, she had no idea where it was located, nor did she know any of the people who still resided on the reservation..

Mary Blunt Morris asked to become a member of the Florida Tribe of Eastern Creek Indians in 1989. She stated that she wanted to do volunteer work and help the Creek people of Florida. The Tribal Council considered her application very carefully (because she was not of our townships). The Council received the recommendation of the membership committee, and ultimately made a decision to allow her to join the tribe. Mrs. Blount furnished an extensive background of grants writing, health, welfare, and education knowledge – areas of service that the people of the Florida Tribe of Eastern Creek Indians desperately needed. She asked to be allowed to work in some capacity for the tribe. Finally, she was allowed to serve on the Parent Advisory Committee for a Creek Language Class that was run through a District agency called the Panhandle Area Educational Cooperative (PAEC). After the first year, she began to question the controlling of federal language monies by the PAEC District office. She believed the grant should be inside the tribal government (i.e., she could get paid with the grant monies). Kay Crawford, an employee of PAEC, was contacted by the Tribal Council liaison who found that Mary Blount had managed to have a series of federal audits of the language grant called for which cost the Washington County government \$50,000.00 in time and money. Mrs. Blount had written letters without the authority or knowledge of the Tribal Council to the federal government. As a result of her actions, the Tribe lost the language program because PAEC refused to apply for the grant again. Mary Blount was removed from the Parent Committee. **(Exhibit 23)**

Mrs. Morris established the Apalachicola Band of Creek Indians in 1995 and the Florida Tribe of Eastern Creek Indians, now Muscogee Nation of Florida was notified from the BIA that Mary Blount had filed her Notice of Intent to Petition. She had taken her maiden name and had changed the spelling from 'Blunt' to 'Blount' to be in keeping with the geographic area where the reservation was located. **(Exhibit 24)**

Chairman John Thomas received notification from the Branch of Acknowledgment and Research. **(Exhibit 25)** He met with the Tribal Council Executive Committee, reviewed the Tribal Codes, and issued a letter to her informing her that she could no longer be a member of the Florida Tribe of Eastern Creek Indians. According to the Tribal Codes, dual enrollment is not allowed and therefore, by reasons of her own actions, she was no longer a member in nor affiliated with the Florida Tribe. She was offered an opportunity to withdraw which she did not do and was subsequently removed from the tribal roll in accordance with Title 2, Chapter 2, Section 2-203 Paragraphs 2, 4, and 5. **(Exhibit 26)**

Mrs. Morris' birth certificates are submitted from her tribal folder to show that she has not had a tie to anybody in the state of Florida for three generations. **(Exhibit 27)** The National Council has no other knowledge on the pan-Indian organization that named itself the Apalachicola Band of Creek Indians.

**Impact on the Membership and Political Structure of the Muscogee Nation:** While Mrs. Blount managed to develop a very close and personal relationship with past Chairman Don Sharon, she never represented a historic tribal family nor clan to the Muscogee Nation of Florida. The National Council never considered her claim to the Blount Reservation to be more than typical boasting of a newly discovered genealogical tie. The Council certainly never considered that a tribal member would plan such a deliberate action as to lay claim to the Blount Reservation that our people have lived on these 200 years - although she did write on some records that they were not to be submitted to the Bureau of Indian Affairs. **(Exhibit 28)**

It was the policy of the Florida Tribe of Eastern Creek Indians during the late 1980s to represent the interests of Creek Indians residing in Northwest Florida. During this time, the Northwest Florida Creek Indian Council still had a degree of administrative oversight and that was the general policy of State Statute 285. The Florida Tribe had obtained state recognition resolutions in 1986 and the Tribal Council had tried to allow for a more open membership, adoption type policy for documented Creek Indian people outside the tribe's known communities. This was primarily for the delivery of services to those who may need them.

The tribal elders were very familiar with John Blount's history and his migration into the State of Texas. It is safe to say that when Mary Blunt Morris first 'found' us, our elders understood the blood ties and history far better than Mrs. Morris did. The Tribal Council attempted to make an honorable decision in keeping with the new policy of the now state recognized Florida Tribe and allowed her to become a member in early 1990. This policy was short lived because of her actions.

The names of Harjo-Boggs/Polly Perritt Band members were sent to BAR on the Apalachicola Band roll without their knowledge or consent. These members of the Muscogee Nation of Florida have both a history in the area that pre-dates John Blount's removal and a life long connection to the Treaty Land. Mary Blunt Morris invited Creek Indians to a local community meeting in Blountstown and used the sign-in sheet to form her roll with officers. Andrew Ramsey, the head of Harjo-Boggs immediately issued a letter to the Florida Tribe upon notification from Chairman Thomas as to what she had done, and he asked the BIA to remove his members' names. **(Exhibit 29)**

The Muscogee Nation of Florida has a membership that totals over a thousand adults who are physically located or socially connected to satellite townships across Northwest Florida.

There have been no changes in the strength of tribal political leadership, governance, nor tribal membership with Mary Blunt Morris' creation of a tribe and her Notice of Intent to petition as

'Mary Blount'. There have been no members in leadership positions inside the Tribe that followed Mary Blount. There have been no clans that changed their tribal allegiance.

It is safe to say that since the docket litigations of the 1950s, the Panhandle of Florida has been a veritable haven for pretend Indian groups following pretend Chiefs, particularly within the last 10-12 years. The majority of these people cannot be documented as Indian, have never heard of a Land Claim Settlement, and have no understanding of the clan systems, traditions, language or culture of the Creek people. Apparently, Mrs. Morris created her Apalachicola Band with people that aspired to be Indians.

It has become an ongoing Tribal burden to diffuse the problems we unwittingly created over the years by sharing our culture with people like Mary Blunt Morris. Inevitably, they misrepresent Indian-named organizations to the public, drawing from some apparently endless 'central body' of Northwest Florida Creek Indians. In keeping with this misrepresentation, the group leader declares himself/ herself to be a 'Chief', and it only serves that some unhappy follower from that group will ultimately give birth to their own 'tribe' - all of it on a whim. The Muscogee Nation of Florida takes great pains in maintaining a separation from these entities.

***In answer to the allegation of a tribal split by BAR, no negative impact has been noted either in membership or in the strength of this Nation's political structure by Mary Blunt Morris' actions as she attempts to re-establish a federal relationship that has no basis of political, genealogical, nor social continuity. She is not from here and she has no place in the history of our people.***

Except for the usage of blood line data supplied by our tribe and the leadership reputation of Andrew Ramsey, which she took without his permission to justify her own legitimacy, we have no knowledge of anything else she has done nor any idea of what has happened to the nameless people that she claims to have as followers. We do not know anything about them. We consider this "band" and others like this to be opportunistic groups of misinformed and misdirected people

who have little knowledge or understanding of the meaning of a traditional lifestyle and/or concern for a collective group as Indian people.

There have been no disruptions in tribal membership, grants, services, programs and activities, or governance. Our language program has successfully continued under the management of our Tribal Council and the Muscogee Nation of Florida considers this matter closed.

Therefore, with the submission of this response and associated exhibits, our government respectfully requests an explanation as to why this organization was assigned our Petitioner's Number?

**83.7(a) External Identification of the Group as an American Indian Entity on a Substantially Continuous Basis since 1900.**

We are Creek Indian people of towns that existed as part of the Creek Confederacy in the Southeastern United States before the 1814 Treaty of Ft. Jackson. Those who formed our modern nation followed the rivers south into the State of Florida to escape the removal policies of the federal government. This migration into the new lands forced the reestablishment of our traditional grounds, communities, lifestyles, and governance. Today we are a thousand members strong and our people represent a viable tribal entity.

The Creek people were very much involved with their traditional lifestyle of township, cultural interaction, and political infrastructure. Each area of the tribe had leadership and each town had leadership that was passed on - either through the clan or by one that was considered influential to deal with the various governments and new societies that were coming into their homeland. Each township had its traditional form of communication, **(Exhibit 30)** and thus provided avenues on how to deal in this new society as it applied to politics **(Exhibit 31)**, social interaction, commerce **(Exhibits 32, 34 and 41)**, and even in the practice of judicial matters **(Exhibit 34)**. In many of the townships, it became an entity that was internally self-supporting and self-sufficient in its structure. The various governments that came into the area recognized the tribal townships while all of the above was a functioning representation of tribal government and infrastructure to support the tribal government. **(Exhibit 148)**

It has always been common knowledge that there were satellite townships of Creek people that existed across Northwest Florida, but Bruce, Florida has been central and is recognized as our seat of government. Since 1865, the Bruce community has served as an Indian center for education, social interaction, and other traditional events that were and are still a part of the Muscogee Nation. Participation by representatives of these families in 'Antioch' and the 'Big House' grounds of Blountstown before the movement of the seat of government is documented. **(Exhibits 35 and 36)** As the seat of government, meetings, ceremonies, and traditional events

were held at the Antioch Grounds and Black Creek Grounds which were located in Bruce have been documented to exist as late as 1928 **(Exhibit 37)**. These grounds were on a creek that was Northeast of the community's Antioch cemetery which was the first burial area used by the Creeks who moved into Florida via the Choctawhatchee River. It is common knowledge that traditional burials were conducted at Antioch since the 1860s and continue to be held there today.

**(Exhibit 38)** The most recent traditional burial at Antioch occurred with the death of Tribal Chairman, John C. Breckinridge Thomas in 1997. For the past 150 years, the people of Muscogee Nation have continued to conduct ceremonial events and maintain traditional practices. **(Exhibit 39)**

Beginning with the removal of John Blunt (Blount), the Creek people of Northwest Florida began a process of forced adaptation to survive. In fact, the Eucheas who lived in what is now called Bruce, Florida had already been displaced by the Scottish settlers of the Region, and there had been numerous recorded battles, such as the Battle of Cow Ford, involving the earliest of our Creek people. **(Exhibit 40)** Still, we have honored the basic traditions and governance methods that we have carried from our original homelands in Alabama and Georgia into the interior of a sparsely settled Florida. With the continuous growing settlement by Europeans, our people were forced to adopt new methods to survive. For example, one of the major events that took place in the lives of Creek people was the move to incorporate organized religion into the community through the work of outside missionaries and circuit riders. In doing so, the Indian people began their initial steps towards acceptance by their non-Indian neighbors and, at the same time, allow the church to provide an avenue for local politics to serve their interests. The Bruce Church, recognized as a Native American Church by the Methodist Conference, was used as a campaign stopping point for local candidates running for county and district offices during the first half of the 20<sup>th</sup> century. **(Exhibit 41)**

The integration of modern religion with traditional practices and social organization, enabled the tribal people of the townships to participate in local politics and served as the means to create the community block vote that was used to elect candidates either from the Indian community or, at

least, more supportive of the Indian's issues. Because their involvement in local politics was important to the township's survival, the tribal township leaders collectively agreed upon certain candidates that could serve their area and needs and would pass these decision down to the tribal members which resulted in a block vote for the candidate. **(Exhibit 31)**

The Creek people have survived many forms of oppression in loss of land, identity, ownership of traditional rights and practices, and the right to remain as Creek people to conduct its own governance and to serve its people in the common way that they brought with them from Alabama and Georgia. While these new adaptations have had to be made, the tribe suffered in its new homeland with the passage of certain legislation that affected the Indian peoples of North Florida. The Act of 1853 passed by the General Assembly removed any possibility of the Creek people from openly living their traditional lifestyles and worse, identifying themselves as a tribe. This was the first Act of Extermination by the State of Florida through the attempting extinguishing of any form of self governance, traditional ceremonies, practices and lifestyles as Indian people by threat of removal or death. **(Exhibit 43)**

However, this Act of Extermination did not prohibit members of the tribe from living and residing and interacting with each other as Indian people. While the tribe was forced to acknowledge the new policies of the State of Florida and try to survive them, it remained a tribe and continued to function as a tribe with limited interference from the surrounding non-Indian communities. It continued to function with its leadership, subsistence type of living, continued traditions such as medicine and ceremonies, and the continued existence of its townships infrastructure that are well documented in 83.7(b) and 83.7(c)..

Once again, under this act, the Creek people faced the problem of being an Indian and had to learn new ways to cope in a new dual world. There was a need for education to allow for advancement and growth into this newly regulated lifestyle. Conformity required land acquisition and ownership, as well as, the involvement in a commercial system outside the every day lifestyle of subsistence living. Land deed transactions between Indians was well documented across the

townships. **(Exhibit 42)** Creek people had to learn how to function in an environment that was completely non-traditional in a European world. This Act legislated the Creeks' to adjustment to even the most basic element of the domestic lifestyle which was a forced racial change. There was no allowance made for "Indians" to remain in the rapidly changing areas of North Florida as the aboriginal people who rightfully resided in the area before the Act passed in 1853. Consequently, the Indians were left without any rights or provisions by the passage of this Act and in the eyes of the government of the State of Florida, there was no longer an Indian population in North Florida to respond to. In other words, the Indians would just assimilate and disappear into the fabric of the emerging region as the Euchees of the area had done before them. This law remained a part of the statutes of this state until the federal Civil Rights Act superceded it in 1964.

**Technical Assistance Review Letter - Page 3: Paragraph 3**

**"Essentially, the petition as presented provides no external identifications of your group as a body of Creek Indians, or as three interrelated bodies of creek Indians, between 1900 and the beginnings of Eastern Creek claims activity in the early 1950's. Identifications between the 1950's and the 1970's of Creek organizations such as the Creek Nation East of the Mississippi also do not clearly refer to your group. The petition provides no external identifications of any of the three subgroups during the 1900 - 1970 period. The response should address this omission."**

The Technical Review letter states that no external identification of this group as a body of Creeks or as three interrelated bodies between 1900 to 1950 was provided. Letters have been furnished from state and local sources as evidence to this claim. When the General Assembly Act of 1853 is reasonably considered, its impact should be more than sufficient to explain any omissions in the petition during this time period. The tribe existed as a community of Indian people. It must be considered that a law preventing the existence of a tribal body precludes an anthropologist, missionary, or other outside entity from documenting its existence. However, local governing bodies have attested to this tribe's existence as the tribal entity and community serving its people and continuing its traditions for the past 150 years. **(Exhibit 44 and 148)**

In addition, it must be considered that the Creek Nation East of the Mississippi was forced to sue Creek Nation of Oklahoma to be a participant in the Land Claim Settlements of the 1950s because the Bureau of Indian Affairs basically considered any southeastern Creeks to be dead or removed. An entire set of correspondence between the lawyers representing Creek Nation East of the Mississippi, local leadership from the governing body in Bruce Florida and elected officials have now been provided to this project. Of particular interest is an estate document filed by J.J. Ward of Bruce, Florida as early as 1947 who is holding the estate of a Creek Indian 'pending a settlement from the federal government'. (Exhibit 45) The readers of this document will find extended family group applications filed with Creek Nation East of the Mississippi in the 1950s, returned at the request of the leadership of Bruce in the 1960s, and still held in the tribal council house in their original form. The front of the file has been xeroxed as an exhibit and the remainder can be copied and forwarded upon request. This page shows dates of contact between the community designee' and community 'followers'.(Exhibit 46) There are pictures of representatives from the Bruce Indian Community sitting with Calvin McGhee in the halls of Congress during sub-committee hearings.(Exhibit 47) It must be also be considered that southeastern Creeks identified themselves only as Creeks, nothing more. Northwest Florida did not permit such organization during the early parts of the 20<sup>th</sup> century.

The leadership of these affected Creek Indian people recognized that certain ways of adapting to the European concept was now in effect. They found ways to continue a form of government, traditions, the culture, and most importantly, the retention of the blood line. Cousin exchange marriages occurred in the isolated townships at the expense of many of the nation's original marriage practices - such as cross clan marriages - just to preserve the Indian blood line. (Exhibit 48)

In order to protect and retain the traditions and heritage, the Creek people went "underground" and continued the expression of the traditional customs as well as governance. During this period, each township continued to maintain some sort of leadership vested in a central male, that was either elected, passed down, or self-appointed. This leadership was primarily based on the

man's ability to serve as a liaison between the tribal people and the non-Indian communities because of his bilingualism and literacy. These qualities were vital to the survival of the township for the protection from further erosion of the Creek identity and culture. The leader maintained a precarious balance serving as a representative, a mediator, a negotiator, and an advocate for the rights and protection of his community. On the local basis, he was the provider of goods and services for his people. Politically, he was also the liaison between other tribal leaders in other townships when meetings were called to discuss tribal affairs, ceremonies such as at Antioch or the Big House of Blountstown, economics, or civil and criminal legal issues. Even though legislation and local governments became a part of the Creek people, the tribal government continued to exist through its tribal township leaders, its elders, and ceremonial events throughout the townships of Northwest Florida. Today, we call the areas Escambia, Red Ground, Choctawhatchee, and Apalachicola.

Entering the new century of the 1900s, the communities and people of the Muscogee continued to practice their traditional form of government, each within their own townships, traditional customs, medicine, hunting and fishing, and cooperative labor. During this period, the tribe saw an increase in its membership and many families had multiple children. The men often maintained multiple households and supported each other from a communal type living. In the 1920s and 1930s, the economics shifted which affected the aboriginal area. Turpentine industries declined as did logging. The tribal townships were faced with developing new methods to ensure the economic survival of their people. Liquor production filled this desperately needed void of revenue utilizing farming abilities and locally produced crops for its creation. This was a tribally sanctioned enterprise with many members actively involved. **(Exhibits 33, 34, and 41)**

By 1940, the war effort of World War II brought in a new threat of extinction to the tribe. Eminent domain included lands owned and settled by Creek fishing families who were displaced into other areas and received little to no compensation. **(Exhibit 48)** Again, these Indian families had to start over. One of the losses to the people was a ceremonial grounds located in the Mary Esther area, along with known burial areas that suddenly fell under federal jurisdiction through the

establishment of Eglin and Hurlburt Air Force Bases. Under new management of the federal government, the tribe no longer had access to portions of its aboriginal homelands.

In the 1980s, the tribal government established a cooperative effort for repatriation with the Air Force and the Navy that was in effect until the law was changed in the 1990s that prevented a non-federally recognized tribe from conducting reburial ceremonies for its people. With these undertakings, the federal government recognized our nation as a tribe and dealt with our leadership. **(Exhibit 49)** Muscogee Nation of Florida still has representation on the Environmental Resources Board of a major Air Force installation, and is regularly notified by state contractors on areas that may impact aboriginal territories. The tribe has a designated representative that is trained to respond. **(Exhibit 50)**

An even heavier blow was dealt to the foundation of our tribal government with the creation of military bases. While the new military bases provided jobs and an influx of military personnel to work those jobs, it naturally led to tribal members marrying military personnel and leaving the tribal area. The genealogical charts attests to this occurrence. Also, as the primary source of industry, tribal members were forced to find employment at these installations which forced a move from the old tribal township into the more urban areas to support their families. This migration was most heavily noticed during the 1950s and 1960s and changed the face of the modern tribe. Muscogee Nation of Florida represents those core members that stayed close to the tribal townships, maintained close relationships across the townships, and still continues to function as members of a tribal entity.

The land claims settlement of the 1950s also shaped the membership of the Muscogee Nation. During the initial stages of the land claim settlement, Calvin McGhee from Atmore Alabama came into the townships of Muscogee Nation representing an entity known as Creek Nation East of the Mississippi. He made numerous trips to Bruce Florida to meet with J.J. Ward to rally support of the North Florida Creeks for the litigation process. **(Exhibits 51, 52, and 53)** Before this litigation, the townships were a loose knit group of Indian people still maintaining its governance

over its people and maintaining the traditional social and economic ties in the townships. The tribal entity conducted its affairs in an informal environment through its leadership within the tribal townships with the exchange of social and economic ties. The Bruce community became a seat of government representing the North Florida Creeks in the late 1940s. The meeting place was the same building used to educate our Indian children since 1895. While the school closed in the late 1940s, the tribal organization continues to operate from the same building. **(Exhibit 54)**

With the death of Calvin McGhee and the successful litigation of the Creek Land Claim settlement, members of today's Muscogee Nation of Florida returned to its status as a separate entity. The Department of the Interior required individual filing of applications. This was accomplished throughout the townships by designees of the leadership for those who chose to participate. **(Exhibit 46)** In 1974, the State of Florida created the Northwest Florida Creek Indian Council under Statute 285. **(Exhibit 55)** Leaders within the township began conducting an informal census on its Indian members for potential applicants to the CETA program for job training. **(Exhibit 56)** The non-profit tribal corporation was established in 1978 for the purpose of obtaining funding for tribal programs and services and to ensure adequate representation for the Creeks throughout North Florida and a 501(c)(3) exemption as a tribal organization was obtained. **(Exhibits 57 and 58)** Representatives to the Florida Tribe of Eastern Creek Indians were elected on a county-by-county basis as was established by the Northwest Florida Creek Indian Council. Creeks living in the county voted on the members and a formal installation was held in Pensacola Florida. **(Exhibit 59)** A formal governing document was created, and a petition was filed that same year. At this time, a letter was issued by the Bureau of Indian Affairs dated October 27, 1978 following inquiries by U.S. Representative Don Fuqua which stated that the Florida Tribe of Eastern Creek Indians and its Executive Council entitled the Northwest Florida Creek Indian Councils were basically one and the same **(Exhibit 60)** However, the petition was returned with the changes in acknowledgment procedures. It is important that two misconceptions be pointed out. The leaders of the Northwest Florida Creek Indian Council believed only one Creek tribe would be recognized. Because the 'leaders' were really from Atmore, Alabama but working in Pensacola, Florida they wanted their own group to be the one

that became acknowledged. Also, these leaders seemed to foster an idea that state lines should be used to separate tribes. **(Exhibit 61)** They went so far as to attempt to dismantle the tribal government that the people had elected which was the beginning of many harsh feelings and disappointments of the Indian people who had allowed and attempted to support the Northwest Florida Creek Indian Council's leadership. **(Exhibit 80)** The tribal government continued to exist.

In 1986 the Senate and the House of Representatives passed Resolutions that recognized the Florida Tribe of Eastern Creek Indians as the agent who continues to govern and serve the Creeks in the state. **(Exhibit 18)** During this same time, the Tribal Council worked as a unified front to file suit and protect the individual rights of the members of this tribe for their being able to continue to share in the Creek Land Claim Settlements. The leaders of the Poarch Band of Creeks attempted to prevent our people from receiving this allotment which ultimately had to involve the Eastern Area Office of the BIA, Poarch Band of Creek Indians, a Congressional Delegation, and the elected leadership of Florida Tribe of Eastern Creek Indians. The matter was resolved without the loss of benefits to our non-federal tribal people. **(Exhibits 63 and 64)**

A set of tribal codes was completed by 1990. However, as the tribe became better equipped to gain its federal acknowledgment, its existence as a corporate entity was threatened. Once again, the Tribal Council had to protect its government and the rights of its members through litigation. In this case, the Chairman of the Northwest Florida Creek Indian Council, who had served as a Tribal Council Representative became disgruntled when he was not re-elected. W.V. Williams, now a Poarch Band member, confiscated the corporate charter of the Tribal Government and turned it in to the State of Florida with himself as the designated President of the Non-Profit Organization. He then used the authority of the Northwest Florida Creek Indian Council to prevent the normal healthy functioning of the tribal government. **(Exhibit 9)** The Tribal Council filed a lawsuit to recover the charter in District Court as a *sovereign nation* and were successful. **(Exhibit 8)**

Today, the business of the tribe is expanding to meet the needs of the tribal area. The tribe has an acceptable accounting system in place with regular audits for state and federal contracts such as grants for Environmental Mitigation, Language Preservation, and Developmental Disabilities Programs, and Public Awareness Projects. These grants have been awarded to our people as a tribal government. **(Exhibit 65)**

The elected Tribal Council for the Muscogee Nation of Florida (Florida Tribe of Eastern Creek Indians) continues to serve the Creek people and looks forward to the future of our people. The Northwest Florida Creek Indian Council, which had been instrumental in the formal structuring of our Constitution, became an unfunded Council that was ultimately dissolved. The Tribe ceased communications with this entity in the early 1990s. After many years of hard work by the Representatives of the Tribal Council, a new constitution was adopted on January 21, 2001. It is furnished with this response. This document reflected a streamlined governing approach through the use of the tribal townships that were the true nature of our governance - long before a state appointed Council. Stringent membership requirements are now in place that ensures tribal integrity and creates a buffer from non-tribal people who have accessed the numerous genealogical databases that are available through libraries and computers information systems. Also, the new constitution brings a cohesive method of governing across a large tribal area through a Legislative, Judicial, and Executive Branch. It successfully carries government policies to our people who are spread across the interior of North Florida, and it allows for the development of local committees that can provide better input on community needs to elected Tribal Council Representatives. **(Exhibit 66)** The constitution has decreased the size of the Tribal Council to representation on a township basis with the number of representatives per township being driven by population. Thus, it is a fluid document that adapts to the tribe's growth and change. The local leaders of the tribal townships can now easily work with local governmental officials on behalf of the township.

The Tribal Council also chose a new name with the governing document. The name change was agreed upon and adopted to reflect the tribe's desire to be known for its own existence as an

autonomous tribal group. It represents a traditional identity and name and reflects the true makeup of the tribe which is a nation built upon townships. **(Exhibit 67)**

We have never been a part of another tribe nor affiliated with newly organized Indian groups other than a cooperative effort in the Land Claim litigation. We are not fragments of Poarch Band of Creeks or any other tribal entity that has petitioned the federal government for acknowledgment. We are a tribe with a township of members who still reside on or near the treaty town of John Blunt. We are a tribe with townships of members who still maintain residence on original homesteaded land of historic Walton County in Northwest Florida dating back as early as the late 1700s. **(Exhibit 68)** We have lived together, labored together, worshiped together, and stayed together as a tribe despite the adversities created by a state government that did not want us here and attempted to legislate us out of existence. We do not represent any other group, entity or organization that purports to be a Creek Tribe. Like all tribal governments, we know of many pan-Indian societies and they may create the appearance of an affiliation with our tribe - but it is without our knowledge or consent. Equally, we know of many such organizations who have members that conducted genealogical research to become "Indian" without the benefit of the traditions and customs that have been passed from generation to generation by our people. However, because of our close relationships within our social structure and the stringent criteria we use to determine membership, attempts of their infringements into our tribal entity are prevented. We have shared our historical data with many sources. Likewise, historical data and tribal records have been stolen and local police have been called in to investigate. **(Exhibit 69)** We have given our assistance to those who have requested it of us, even when they indicated an interest in the pursuit of a petition as an entity of their own. **(Exhibit 6)** And yet, we have never considered such actions as adversarial, contrary to our government, or even as an issue of concern because they are outside of our people and our government. We know our membership; the historic families who have fought to protect our bloodlines through time and who have furnished the continued foundations and leadership for our government. These are the Creek people who have kept our culture, language and traditions across the generations. **(Exhibit 70 and 99)**

We cannot control who has accessed data we have made public, nor the documents that have been acquired without our knowledge and exploited, nor those individuals who have misrepresented themselves as acting on behalf of this nation. Despite other groups or persons who may have attempted to recruit membership with the intent of creating a tribal entity or have sought and failed at recognition, this government represents the only true membership of the Muscogee Nation of Florida that is historically recognizable as a governing entity representing what was and is Creek Nation. We have been in this federal acknowledgment process since 1978 and have not wavered our focus in fulfilling the many unmet needs of our tribal members - health care, housing, education, job training, economic development, and sovereignty. We have the support other federally recognized tribes who are familiar with our people and our ways. We also have worked to maintain contact with other Creek tribes, either through the ceremonial grounds or the tribal government. **(Exhibit 71)**

It is extremely important for the Branch of Acknowledgment and Research to be aware that the original petitioning document submitted in 1996 was prepared for the Tribal Council by an attorney whose tribal ties date back to working relationships with those individuals who created the federally acknowledged entity now known as Poarch Band of Creeks. The Muscogee Nation of Florida knew these same people as members of the Creek Nation East of the Mississippi. However, the name was changed after a change in leadership following the death of Calvin McGhee and the removal of his son, Houston. This lawyer was assisted by a doctoral student who had little personal knowledge of the people of this tribe nor access to the personal records of elder tribal members. The student did not conduct on site interviews across the townships and the working relationship for the student deteriorated because of his inability to satisfy the demand of the attorney who was untrained in Indian law or Administrative process. This ultimately resulted in severed ties between Muscogee Nation and the attorney who desired to control the government by controlling grant funding and who continuously refused to turn over tribal papers that directly impacted federal recognition. **(Exhibit 72)** The partially completed document was compiled to meet the time lines of a federally funded grant. It not only did not meet the requirements of a petitioning group nor accurately reflect our status as a tribal entity, it also violated the explicit

desires of the Tribal Council. **(Exhibit 73)** This response offers better evidence, corrections, clarifications, and additional information that supports the tribe's existence from the time period indicated in your Technical Review dated April 4, 1996 and demonstrates that our Nation is a legitimate government of unified tribal people.

**83.7(b) A predominant portion of the petitioning group comprises a distinct community and has existed as a community from historical times until the present.**

**Technical Assistance Review Letter - Page 4: Paragraph 4 states:**

**“In your petition, the three major subgroups are basically addressed separately. No substantial connections among the Ward group, the Harjo-Boggs/Parrot group, and the Escambia County group are shown to have existed from the dates of the pre-Civil War settlement of their ancestors in the Florida panhandle until the mid-20th century. That is, the petition shows no interaction among them prior to the initiation of claims activity in the late 1940's. The interaction discussed since that date consists of activities undertaken in common by the leaders of the various claims organizations, not interaction as a community or even separate communities.”**

The Muscogee Nation of Florida did not submit genealogical data in 1996 that would clarify the interconnection of these communities through blood tie and cross marriage. For this reason, it appears that there are three separate communities when, in effect, there is an extended pattern of migration based on kinship. There were and still are town leaders in each ‘community’. However, these town leaders had have blood ties or marital ties with one another as is documented in the report submitted by Dr. Terry Prewitt of the University of West Florida. **(Exhibit 74)** The genealogy provided should be of considerable assistance in resolving your questions in this section of the petition. There are also interviews of tribal members who discuss the informal ties of our people that have been furnished as exhibits. **(Exhibits 30, 37,41, etc)**

We have provided an expanded response to 83.7(b) because of changes that have occurred during this tribe's 22 years petitioning process. This includes such things as the Poarch Band of Creeks' recognition in 1983-1984, the changes in the governing document of the Muscogee Nation of Florida, and the changes from the effects of time on a governing body. This breakdown will better communicate the relationships and activities between our tribal people. As was previously stated, the people who prepared the 1996 petition did not follow the format of parts and sub-parts listed in the regulation. There were also no personal interviews from our eldest or even our younger

tribal members that could be used to support the petitioning document. We believe that when this document is combined with the genealogical data that you now have received, a clearer picture will be presented that will remove any questions you may have on the township interconnections and this tribe's legitimacy.

The Technical Assistance Review letter states that three major sub-groups are addressed separately in the petitioning document. The original organization of petition data was not meant to create the appearance of separate sub-groups. The center of governance for the Florida Creeks was the grounds in Antioch and the Big House in the Blountstown Community of the Apalachicola Township. This form of governance continued until the 1930s. **(Exhibits 35 and 36)** The center of governance moved to Bruce in the 1940s, under the leadership of J.J. Ward. It was easier for the writers of the 1996 petitioning document to organize data by 'location' because of the expansive distance involved in the total tribal area and because of a general non-understanding of our tribal blood ties. We do not see ourselves as separate communities. As one member once said, "We measure distance by how many hours not by how many miles." In other words, what seems spread out across counties or 'separate' to some people is not that way at all to others - it is only a matter of one's frame of reference. These 'distances' have been understood by our people since we migrated into the State of Florida.

The intermarriages of our people, our social interaction, and the connection of our grounds prevented our being separate from one another. These are aspects of daily tribal life that the earlier petition writers either did not understand or were unable to adequately explain. It is again noted, as it was in Section A, that the Tribal Council members were concerned that the writers of this document were not organizing this petition in an acceptable format. **(Exhibit 73)** However, Chairman John Thomas wanted the Tribal Council to meet the time line of a federal 'Status Clarification' grant that had been received from the Administration for Native Americans to produce a petition. Chairman Thomas was very ill at the time and asked the Tribal Council to submit the 1996 document despite the fact that the document was not properly organized. The

Tribal Council agreed, knowing there were shortcomings, but being of the opinion that the roll would resolve any petition organizational issues.

We do not understand in what context the cited paragraph is discussing 'leaders of claims organizations'. Our tribal people were forced to file by 'individual claims' following the successful litigation of the 1940's Land Claim Settlements. In fact, there were considerable complications that came from unsuspecting people paying \$2.00 or more for application forms purported to be Land Claim Settlement forms from Bay Minette, Alabama. Examples on the Tribal Council today include Chief J. A. Mason's family and the family of Treasurer Zera P. Denson. During the 1960s, our township leaders worked with people inside the federal Justice Department to understand the correct filing process on behalf of our membership. **(Exhibit 75)** Our leaders submitted bulk stacks of *individual* applications at a time because we were not given the opportunity to file as one tribal people to the Indian Claims Commission on Docket 21 or Docket 272. The designees' of our community leader had to request multiple claim forms that were spread across the townships. Many of our elder recipients could not read and write, much less fill out a form for the federal government. An example of such Interior correspondence is provided to you. In one case, 18 applications were sent to Zera P. Denson, the Tribal Treasurer. **(Exhibit 76)** Mrs. Denson only has two people in her immediate family, her self and her daughter. The additional application packages were for other tribal members. In fact, the tribal council house still has a stack of numbered, blank application forms that could not be filled out in time to meet the deadline established by Interior, despite the many people inside the community that worked to cover all of our people's interests. **(Exhibit 77)**

There were many letters written by designees of the leaders of this tribe. However, as far as this tribe knows, there were no 'claims organizations' set up to receive the funds that were not even dispersed until October 1971 - over twenty years after the claims announcement was first made. Samples of member's docket letters have been attached by individual to the tribe's pedigree charts in the membership section of this document. If there had been such an entity, more of our people would have actually received the settlement, rather than finding out after the fact that their

records were never received by the Department of the Interior. Some of the tribal township leaders kept rosters of members whose applications were being forwarded in bulk groups and a few lists have managed to survive to be used as documentation for this technical review. **(Exhibit 46)**

**Technical Assistance Letter - Page 4: Paragraph 5**

**“The federal acknowledgment process is not designed to provide tribal affiliation for Indian descendants who do not meet the membership requirements of a federally acknowledged tribe. It is designed to extend formal Federal acknowledgment to existing tribes which, for some reason, have not been federally acknowledged in the past or no longer federally acknowledged.”**

The researchers for this Technical Assistance Review Letter consistently refer to this tribe’s members as ‘descendants’. Instead, we are a tribal people who for many reasons have not been federally acknowledged, (not the least being laws passed by the federal and state governments that prohibited our establishment of a relationship with the Bureau of Indian Affairs). Please keep in mind that the federal government did not acknowledge our existence as Creek Indians residing in the Southeast until the Land Claim Settlement was resolved. We have provided a treaty land report for your perusal in Section A. **(Exhibit 40)**

The use of the word descendent has negative connotations about our people that are neither accurate nor deserved. The word ‘descendant’ does not apply to the people of the Muscogee Nation of Florida because our people have resided in Northwest Florida for well over 150 years as a tribe of Creek Indians and were acknowledged by our non-Indian neighbors as such. **(Exhibit 44)**

**Technical Assistance Letter - Page 5: Paragraphs 1 & 2**

**“The petition indicates that some of the members of the Florida Tribe of Eastern Creek Indians who trace their ancestry to Escambia County, Alabama (sic) have joined the Poarch Band, which “may lead” to some**

membership overlap between the petitioner's membership and the roll of the Poarch Band. Preliminary review by the BAR indicates that this is so. It should be addressed in light of the permissibility of dual enrollment.

The petition indicates that other persons from the Escambia County subgroup on the Florida Tribe's membership list are relatives of current Poarch Band members. It describes these individuals who do not, however, meet the Poarch Band membership requirements and have been 'invited' to join the Florida Tribe. Your petition does not show, however, that a majority of the Escambia subgroup or its ancestors were part of the Poarch Band community, even though some of them have common ancestry. To meet criterion 83.7(e), it is necessary to show that the entire Escambia subgroup historically existed as a distinct community that separated but continued to exist as a group."

First, the issue of dual enrollment is not an issue to the government of the Muscogee Nation of Florida. Those persons who now belong to Poarch Band of Creeks will continue to do so, in keeping with the membership criteria of our Constitution and a separate vote on this issue that was held by the National Council. (Exhibit 78) Former members of the Muscogee Nation of Florida (Florida Tribe) members who opted to leave this government in favor of having federal recognition through Poarch Band's government did so voluntarily. Their choice in governance has been made and will therefore remain as such.

It is noted that the membership criteria of our constitution allows for federal tribal members to be adopted by this tribe and, of course, members of Poarch Band will not be limited in their having the same rights as other federal tribal members to apply for such adoption after federalization.(Exhibit 79) However, because of the proximity of the Poarch Band of Creeks to the primary service areas of the Muscogee Nation of Florida, there currently is no reason to believe that the majority of these members would have a valid reason to exercise this option. Meanwhile, since we do not have access to the Poarch Band Roll and the current political situation is viewed as an unpleasant, non-cooperative sort of issue to our respective governments, the National Council cannot know where duplication has occurred. We refer you, therefore, to the current roll you have received from this Tribal Council. This roll is a listing of the majority of the Creek heads of families and/or members that we represent. We have audited our records and

have made determinations as to the accuracy of the enrollees and their associated proper documentation.

This tribal government is cognizant of the fact that there have been changes in membership since 1978. There cannot help but be changes in the twenty plus years that have passed. Members have died, reached adulthood and formed families, given birth, and left the tribal area to obtain better employment. Some have voluntarily withdrawn their membership. Also, the Constitutional requirements that must be met for membership have been strictly defined to eliminate any doubt as to our history and tribal membership. We have made attempts to locate members that could currently be enrolled in Poarch Band or those who once chose to be affiliated with a group that was denied federal recognition during the 1960s and early 1970s. In some cases, we have been successful, and those people have been removed from our rolls. We can assure you that any membership overlap or such similar problems that are discovered will be expeditiously addressed.

In reference to your other comment about people who cannot join Poarch Band being 'invited' to join this tribe, we do not need to solicit memberships nor do we send out invitations. Rather, people are referred from Poarch Band to this tribal office. Our membership criteria is not the same as Poarch Band's. This difference in membership requirements serves to maintain, reinforce, and define our communities - which are not the same as Poarch Band because *we* are not the same as Poarch Band. The Muscogee Nation of Florida requires that a direct tie be made to our designated Florida Townships for over 100 years. Most of this tribe's genealogical ties date back over 150 years.

The section on membership in our governing document reflects a tightening of membership requirements that will prevent dual membership. The Muscogee Nation does not invite 'leftovers' from Poarch Band who cannot, for whatever reason, join Poarch Band but likewise, do not meet the stringent membership requirements of Muscogee Nation. Per the discussion that has been furnished to you in Specific Concerns of the Technical Review, this government attempted to have a less restrictive policy in the 1980s after state recognition. It was neither successful nor

beneficial to our people. We no longer have an open policy, and instead, require multiple types of specific documentation.

It appears that these 'invited' people you are referred to in your comment are not people that are of our townships. While we have attempted to share what services we can with all the Creeks in Northwest Florida, particularly our food share project and language program, "referrals" from Poarch Band are rarely added to our rolls. They are often immediate family members of enrolled Poarch Creeks that are not, for whatever reason, entitled to services and membership in their parent's tribe. Therefore, our relationship with them is relatively recent and informal in its nature.

Please remember that this Nation became acquainted with numerous 'other Creeks' during the establishment of the Creek Council by the State of Florida under Statute 285. The 1978 roll that was submitted with the petition was haphazardly prepared by well intentioned leaders who honestly believed the federal recognition process was ending. **(Exhibit 61)** These same state appointed leaders subsequently determined to abandon the recognition of this Nation to the point of trying to dissolve the formally elected tribal government. They found that the acknowledgment requirements were not as they first thought and that the Northwest Florida communities had educated township leaders with many followers. **(Exhibit 80)** Our tribal government was left with an inaccurate roll that reflected a 1978 mixture of people. These individuals managed to get attached to our townships through the county based state council, even though they were not necessarily of our people. Through the passed 15 years, the individuals who did not belong to us "disappeared", either back to Poarch Band of Creeks or to whatever place they came from, while our core tribal membership remained solid and continuously identifiable.

The Escambia 'subgroup' as you have called it, was viewed in the petition from the context of an entire county in 1996. It was not looked at from a regional or township basis, as it should have been, with a concentration on those who have direct connection to our tribal area. The city of Pensacola, Florida in Escambia County is a proverbial melting pot of Indians. It was and still is a

large economic center for our area, as it had been since Spanish rule. Pensacola was the center for Land and Timber in the early 20<sup>th</sup> century. It had shipyards, a pulp mill, a Navy Base, a district court, and industries that our leaders and tribal members were involved in. (Exhibits 48,36, 41) While the Tribal Council knows it is responsible for the petitioning document, discussions in the tribal minutes and correspondence attest to the fact that the Council was being delayed by an attorney had neither the personal ability nor desire to represent this petitioning group in the way this government instructed. (Exhibit 73) That attorney severed many relationships that the tribal council had built with knowledgeable people who could have accurately prepared the document because they did not agree with her way of doing things. (Exhibit 83) In retrospect, we believe that attorney's longstanding relationship with members of Poarch Band, along with her advisor/leadership position inside the Northwest Florida Creek Indian Council, clouded her abilities to take instructions from leaders of the townships of Muscogee Nation of Florida, a distinct Indian Tribe that possessed an equally distinct history - one that she did not know nor understand.

Some of the Creek Indians residing in Escambia County have direct blood and marriage ties to our people and the governance of Bruce and Blountstown. Others came to us because they lived in Florida - even though their Indian tie and social sphere was to Escambia County Alabama and Poarch Band (yes, there is an Escambia County Alabama). The people of this area - particularly the Escambia County leaders of the 1970s - continued to foster the idea that a state line divided tribal authority - which is not so - and planted the idea that only one tribe could or should be federally acknowledged and that it must be Poarch Band.

This so-called policy that originated with Atmore, Alabama after the death of McGhee continues to perpetuate a difficult problem for Creek people that live in Escambia County Florida. Some align themselves with Poarch Band, others from small northeastern communities such as Bogia, Chumuckla, and portions of McDavid are aligned with the Muscogee Nation through blood and marital ties. Likewise, it creates a problem for this tribal government to have to be held accountable for a confusing situation that we have inherited but did not create.

It must be remembered that there was no official Poarch Band of Creek Indians until the late 1970s/early 1980s. In 1978, Eddie Tullis informed the members of the original Northwest Florida Creek Indian Council that "all petitions would be returned". **(Exhibit 10)** When the members of the Northwest Florida Creek Indian Council were fully representative of Creeks across the counties of North Florida, Atmore's leaders were suddenly in a voting minority. The North Florida leaders were a separate people. From an earlier historical standpoint, there was an entity called the Creek Nation East of the Mississippi, and this entity was the origin of the modern problem. Either way, the final determination for mixed membership and the responsibility for 'leftovers' and 'referrals' rests with the modern Poarch Band of Creeks. The Muscogee Nation of Florida knows where our governance originated and who our people are.

**Technical Review Letter - page 5: paragraph 3**

**"The petition shows that although the Wards' Creek ancestry was well-known, the family was consistently identified as white throughout the 19<sup>th</sup> century, on Federal census and other authoritative documents. As written, the petition provides some evidence that the Ward family lines formed an extended kin group. However, an extended family group descended from one Indian ancestor, no matter how large or cohesive the group of kinsmen, does not form a tribe. Consequently, it is necessary to show that this group formed part of a larger tribal community. The petition specifically shows the Wards' interaction with the white community in which they lived, but shows no historical interaction throughout the 19<sup>th</sup> and early 20<sup>th</sup> centuries between the Ward subgroup and other Eastern Creeks or their descendants."**

The State of Florida did not allow for the Ward family to be listed as Indian. The Wards were listed on the Abbott-Parsons Census for Creek Indians and specifically mentioned in Woodward Reminiscences. **(Exhibits 84 and 43)** It is noted that as late as 1992, there was no designated code for 'Indian' in Walton County Florida. The Wards of Walton County were registered to vote with a racial designation of 'Other' during this time. **(Exhibit 106)** This prohibition also applied to birth certificates, death certificates, marriage licenses, driver's licenses, and school enrollment. **(Exhibit 150)** However, the Indian families were listed as such in the more recent census' conducted by the Federal Government and have partnered as Native Americans in the federal census attempts to ensure members were registered. **(Exhibit 85)** The correct racial identity for

many of the Wards was made as soon as the Docket letter was received that could be used to force the local government to respond.

The Wards did not descend from one Indian person, nor did they live in Walton County as a single family of Creek Indians. While some Ward family members have land claim settlements that are listed under an Enrollment Code of 11147 for Elizabeth English, others have a separate or additional enrollment code for Jackson Knight and Nahoga Moniac. There have also been many intermarriages with Euchees, including such families as Godwins, Stanleys, Browns, and Simmons, as well as, other documented Creeks. **(Exhibits 86, 36 and 38)**

The original organization of the petition concentrated only on 'leadership families'. Had there not been followers in our townships, there would have been no reason to have identifiable leaders. It is noted that the Blountstown Indian Community consists of the Wards, Harjo-Boggs, Hills, and Doyles. The Bruce Indian Community consists of Wards, Danelys, Sizemores, and Taylors, Godwins, Simmons, Bishops, Burnhams, etc. The Escambia Community consists of Godwins, Wards, Stedhams, Stiggins, etc. Since the genealogy was not provided, the BAR staff is unaware of the community makeup.

As for the use of a white, black, or mulatto race under the Jim Crow laws of the Southeast, the Indian racial connotation - or the lack thereof - on federal/state documents should be well understood by now inside the Branch of Acknowledgment and Research from a historical perspective. However, if there are some issues that need to be further explained in order for your staff to fully understand the legal conditions we were forced to live under, we will gladly provide you a list of our tribal members that did not file for Land Claim Settlements because there was black intermarriage in the lineage which could - and would - be used to force them into black schools, even though they were primarily Indian because Indian was not an option. We will also furnish the names of courthouses set on fire in North Florida during the early part of the 20<sup>th</sup> century with the sole purpose of destroying racial information.

The Wards *were* the Indians and should never be considered to be culturally 'white' because they were able to figure out how to persevere and survive near Scot-Irish communities. **(Exhibit 41)** The schools, burial grounds, economic and social activities remained separate. Creek Indians of Northwest Florida were not allowed nor were they acknowledged as 'Indians' to provide Indian evidence on any authoritative document. However, there are many examples of Creeks giving evidence for Creeks - even though the Government listed them as 'white'. Basically, the Wards, like the rest of our tribal members, were given the option at birth of being Black, White, or Mulatto by the laws of the State of Florida. The Wards opted for white because they had copper skin and did not look black. With white listed, they were able to get an education and own property. Others in the tribal membership opted for Black Dutch. One of the Godwin family members who lived in nearby Freeport, Florida appeared on a census as 'Chinese'. In the earliest times, the Indian community had members work as census takers to avoid problems.

As for maintaining a relationship with other "Eastern Creeks", the Wards were part of the only Creek Indians left in Northwest Florida. No other "tribes" existed in the area with the exception of some of John Blount's Apalachicola Band who had managed to stay behind on the treaty land and intermarried with the Wards and other Creeks. The Seminoles and Miccosukees were in the south end of the State of Florida, confined to the Everglades, and were dealing with their own set of issues. The Coushatta had ultimately circled around and made it into Louisiana. Considering the earliest Ward leaders had been good Creeks, joined the Confederacy and then deserted, they did not frequent other areas of the United States involved in the struggle during the mid to late 19<sup>th</sup> century. **(Exhibit 87)** Desertion was a capital offense, particularly when it involved an Indian. According to an interview with Malzie Ward Pate in the Bruce Indian Community, her grandfather, Diamond Joe Ward, was deathly afraid of being prosecuted as a Creek deserter of the Confederate Army. He believed that he would be shot or removed.

All things considered, therefore, it is really difficult to respond to exactly 'which' Eastern Creeks the BAR staff believes the Wards should be relating to since the Wards played an active role in

the only successful Eastern Creeks litigation and were living and worshipping with other Creeks and Euchees in 19<sup>th</sup> and 20<sup>th</sup> century Walton County.

If this statement is attempting to infer that there should have been a continuous relationship with what is now called the Poarch Band of Creeks, there is more than enough historical documentation, including regular communications with the attorney who represented Calvin McGhee, to show that a litigation relationship was established. This relationship was based on a one time history as Lower Creeks in historic Creek Nation. **(Exhibit 88)** We were not of Poarch Band for over 150 years, but this does not mean that we did not know who they were. Likewise, we were not of the tri-state structure that was established between Poarch Band and the Lower Muskogeess in Georgia and the Lower Muskogeess in Florida in 1973. **(Exhibit 89)** The decision not to be active in this tri-state activity was not because the people of Muscogee Nation of Florida were not Indians, it was because the people of Muscogee Nation of Florida had a separate and distinct government and had no reason to join or trust the new Atmore government..

It is noted that when the successful outcome of the Land Claim Settlement litigation was announced by Lenoir Thompson, attorney for Creek Nation East of the Mississippi, the only Creek family cited by name in his article was the family of J.J. Ward of Bruce, Florida. **(Exhibit 90)** Prior to the Land Claim Litigation and its minimal recognition of our people, there was little interaction between multiple Indian groups in North Florida area because there were no 'named' Indian groups; there were townships of Creek Indians. When one studies the genealogy of the Muscogee Nation of Florida, one can see that intermarriage and cousin exchange marriage had to occur because there were no other Indians in the immediate area with the exception of a few lone mixed blood Euchees and the Apalachicolas.

**Technical Review Letter - Page 5: Paragraph 4**

**“The petition discusses at length private maintenance of a family tradition of Indian ancestry. However, this does not establish the existence of community within the meaning of criterion 83.7(b). Families may well have pride in their documented American Indian ancestry, but nonetheless not live or have lived in tribal relations.”**

Criterion 83.7(b) has been further broken down by sub-parts in an effort to correct the structural errors made by not following the line by line regulatory format of 25 CFR Part 83.7. Your comment above includes the statement that federal acknowledgment of tribal people is not a matter of ‘pride in family origin’. Our response to you is that the *public* struggle for our acknowledgment as a tribal people has been part of some of our member’s lives for the better part of 50 years. We resent that this statement lessens such efforts to a level of some sort of “Roots” family saga. We are a tribe of Indian people who have lived as tribal people despite every conceivable method of cultural extermination - right down to state laws preventing our trading with white people and limiting our people to no more than 5 being seen together in a hunting party. Your statement implies that the people of the Muscogee Nation of Florida are ignorant of tribal traditions and tribal relations. The Muscogee Nation of Florida is a community of Indian people whose leaders have tried to work with the Bureau of Indian Affairs since the 1950s as is evidenced by a few surviving letters of the community leader’s. Please see the letters written to J. J. Ward by the Department of the Interior. **(Exhibit 91)**

Further, we do not know exactly how to view your statement regarding a “maintenance of a family tradition of Indian ancestry”. It appears shortsighted and contradictory in nature. The Wards were a leadership family with many responsibilities for their people, including the continuation of the ceremonies of the grounds at Antioch. **(Exhibit 38)**. It seems from your preceding paragraph that you have already pre-determined that the Wards are ‘white’, even though they received docket settlements, worked to preserve the Creek language, raised revenues, mobilized resources, participated in a shared economic system, followed the traditions of the ceremonial grounds, and held a documented place in the history of the Creek people before their removal. We have to wonder if your comment means that the receipt of docket payments

by the Creeks who are Wards are, in fact, for something other than Indian Land entitlements? Are you implying that the Wards are Indians, but are not really Indians?

The Wards of Northwest Florida, who have maintained a center for governance in the Bruce Indian Community, have always continued the rudiments of Creek culture to the extent that the dominant government and the outside public would allow - and that includes their survival as members of a recognizable Creek Indian tribal community. **(Exhibit 92)**

**Technical Review Letter - Page 5: Paragraph 5**

**“There was little documentation to demonstrate that the Harjo-Boggs group had functioned as a distinct community. There also was no information or documentation concerning the origins and history of the Pine Arbor-Topachula community which it describes as part of the Harjo-Boggs groups. The petition also needs to address how this community is connected with the Harjo-Boggs group.”**

Once again, a citation is made on the identical issue of ‘distinct community’ in a state where this was not allowed by the laws of the General Assembly of Florida. This question has been addressed with the Wards in the above paragraph and in Part A of this report. Since members of Harjo-Boggs are also intermarried or have blood ties to the Wards, the same argument is applied. The previous responses for the Wards should suffice for the situations surrounding Harjo-Boggs.

The documentation on the grounds and its history has been covered in sub-part B (vii). It is recommended that you read the documents and exhibits that directly answers the existence of historic grounds in North Florida. Please keep in mind that Pine Arbor-Topachula is not a ‘community’ that is connected to Harjo-Boggs. It was a ceremonial grounds available to tribal members within the Apalachicola Township and was recognized by past leadership of Creek Nation of Oklahoma. **(Exhibit 151)**

**83.7 (b)(1)(i) Significant rates of marriage within the group**

The members of the Muskogee Nation have married primarily within their group for over 100 years. However, when the historic Creek Nation was subjected to the removal policies of the federal government and members escaped into Florida, marital practices had to adapt to the new environment. Clan marriage gave way to acceptable single and double first and second cousin exchange marriages when necessary. There were also intermarriages with Yuchis who had not left the area and included families such as the Evans, Browns, and Godwins. **(Exhibit 36)** There was marriage with some Cherokee and Choctaw. **(Exhibit 41)** The tribe felt that the bloodline of the Creek people should be maintained and encouraged marriage within their own tribe and, in some cases, marriage with other Indian tribal people to keep the bloodline pure. This protection of the bloodline led to the maintenance of traditional and cultural values. In other words, any Indian kinship was preferable to non-Indian kinship.

A significant number of marriages between members of different townships also occurred. These can be easily recognized through Family Tree Maker and the Pedigree Charts that have been included with the roll. Work was accomplished by Dr. Terry Prewitt of the University of West Florida that specifically concentrated on the genealogy of this tribe during the 1980's. Sample charts have been included with this section. The genealogies of tribal members provide many examples of the intermarriage of the Indian members of this tribe. **(Exhibit 74)**

It is also noted that many adult male members of the tribe had more than one household. Jesse Joe Ward had a daughter, Eva Bozeman, that was recognized by the community as his daughter. She received her status as a docketed Creek Indian by affidavits filed on her behalf by his daughters from his legal marriage. Her children are members of this tribe. This type of arrangement was prevalent in the tribe's townships and was acceptable to the community during the first half of the 20<sup>th</sup> century.

The strength of matriarchal leadership was historically recognized and honored in each township, just as it is today. Social boundaries that affected the marital practices of the tribal people were numerous. While our people have been limited in some of the practices of tradition and culture,

social interaction - including tribal marriages - between the Creek people across Northwest Florida still remains.

### **83.7 (b)(1)(ii) Significant social relationships connecting individual members**

The people of Muscogee Nation, have relied on significant social relationships across Northwest Florida throughout the 19<sup>th</sup> and 20<sup>th</sup> Centuries and as a tribal entity, we have always given equal acknowledgment to the needs of leadership, economic relations, and shared ceremonial and religious rituals. These continuous patterns of events have enabled our tribe to maintain interaction and a close kinship among each individual member of our tribe. Social ties between our individual members manifest themselves in our block voting in local elections for the betterment of our townships, celebrations of tribal births, tribal stomps and soups, deaths and funerals, and in our volunteer work for the delivery of services to tribal members or the creation of a public education program to increase tribal awareness. **(Exhibits 62 and 93)**

The various ceremonies discussed in (b)(1)(vi) below also demonstrate significant social interaction that occurred on the grounds and in the Indian graveyards. The leaders of White Earth Tribal Town have allowed the inclusion of this year's calendar as representation of ceremonial events that are available for participation by tribal members. **(Exhibit 94)**

To maintain tribal social interaction, the Apalachicola Township (Blountstown Indian Community/Treaty Town) provided for festivals and busks that allowed significant social relations between members. Here, marriages occurred and dances were held. A ceremonial grounds, Boska Bokga, followed by Pig Pen and the 'Big House', was the center of the nation's social events that could have as many as 30 Indian families participating at any given time. **(Exhibit 95 and 96).**

In the Choctawhatchee Township, social relationships were a part of the day to day existence of the Indian people. Bruce was established as a Creek Indian community before the forced Creek

migration that occurred from the removal policies. The Yuchis had longed lived in that area of Walton County and this was a place known to the Creeks. **(Exhibits 97 and 38)** From the earliest years of the Choctawhatchee Township, Creek grounds were part of the community and afforded community interaction. These grounds were referred to as Antioch. The grounds came with our people from Alabama and were active from the 1860s and lasted until the mid to late 1920s. **(Exhibit 38)** The last leaders of the grounds, William Penton and Sankey Godwin moved back to Chumuckla Springs but continued to service the grounds even though they had physically relocated. The Chumuckla Springs settlement was along the original Creek Trading Trail between Pensacola and Creek Nation. It is known today as the 'Spanish Trail'. On this trail were extension/interrelated homesteads of the Pentons, Sewells, Elliotts, Nelsons, Wards, Ards, and Nichols, people who are of the tribe today. **(Exhibit 36)** This area is representative of the outward tribal migration that created the multiple townships inside this tribe. Many had left Alabama and Creek Nation together as interrelated family groups.

One type of social relationship connecting the people and extended families of the Choctawhatchee Township was the annual harvest gathering. These get-togethers crossed into other townships into the family groups listed above and were held annually from 1880 until the late 1930s. While some of the elder tribal members referred to them as 'frolics', the events were typical of the dancing and celebrations of the Creeks. One of the most well remembered activity was held in the fall during the time of Harvest. These gatherings were conducted in a large square in front of the headman's home. The township's leadership had been passed from William Josiah Ward to his son, Jesse Joe Ward. During this time, tribal people came from many areas - often by wagon travel. **(Exhibit 37)** These gatherings would last for 4 days. The time would be spent bartering, hunting, killing hogs, sharing meats, eating together, planning the next year of specific jobs, and dancing. These activities were an integral part of each Creek township. There were also the typical 'reunions' from the 1920s to present held at the church for members from across all of the communities to attend, during the months of October and March. **(Exhibit 101-Greene)**

There was an active Indian Woman's Club from the early 1900s to the present time. **(Exhibit 51)** The Bruce Women's Club was given deed to the old Bruce School in 1954 for \$10.00. They assumed ownership of the building to prevent its being torn down by the County and began to hold events that included such things as holding political dinners to benefit the community from the 1930s through the 1980s, taking care of specific duties during family crisis or family death including fixing meals, managing the cleanup of the cemeteries, quilting, etc. **(Exhibit 98)** There was a Men's Club that was active from 1920s until the 1980s, along with the more informal hunting parties. In the men's clubs, community decisions were made including punishment and warnings that were issued to people who had violated the unwritten laws of the community. For the young men and women, there were ball games. Today, stick ball is played beside the Tribal Council House in Bruce and social stomps are held. Red Oak (now Crestview) inside of Red Ground Township had similar relationships. Ceremonial grounds and medicines have been documented in this township along with frolics. **(Exhibit 99)** According to Nathan Chessher, hunting parties was the main community relationship for men. Each town had their own hunting clusters that would have the best hunter as the party leader. This leader would be between 35 and 50 years of age. It would be passed to someone more vigorous at that time. **(Exhibits 30 and 34)**

**83.7(b)(1)(iii) Significant rates of informal social interaction which exist broadly among the members of a group**

Many examples can be found among families throughout northwest Florida demonstrating the importance of retaining social and cultural relations among members of the tribe. One of the ways we showed informal social interactions was the sharing of oral traditions that came during the seasonal gatherings. The use of traditional medicine and herbal cures were shared and are still being shared throughout the area and gatherings were held at different communities across Northwest Florida for commodities distribution. **(Exhibit 100)** The distribution of wild game and fish were and are still common in the area. For example, when there was fish or meat available, there was an established list of individuals who were given free access to the commodities. This

informal system was known within the members of the communities. Today, in the Bruce Community, commodities are passed out before the start of the new year. These bags that contain fruit, nuts and honey or candy have been distributed to the Indian families in Bruce since 1930. Those members who are not able to pick up bags for their families have it delivered by younger tribal members. **(Exhibit 101)**

Also, the Bruce Indian Community organizes and arranges the large scale distribution of some 44,000 pounds of canned goods, staples, and fresh produce each month to its townships through a farm share project that is subsidized by the federal government. There are also items of "second hand" clothing that are made available to whomever is in need. In the past, Indian families always gathered to help other Indian members in clearing land, fencing, and house raising. As recent as the 1990s, the tribe would gather for work days to clean the Council House yard and make whatever repairs needed to be made.

In 1998, AT&T District Office in Atlanta sent a Native American Volunteer Workforce to Bruce to assist the tribe in repainting the Council House. Indian Cemeteries, such as Antioch, were either communally maintained or community members donated to a fund for a particular family to annually perform maintenance and upkeep. **(Exhibit 51)**

Even after the timber lands came under private leasing, the men actively hunted and fished in groups. Responsibilities also included constructing caskets and preparing the gravesites for burials. The women had separate tasking and functioned through informal organizations inside the community, such as the Bruce Woman's Club. The women worked to create crafts with the proceeds benefitting the community, held political plate dinners to raise money for the township, gave marriage showers, contributed food to wakes and prepared the body of the deceased for burial, lined the caskets for the community, provided clothing and the recycling of clothing. There is recorded evidence of families who participated in the gathering of materials needed to create baskets in the surrounding forest and doing traditional chants and prayers as they gathered

materials. **(Exhibit 95)** Every township had a midwife that was Indian who worked in unison with a head man and traditional medicine maker during the birth of the child. **(Exhibit 102)**

Community visiting, caring for the sick, and passing of stories and history was central to each of the township's members in an informal setting. **(Exhibit 48)** In the Escambia Township, the main house of Sankey Godwin, the medicine maker, was known as a place that all Creek travelers would find a hot meal and a floor to sleep on. Here, the fire always burned. The affidavit submitted by Daniel Penton tells of his childhood where there would be so many members of the community gathered that he would literally step over the bodies to go from one room of the house to the next. **(Exhibit 36)** The community visiting, caring for the sick, and the passing of stories and history was central to each of the township's members in an informal setting. There was always one person who served as a rememberer for the community and passed the stories down to a member of the next generation. **(Exhibit 101)**

The Big House of Apalachicola Township also provided the means for broad informal social interaction as it furnish space for informal dances and parties that involved a significant portion of the membership, as did the large square near the house of J.J. Ward in the Bruce Indian Community. **(Exhibit 103).**

From 1860 to the mid 1920s the grounds at Antioch and Black Creek served as a place of interaction for the communities. These grounds were not used after the first quarter of the 20<sup>th</sup> century. However, there is evidence that regular communications occurred between other grounds leaders and the old leader from Antioch, William Josiah Ward. Ward was known as a visionary and healer. He was instrumental in getting the Indian school and the first church into Bruce. According to interviews, he invited many churches. The Methodist finally showed up and the Indian community all became Methodist. This was in keeping with historical accounts of the Methodists holding Creek services along the banks of the Chattahoochee River. It was understood that in this area of the South that having a Church gave Indian communities better chances of survival. The Bruce Methodist Church has been declared a Native American church

by the Methodist Conference, and a report on a typical church-related trip has been included with this response. It was filed by one of the past ministers. **(Exhibit 104)**

During the year of 1919, William Penton also joined the church. He was known to be a conjurer and medicine maker in the Bruce community and was directly connected to the Escambia Township coming from Chumuckla. Sankey Godwin who was connected by marital ties, lived next door and was the other maker of medicine. He was known as far east as Jacksonville Florida where he was purported to have had regular communications with J.R Daniels, original leader of the Topachula grounds. **(Exhibits 14 and 96),**

**83.7 (b)(1)(iv) Significant degree of shared or cooperative labor or other economic activity among the membership**

The townships of the Muscogee Nation of Florida have shared both economic activity and economic resources throughout the 19<sup>th</sup> and 20<sup>th</sup> Centuries. Creek people in every township had access to stores and businesses owned by its own people and afforded them their daily needs. Many of the townships owned stores were used by Indian people and the surrounding population. For example, an oral interview of Mr. Grice a 95 year old man outside the Bruce Community points out that he recalls traveling with his father in a wagon to Bruce Indian Community and trading at a small commissary run by Creek people. This store was owned by the Wards from 1880 until the 1970s.

Many of the families, such as the Harjo-Boggs Band, the Stokes and Steeles, Elijah Ward, and the Ellis' were collectively involved at intermittent time in cattle ranching and highland farming, turpentine, liquor production, and logging within each of the townships and across the townships. There was also beekeeping. Some made pine needle and white oak baskets, boats, steam boating, ferry systems. Tribal members owned and operated the steamboats and ferries across the Choctawhatchee and the Chattahoochee Rivers. This afforded a protection of the Indian communities by the Indian people themselves and prohibited non members from coming

into the communities. This restrictive ferrying system operated strictly by the Indian people from the late 1800s up until the building of the bridges by the WPA. **(Exhibit 34)**

During the 1920s, James Daniel Boggs, leader of the Apalachicola Township, bought a small country store that he used as a means of both generating income and as a site for the distribution of community assets. This store evolved into a Piggly Wiggly, which is still in business today, and still serves the same functions. It is owned and operated by his grandson.

The Choctawhatchee Township also had a central store with its own currency until 1940 when the money was no longer used. This store, Ward's Mercantile, was identified in the oral history by a 95 year old man who lived 11 miles north of Bruce. Mr. Grice stated that he and his father would ride in an ox drawn cart to a store that was run by Indians and would pick up supplies with money earned from turpentine. There was, at one point, two stores in Bruce during the early 1900s. One store was owned by Jesse Joe Ward, the other by the Pates. The Pates were Scot-Irish and had moved to Bruce in the late 1800s and were married to Euchee Creeks. Historically, the Pates and the Wards had been together before the removal of the Creeks. Jeremiah Pate had been an agent assigned to the Creek Nation. One of his interpreters was John Ward, a Creek who traveled with Nimrod Doyle. **(Exhibit 84)** Historically, the Doyles are part of the Blountstown Indian Community with intermarriage between some of the Wards of the Bruce Indian Community.

The logging and turpentine industry was the economy of these communities until the 1930s. In all of the townships, there were workers who followed the turpentine industries into the forest areas lived in by the Florida Creeks. However, the non-Indian workers were not allowed to stay in the Indian communities. Bruce Community was virtually an internally self supporting, self governing, and self sufficient community. Until the 1940s, the only men who had been allowed to remain in Bruce were men who had been part of the prisoners that had been leased to the turpentine chain gangs. J.J. Ward had worked to help arrange their freedom. They were Creek Indians from near Atmore in a community called Uriah. **(Exhibit 41)**

The turpentine and timber operations provided the means by which shared economy between the townships was maintained. The logs were floated down the rivers and over to Muskogee Wharf in Pensacola. Muskogee Wharf was a settlement of Creeks, that included members of the Ellis family from the Escambia Township and the Stewarts, Colberts, and McGhees to name a few. The Colberts were of the Sizemore family, which has bloodties to members in the Bruce community. Later, the Indian owned and operated steamboats made regular trips to Pensacola from Bruce's Choctawhatchee River where they purchase goods for the community and took tribal members to visit other tribal members and do shopping. During this time, Pensacola was the only urban area in the tribal territory in which the tribal people could engage in trading. **(Exhibit 103)**

Each year certain jobs were assigned to certain members of the community. One example was the making of cane syrup in the Bruce Community of Choctawhatchee Township. The headman, J.J. Ward operated a store and the community's central grainery. Clothing, food, and land were provided to members of the Bruce Community through this enterprise. He also attempted to generate a cash crop of sugar cane to support the community in liquor production after the timber industry faded. Moonshine manufacturers and runners were the main industry that ensured the townships' survival. **(Exhibits 41, 38)**

There were also fish camps on the rivers that people would pay to stay at and beekeepers throughout the townships. **(Exhibit 105)** Along with this, guides would furnish hunting trips into the swamps of the Big Island in the Choctawhatchee River and down the Chattahoochee River. The last guide was a Creek Indian named Buck Bishop, who died in the 1990s in his 70s. In the 1940s, J.J. Ward rallied the Creek Indians to work in the shipyards of Panama City and Pensacola to support the war effort. **(Exhibit 32)** The ability to live off the land, to continue hunting and fishing was slowly being taken away from the townships of this tribe. The County and State legislation, such as stock laws and fishing regulations, severely curtailed the mechanisms of survival of the Creek people. Subsistence was now limited to the point that the government

established farms to alleviate the poverty in the rural areas, such as Escambia Farms. The Creek people called them 'poor farms'. **(Exhibit 144)**

In the past 40 years, tribal members have managed to migrate towards the more urban areas or the defense installations to have a decent yearly income. However, there are still members who are small farm owners or cattle owners. The economic growth along the Gulf of Mexico has afforded seasonal blue collar jobs for the tourist industry. However, most of them are at minimum wage and there are lean months as in any tourist area. The inland counties offer farming, some cattle and self-employment.

### **83.7 (b)(1)(v) Evidence of strong patterns of discrimination or other social distinctions by non-members**

The tribe's members have experienced strong patterns of discrimination and social distinctions by non-members throughout their history. The fact of this discrimination forms the basis for showing that these members of these townships have existed as a separate and distinct group throughout their history. Tribal members living in Northwest Florida were afforded little attention regarding education, employment, and land ownership.

The Creek Indian people who have now relocated to Northwest Florida had established what they thought to be their final homeland. Their grounds, family kinship infrastructure, farms, homes, and other elements of Creek society had been moved to Florida in an attempt to escape from constant encroachment of Europeans. Many of the Creeks who had been left behind in Alabama held bounty land for services in the military. This land did not transfer to Creek children in most cases. The state of Alabama prevented education and land ownership by Indians. The Creeks that were loyal to the Confederacy were not granted the same rights as non-Indians were given and the Creek people were left without any recourse when the Confederacy began to lose the Civil War. Agreements for their non-removal had been set in place should the Confederacy win. The second Creek migrations into Florida began in the 1860s.

In 1852, the General Assembly of Florida had passed a law prohibiting Indians from residing in the state. This law was changed in 1853, to allow Indians to remain in the State if they lived as either white or black with no trouble caused to surrounding communities. This act obviously impacted the tribe methods of survival in North Florida. **(Exhibit 43)** This law had been preceded in 1848, by an act that provided for the establishment of common schools for white students only. There was a terrific impact on techniques of survival for this tribe. One of the ways that members worked around the laws was to declare a race of Black Dutch at the school. **(Exhibit 48)** The past Chairman of the tribe, Juanita Felter Sandifer, was removed from elementary school when she listed her race as Indian in the 1930s. She was transported to a Black school and ultimately could not get educated in the county. **(Exhibit 107)**

Some of the Creeks who migrated into this area and became new leaders could read and write, mostly by home schooling with the Bible as a textbook. In the Choctawhatchee Township, the Ward brothers had learned to read and write in this way. They home schooled the community children until a small building could be raised and then performed whatever tasking was necessary to keep a school in operations. This building was first erected in 1895 and was the Bruce Indian School. By the early 1900s, the teachers at the school were Creeks. **(Exhibit 108)**

Educational discrimination against Creeks was widespread among whites in Calhoun County as late as 1919, during the term of J. Flake Durham (1913-1921) Superintendent of Schools. M. Case Pippin served as the attendance officer for the school board in 1919. Although Cherokee Indian himself, he put several Indian children out of school, labeling them "Negro". As recently as the last 5 years, two counties have refused to allow minors in this tribe to register as Indian. There has been intervention into these situations by the Tribal Council. The children of Creek people had a difficult time gaining fair access to public schools.

From the date of the enactment of the 1853 legislation to the end of WWII this pattern of discrimination remained against the Creek people. The adults members of the Creek tribe faced discrimination in the local business community and in seeking employment. Because of

discrimination, the Tribal Townships worked towards self-sufficiency in the isolated rural areas that they had settled in. They provided for themselves, stayed to themselves, and generally did not participate in the activities of neighboring white communities. In doing this, survival was ensured.

National Council Representative Cary Ellis Sr. had to find transportation from Bogia to Chumuckla when he needed to visit family. Usually, he would walk 12 miles one way because the public transport bus system made no allowance for his race. He was not allowed to sit up front with the whites and would not sit with the blacks in the back of the bus either. Consequently, he walked the distance.

From the date of the enactment of the 1853 legislation through the end of World War II, the members of Muscogee Nation stayed quietly separate and distinct, and faced clear discrimination from non-members. However, after World War II and the advent of the Indian Claims Commission, the townships made themselves more visible through land claim litigation. This gave the Creek people of Northwest Florida identity and more exposure as the original inhabitants of Northwest Florida. Our existence was known, but we were never on public display because we were not legally allowed to be. There were many older people throughout the communities that would not fill out paperwork for the Bureau of Indian Affairs for fear of removal to Oklahoma and losing everything.

The civil rights movement of the 1950s began to reduce prejudice in general. Such prejudice against the members of Muscogee Nation also began to diminish. However, as recent as the year 2000, a tribal member employed by a large supermarket chain was unfairly terminated from his minimum wage job because of his racial identity. This tribal member was fired because his hair was not cut because of his ties to the tribal grounds. The Executive Branch of the Tribal Council intervened and managed to have him reinstated at a store that was closer to his home under a new manager.

**83.7 (b)(1)(vi) Shared sacred or secular or ritual activity encompassing most of the group**

From time immemorial, the Creek people practiced traditional religion and rituals that had significant meaning and had a major role in their daily lives. The Creek people who relocated into the state that is now Northwest Florida continued the centuries old traditions through reestablishing their traditional grounds, practicing traditional healing by utilizing natural herbs, and practiced a means of counseling through traditional healers across Northwest Florida. Prior to 1853, the Muscogee Nation and its people continued this practice which is and is still passed down from the traditional families that held on to these traditions from their home and townships in Alabama. The hardships faced by Indians after 1853 and the enactment of legislation by what is now the State of Florida prohibited even the existence of Indian people in the Northwest part of Florida and caused many of the traditional practices to go “underground”. Through the efforts of the elders and the leaders of each township, the ways of the old traditions were maintained, practiced, and ensured the survival of the people and the survival of the religious practices of the grounds. When these new developments in an emerging state came to the forefront, all of the traditions were more highly respected and practiced within a closed community. In the 1920s, the Antioch grounds were still in use for ceremonies and traditional practices of marriage and other annual events and was the center of celebration for dancing and ball games. Antioch was brought with our people from Alabama. **(Exhibit 38)** Medicine and herbal cures were in effect and during these ceremonies, members of the nation practiced healing methods such as scratching using garfish teeth. The use of cedar leaves for cleansing and purification and the black drink is known and utilized. In the Red Ground township, Jess Williams was an active practitioner of Creek medicine which has been documented. **(Exhibit 99)** He was known throughout South Georgia, Alabama, and North Florida from 1900 through the mid 1960s. His grounds closed at that time. The grounds located in Mary Ester Florida was active until 1942 when eminent domain policies forced the relocation of the people who lived in that area. **(Exhibit 48)** Afterwards, people chose to seek out the house of Sankey Godwin who lived between Chumuckla and Jay in the Escambia Township. The Topachula Grounds which were located in the Apalachicola Township moved from Jacksonville under the leadership of J.R.Daniels to the Tallahassee area after a split

occurred. J.R. Daniels had allowed a young man named Charles to be raised in his house. Charles learned from him but was never adopted by him. He continued the fire for some time. In 1985 the Fire returned to Cochran Town (Blountstown). It is the only Square Grounds east of the Mississippi recognized by the Creek Nation of Oklahoma. **(Exhibit 81)** Even though communities were physically scattered from the 1830s onward, the sense of community was never scattered. Many anthropologists visited Topachula and concluded to its authenticity. Until the passage of NAGPRA, this tribal government and the grounds was contacted by state and federal agencies for repatriation of human remains.**(Exhibits 49 and 109)** Topachula has undergone several name changes due to changing ceremonial leadership and relocation throughout time. Other names of this Ground were Oak Hill, Lapaha, Tulwa Ahashee. The grounds are now called Ekvnv Hvtke (White Earth). The maker of medicine is Daniel Penton, grandson of Sankey Godwin and great-grandson of William Penton, both of whom were known makers of medicine throughout the Townships. **(Exhibit 39)**

Many of the settling heads of townships were forced to make decisions that would ensure the survival of the community. This decision involved the acquisition of a church within the townships which contributed to the safety of the Indian people during the late 1800s and early 1900s. These churches had arbors outside the actual church building. Indian members would sit in the arbors most of the service. In the Apalachicola township, it is documented that as recently as 40 years ago, four arbors sat behind one of the local churches. **(Exhibit 95)** The utilization of the church had dual functions. For one thing, it gave the community a central meeting place. For another, it reduced the problems encountered from non-Indian surrounding communities. Today, many of our members are either Methodist or Baptist. Many of our members also participate in the grounds known as White Earth. This Square Ground serves Creeks living in Florida including members from the Choctawhatchee and Escambia Townships affiliated with Muscogee Nation. There have also been federal tribal members in attendance at ceremonies, including members of the Brighton Reservation.

The Creek people began to practice a dual concept of religion in the early 1900s which has continued through time.(Exhibits 36,38, 39) This involves both contemporary and traditional means of worship. The traditional religion continues to grow as more members seek the ceremonies that have been so important to the survival of their people. A number of the members of Muscogee Nation also travel to Creek Nation Oklahoma where they participate in ceremonies and stomps of the Tullahassee and Big Pond grounds through ties with Sam Proctor and the late Tema Tiger.

**83.7 (b)(1)(vii) Cultural patterns shared among a significant portion of the group that are different from those of the non-Indian populations with whom it interacts**

The Apalachicola Creeks have specific cemeteries in and around Blountstown to bury their dead. Boggs Cemetery is located 3/4 miles west from where the old big house was. Andrew Ramsey's grandfather had given land for this cemetery. Other cemeteries include one at Shiloh (near Boggs Pond, 7 miles west of Blountstown) and Old Bailey Cemetery (the Daniel Smith farm) on the west bank of the Chipola River in Calhoun County (5 miles west of Blountstown). Multi-colored, broken glass is found on Creek graves, particularly on the McClellan owned land which is the site of the reservation of Cochran/Tuskie Haco and John Blunt.

The Bruce Indian Community cemeteries at Antioch and Dead River, the Godwin Cemetery and the Boggs Cemetery in Blountstown all have evidence of personal objects placed on graves with the traditional method of separating the bottom or leaving a hole in the bottom of the object. Favorite objects have been left at the grave sites and normally there are 4 sites in a row. Traditional objects are also placed in the casket of the deceased. Although many graves have marble or concrete slabs, evidence of the use of shells exists. According to family sources, many of the shells and grave goods had been at all the graves sites until eight years ago when the state assisted in cemetery upkeep with inmate labor - who raked the shells into a corner. The same type of shells are used at each of these cemeteries and include heart cockle (Dinocardium) and Lightning whelks (Busycon spiratum) with a few occasional Channel Whelks (Busycon

canaliculatum) and Clench Helmet shells (Cassis spinella). The older Creek markers were made of cypress with rounded tops denoting the Morning Star which is a female symbol and a diamond shape which is the star trail to the fires in the sky and denotes a male. Grave houses are still prevalent. **(Exhibit 110)**

Some leaders of the Townships practiced polygamy well into the 20<sup>th</sup> Century. Further, the celebrations and rituals listed clearly define cultural patterns shared by virtually the entire group and different from non-Indian populations. It is noted that families still practice the tradition of men being served and eating first. The women and children eat separately. **(Exhibit 92)**

Medicine plants were well known to members of townships until the use of modern medicine. However, the cures were not forgotten in many families and a general list has been supplied as evidence. **(Exhibit 100)**. Midwives were used into the mid 1930s for delivery of children. The Apalachicola dialect of the Muskogean language still continues to survive in the townships. **(Exhibits 70 and 111)**

Traditional clan system of governance, such as Wind, Bird, Bear, Panther, Bobcat, Deer, and Beaver played a major part in the decision and policy making of the tribe in the earliest years of these township's histories. It became increasingly difficult to keep clan systems intact in their truest form because of the forced migrations and multiple removals that led this tribal people into the state of Florida. Today, there are still tribal members that are able to carry forth the knowledge of their clans. Over time, however, some of the original clans became extinct either through families passing on or through cross clanship marriages leaving town clan as the largest clan of the Nation. **(Exhibit 96)**

**83.7 (b)(1)(viii) persistence of a named collective Indian identity continuously over a period of 50 years, notwithstanding changes in name**

During the litigation of the Land Claim Settlements, Tribal Services files were set up based on the leadership abilities of J.J. Ward in the Bruce Indian Community. **(Exhibit 91)** In one letter, the BIA pointedly asks for the name of his tribe. Many of the members of Muscogee Nation had applications filed with Calvin McGhee and Creek Nation East of the Mississippi until the leaders of the community discovered that this was not an acceptable way for its members to share in the settlement. **(Exhibit 75)** When the settlements arrived in 1971, the members of Muscogee Nation of Florida had simply referred to themselves as Creek Indians and practiced governance in their own traditional form. There was no 'modern' version of governmental structure as is known today by written tribal constitution. **(Exhibit 113)** In 1978, these Creeks were represented through the Northwest Florida Creek Indian Council. The tribal unit was formalized with a constitution as the Florida Tribe of Eastern Creek Indians in 1978. A letter was issued from the BIA in 1978 that acknowledged the organizational name change from the Northwest Florida Creek Indian Council to the Florida Tribe of Eastern Creek Indians and that these entities were one and the same. With the formal constitution in place for the Florida Tribe of Eastern Creek Indians, the townships of today's Muscogee Nation were officially structured. The structure of the Florida Tribe of Eastern Creek Indians was on a county basis which was not in keeping with the actual Indian settlement pattern. It did not reflect the Indian population because some counties did not have Indian communities. The new constitution affects the required changes to show proper representation of the Florida Creeks in an appropriate township system with more specific delineation of primary service areas.

The community of Bruce itself was established near Cow Ford, off the Choctawhatchee River between 1850 and 1862. Sam Story (Timpoochee Kinard), Chief of the Eucheas, is buried less than 10 miles north of Bruce near Dead River Cemetery which is a Creek Indian Cemetery. The Yuchis left behind members that had married into some of the Scots-Irish families in this part of historic Walton County. **(Exhibit 38)** The Antioch grounds afforded governance through 1930 when many of the residents began attending the Bruce Methodist Church. **(Exhibit 104)**

**83.7 (b)(1)(ix) demonstration of historical political influence under the criterion in Section 83.7(c)**

In the earliest years, the leader of the community was not a part of a 'formally elected' system of government. It was traditional that the headman of the community possessed the abilities to function in both Indian and non-Indian environments. This 'informal' authority was well understood and accepted by all members of the community and was based on the skills that the leader must possess. This leadership method was necessary because of the General Assembly Law of 1853 that prohibited the existence of Indians in North Florida including separate and distinct leadership. Thus, the traditional and open form of leadership that was common in Alabama could not continue in Florida in the same method. Leadership had to assume a different face to be effective in conducting its affairs.

The Big House of Blountstown and the grounds of Antioch served as the traditional centers for governance through the 1930s. However, the membership changed over time because of the effects of removal and the scattering and regrouping of the Creek people into smaller communities. There was never a time when a traditional grounds did not exist in North Florida, but, grounds went down and were not in each of the townships at all times. The distance between the newly established Indian communities that followed the forced migration into Florida led to a need for a headman that could continue traditional leadership without the benefit of the grounds infrastructure that had previously selected and defined leadership for each community.

Survival also depended on the need for an attachment to a recognizable organized religious affiliation such as the Baptist or Methodist Church. This Church system afforded acceptance by surrounding non-Indian communities in Florida, while enabling the Indian community to have a central meeting place for its members. In the Bruce Indian Community, William Josiah Ward who was the leader from 1862 to 1900, instructed his granddaughter to recruit the Indian children for membership and he handled the adults so that the community was enrolled in the church on the same day. **(Exhibit 14)** His leadership is evident by the cooperation and turnout of the entire

community to become new members. It is noted that the headman of the Bruce Indian Community had his own currency, owned a general store that served as commissaries for the turpentine industry and supplier for his tribal people, had a post office attached to his house, and was the tribal liaison to the school system. He crossed the townships regularly in his duties.

If qualities of leadership must be defined, then a 'leader' in the Muscogee Nation was a person who could read and write, marry, and legally protect his members in civil matters, create economic opportunities, and basically feed, house, and clothe the community.

In the 1860s, William Josiah Ward with his wife, Abseybeth Purvis, led his Creek brothers into Walton County to settle where people of Arthur Sizemore and John Danely were nearby, living and working. Census records were supplied with the petitioning data. This land was not unknown to them as Elijah Ward, of Jackson Knight and Nahoga Moniac had already settled in historic Walton County during the height of Indian Removal. William Josiah Ward's homestead is still owned by a tribal member in his direct lineage, Bill Ward who serves on today's National Council. Mr. Ward is a cousin exchange marriage. J.J. Ward's homestead, who replaced William as the leader of the community, is still in the possession of Zera P. Denson, his granddaughter. Historically, community leaders in Bruce made decisions on behalf of its members in local, state, and national elections. Block voting was a strategy used to enable the electorate to continue maintaining a connection with the Bruce Indian Community on issues such as education, roads, and bridges and to have a local voice in the political system. Economically, there was cooperative farming and land exchange between members that was guided by the leadership of the community. **(Exhibits 41 and 42)** The leader of the community had both political and social influence over its members. For example, marriage was subject to the approval of the leader of the community. **(Exhibit 115)**

During the Depression era, J.J. Ward was able to use his political leadership gained by the block vote of his community to enable his tribal members to have jobs and employment in federal or state sponsored work programs such as building bridges, roads, or working in shipyards.

In the 1950s docket litigations, J.J. Ward influenced his people to participate in the settlements. As a result of his influence, many hundreds of people in were able to share in this Creek settlement. He filled out papers for those who could not read, held community meetings in the Bruce School and Bruce Methodist Church, and ultimately directed one of his designees, John Crews, to investigate the validity of the Creek Nation East of the Mississippi applications. Lura Ward McCook, John Crews, and Mazie Rossell attended numerous Congressional hearings representing J.J. Ward on behalf of the Bruce Indian Community. **(Exhibit 47)** Applications of his people were withdrawn from the Bay Minette organization upon John Crews finding out that the forms were invalid. Designees from Bruce Indian Community continued to attend Congressional hearings for J.J. Ward to ensure that the members of the community were represented and protected during these hearings. **(Exhibit 75)** These trips to Washington D.C. were costly during these times. The community stayed in touch with everything going on and, at the same time, supported the trips by subscribing to a small newsletter. This information was compiled by Myron Thompson who often contributed legal work to the Ward leadership even though he was not a trained attorney. **(Exhibit 62)**

Today, one of the responsibilities of the Tribal Chief and Tribal Clerk is to furnish assistance to minors who have reached legal age to receive the docket settlement held in trust by the Muscogee Area office of the Department of the Interior. The Tribal Council has filed paperwork for our people to receive these settlements and given instruction for individual receipt of these settlements since its formal creation. It is a function of the tribal government to its members. John Crews' nephew, Gregory Crews, now serves on the National Council of Muscogee Nation and represents a satellite community of Bruce in Central Florida. He drives 8 hours one way to attend Council meetings. He is a member of the White Earth Tribal Town.

The Creek Nation East of the Mississippi dissolved after litigation into what is now Poarch Band of Creeks, along with many other petitioning groups and pan Indian organizations. J.J. Ward's daughter, Mazie Ward, brought his community into the state appointed Northwest Florida Creek

Indian Council and the Florida Tribe of Eastern Creek Indians. Her son, John Breckinridge Thomas, became the Chairman of the Florida Tribe of Eastern Creek Indians until his death in 1997. (Exhibits 117 and 93) Zera P. Denson who is the granddaughter of J.J. Ward is the Tribal Treasurer and was on the first Council formed in 1978. She has served continuously and is the recognized leader of the Bruce Indian Community in her dual capacity as an elder and a member of the National Council. She works closely with tribal youth to ensure their having additional opportunities to learn and grow. (Exhibit 118)

Andrew Boggs Ramsey, who is the Ceremonial Chief of Muscogee Nation and the Micco of White Earth Tribal Town is also of the Ward line through the family of Elijah Ward. This line is the line of his docket settlement. It is noted that he is of mixed Indian blood. However, Creek blood and kinship is predominant in his life. He serves a dual role as the leader of his Indian Community in Blountstown and as the Ceremonial Chief. He was born in Blountstown in 1930. The early leadership of the Boggs family in the Blountstown Indian Community has been discussed in the petitioning document.

This document also includes additional genealogical information on the Hill/Doyle family of the Blountstown Indian Community. Since the data submitted in the 1996 petition seemed to focus on 'leaders' rather than 'communities', it is noted that there were families who were not mentioned in the narrative. But, these families have constituted membership roles in our communities since the 1850s. The Hill/Doyle family, for example, has a direct blood tie to Creek Nation Oklahoma. These members recognize Andrew Ramsey as the traditional Chief of their tribe, the Muscogee Nation of Florida, and the leader of their community. (Exhibit 34)

This demonstrates that there has been continuous leadership and influence in Muscogee Nation regardless of the distance between communities and different clans or the years that have been involved in this struggle for the Creek people of North Florida.

**83.7 (b)(2)(i) More than 50 percent of the members reside in a geographic area exclusively composed of members of the group, and the balance of the group maintains consistent interaction with some members of the community**

In the Bruce Indian Community, more than 50 percent of the members resided within the boundaries of the community exclusively and also were married to one another. This pattern was in existence from 1860 through 1950 when the United States government moved defense installations into the area and the population increased and changed. Genealogical and census records will support this criteria. The same applies to the other satellite townships

Even though the remaining townships are outside the geographic boundary of Bruce, there are many documented cases of marriage between members of the townships and members of other townships. There is still consistent interaction with all of our members through local township meetings, tribal council meetings, tribal newsletter, social gatherings, church and grounds activities, etc.

**83.7(b)(2)(ii) At least 50 percent of the marriages in the group are between members of the group**

The genealogical evidence will support that for many years, 50% of the marriages were between members of the group. In Blountstown it is estimated that 80% of the present marriages are between members of the group, and this figure is probably the lowest percentage of any time in the band's history.

**83.7(b)(2)(iv) There are distinct community social institutions encompassing most of the members, such as kinship organizations, formal or informal economic cooperation, or religious organizations**

Between the 1860s and the 1920s, there was formal economic cooperation in turpentine industry and logging and with membership on the grounds for governance. There are a series of interviews provided from across the townships that document the importance of the turpentine industry and the use of liquor production, as well as, service in the shipyards. Communal farming is documented in the 1930s and 1940s by many of the interviews in this petition.

The Masonic lodge was also an important force to the tribal men from the late 1800s through the depression era. The Membership in the Masons and the use of the Democratic Party allowed the local Creek community to expand its base of more public support. These organizations historically provided a source of assistance that could be called upon in times of need. (Exhibit 119 and 120) The exhibit being submitted as number 120 are postmarked envelopes from the 1950s that were supplied by J.J. Ward of the Democratic Executive Committee to Judge T.C. Hand who worked for Calvin McGhee. J.J. Ward used these envelopes to receive the membership packages of Creek Nation East of the Mississippi. In other words, the Democratic Executive Committee furnished envelopes and postage to support the Indian recognition effort. They were mailed to his address in Bruce Florida, where he would then disseminate the applications to various Indian families in various townships. These specific envelopes are still intact with the application material inside.

The grounds at the Big House in Blountstown was a center for religious and social ceremonies up until 1932, as were the grounds of Antioch that had been brought from Alabama. The headman's home was the site for gatherings (frolics) that were held 4 times a year. This was a shared activity across the townships and communities that make up modern Muscogee Nation and is well documented in taped interviews and oral histories. This activity was well known throughout Creek territory and continued for many years.

**83.7(b)(2)(v) The group has met the criterion in 83.7(c) using evidence described in 83.7(c)(2)**

**83.7(c): The petitioner has maintained political influence or authority over its members as an autonomous entity from historical times until the present.**

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Historically, the Creek Nation was a loose confederacy of towns who united during times of crisis. The towns basically functioned under the leadership of a person that was informally referred to in North Florida as the Head man. The matrilineal structure of the society shaped the membership of the original townships. **(Exhibit 121)** With the devastation created by the removal and the division of people from towns, this traditional system had to adapt. The migration into Florida did not allow for the movement of an entire historic township. Rather, with some Creeks being removed and others being left behind and conflicts that were coming in the forms of wars outside of Creek territory, the original townships were forced to scatter in multiple directions. The movement into Florida could not be accomplished by following one leader. This movement was of multiple people taking the fastest and safest escape route to the south at the most opportune time. Many were prosperous cattle owners that had managed to adjust to the influx of Europeans and had served the U.S. Government in hopes of bounty land that could protect their Creek families. **(Exhibit 122)** Unfortunately, this was not the reality in many cases.

This removal did not lend itself to our people becoming absorbed by the Seminoles warring leadership nor did we attempt to assimilate with them. The families that created the basis for this government followed separate rivers south into Florida to escape the government's policies. **(Exhibit 123)** This was not the normal transition of a Creek township. Likewise, this scattered settlement pattern did not mean that we did not know who or where each other were. One documented example of the relationship between these members regards the travels of John Ward and Nimrod Doyle to meet Tecumseh. Members of the lineage of these two men still contribute to the membership in the Choctawhatchee, Escambia, and Apalachicola Townships. **(Exhibit 124)** Another such example is the militia that was established in 1837 showing members of some of the modern Indian families of the Muscogee Nation townships. This militia was housed at the

crossroads of Almirante where the old trails into Alabama, Georgia, and across Florida converged. **(Exhibit 88)**

This dispersal of people from such a removal method did not allow for regular meetings between people who were now trying to survive in a foreign environment. It must be remembered that Creek Nation had an agreement in place with the Confederate Army. **(Exhibit 126)** Some of the Indian families in Choctawhatchee Township were of Creeks that left Alabama as the realization of a defeat became eminent.

The new townships of the Florida Creeks were isolated and located near the mouths of rivers. These rivers were the lifeblood of the communities, but it was also the rivers and the distance in between these 'roads' into Florida that kept the townships from regularly working as a cohesive unit in the same manner they had in Creek Nation. As time passed and the communities were established, communication once again started between the areas, primarily through the use of steamboats.

During the removal of the main body of Creek towns in Texas and Oklahoma, most of the old leaders were killed. Our new leaders were wise enough to avoid the western move and crossed into a relatively unsettled area where townships could begin again. These townships could not be of the same people, but they were of the same structure - including the structure for local leadership. In the relocation, the most common form of leadership selection was made through the ones that were medicine bearers. The leadership position of the first medicine bearer was designated and passed down before death. The exception to this was the Apalachicola Township where the matriarch could also be chosen as the voice of the community in the 19<sup>th</sup> century. Because of increasing outside pressures and state legislation, changes were occurring at the traditional grounds and to the already limited clan activities. By the early 1900s, the method of leadership passage changed. The medicine bearer's family retained leadership functions, and the responsibilities fell to a chosen son with an automatic acceptance by the community members. Normally there was a transition period between one leader and the next. The inheritor of the

father's position continued working to support the people. This position was not 'elected', it was understood. Tribal members knew who the leader was and where to turn in times of need, such as in the exhibits of J.J. Ward who had trial dates for tribal members in Marianna, Pensacola, and Bonifay. **(Exhibit 127)**

There were basic qualifications that township leaders of the early 20<sup>th</sup> century had to have: the ability to read and write, social traits to enable effective work relationships with non-Indian communities, the ability to transfer land, marry, certify births, or run a store, and the management skills to keep the township fed, clothed, healthy, legally protected, and housed. An excellent example is in the history of the Bruce Indian Community in the Choctawhatchee Township which became the central seat of government in the 1940s. The population in the Bruce Indian Community included representative families from each township in the Muscogee Nation either by marriage tie or by historic location. The genealogical information provided to BAR attests to this.

The Indian people of Muscogee Nation of Florida did not have elections for a central chief during the early part of the 1900s. When the Indian Claims Commission announced the Land Claims Litigation for Creek territory, a Council did formed in Bay Minette Alabama under the leadership of Calvin McGhee. However, Calvin McGhee was not elected by the townships of North Florida. Calvin McGhee was from a different community of Creek Indians. J.J. Ward, who was serving as the leader the Bruce Indian Community made regular trips to Pensacola, where many of our people lived and worked. **(Exhibit 103)** In time, an arrangement was made through J.J. Ward's regular communications with Lenoir Thompson, for his people to politically support the litigation inside the State of Florida. He agreed to testify before the Senate Sub-Committee. **(Exhibit 53)** Participation in Land Claim Settlements was left as an individual choice inside the township. Some community members did not want to draw attention to themselves as Creek Indians for fear of another relocation occurring in their lives. **(Exhibits 95 and 31)**

J.J. Ward chose to join the Creek Nation East of the Mississippi because his political contacts in the State of Florida, such as Bob Sikes and Claude Pepper, recommended this. **(Exhibit 128)**

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However, the leadership had already begun steps of protecting members estates and had engaged a genealogical researcher for these Land Claim Settlements before such contact had been made. **(Exhibit 129)**

Unfortunately, there were docket applications that were never received by the Department of the Interior, such as is evidenced by the correspondence of Maxie Mayes who is a current Tribal Council Representative and her husband, (b) (6). **(Exhibit 17)** In the Choctawhatchee Township, the applications were filled out by the wife of the head man or by volunteers at community meetings where the heads of families gathered and distances between members were of no issue. **(Exhibit 130 )** As stated, participation in this litigation was not required. It was a matter of choice by township heads of families because of personal feelings by some of the extended families involved. And, this was not a governance activity that was controlled by the people of today's Poarch Band of Creeks in Alabama. It was a cooperative litigation effort. The Choctawhatchee Township had regular meetings during this time. Meetings were advertised and representatives from Escambia County Florida or Calvin McGhee appeared to update the Bruce Indian Community with information on the lawsuit, along with the community's newsletter. **(Exhibits 51 and 62)**

The land claims settlement of the 1950s continued to reinforce the idea of a more public form of governance of the Muscogee Nation and an influence over its membership. However, even before this litigation, the township maintained governance over its community and continued the traditional social and economic ties in the townships. The tribal Council House of today, where community meetings of the 1950s occurred, is in the same building that was used to educate our Indian children as early as 1895. **(Exhibit 54)** Calvin McGhee from Creek Nation East of the Mississippi had driven across North Florida in the 1950s and found legitimate Creek people with governance, culture, tradition, language, clans, and ceremonial grounds. The political coalition that was formed with J.J. Ward who served as the Executive Director of the Democratic Committee, gained access to many Congressmen who could assist in a successful resolution of the Creek Land Claim Settlements. **(Exhibits 116)** J.J. Ward used his position with the Democratic

Executive Committee to further the legitimacy of his Creek communities and found ways to financially contribute to the revenues required to process this lawsuit. He furnished envelopes for use by Judge T.C. Hand in Bay Minette to defray costs to the Creek Nation East of the Mississippi. But, it also gives evidence to the separate nature of the Bruce Community, and the desire to take care of their own needs without obligation. **(Exhibit 120)**

Thus, this tribe's leaders were instrumental in Poarch Band becoming federal by lending legitimacy through its membership and its efforts in supporting the Land Claim Settlements. It is the general feeling of this tribe that when Poarch Band of Creeks needed Indians in mass, they came to the Creeks in Florida to help them get what they now have. They came to us - we did not go to them, nor did we need them for our Townships to successfully function or to be recipients of the Land Claim Settlements. J.J. Ward represented some 2000 people across the townships of North Florida. He was able to generate a political movement of letter writing to Washington D.C. on behalf of the Creek people to the extent that a Tribal Services file was established on him as a leader of Indian people. **(Exhibit 91)** There is a Congressional letter that acknowledges that pressure is being placed on them by the Creek people to take action on behalf of Creek people. This movement resulted in the Indian community of Bruce as a known seat of government for the Florida Creeks. It still is today. **(Exhibit 52)**

It became evident to the leaders of the Choctawhatchee Township that the Creek Nation East of the Mississippi had neither the authority to file for claims on behalf of Creek Indians nor the expertise or political influence to be effective in its filing. **(Exhibit 75)** As a result of this knowledge and the 1960's issues centering around "who was the real chief?" the majority of the Township's docket recipients had genealogical records and other personal records immediately returned from Bay Minette. **(Exhibit 131)**. The general feeling of Muscogee Nation's communities was that without Calvin McGhee, there was no true leadership for ALL of the Creek people. The Townships proceeded to secure the land claim settlement without assistance from the Poarch Band of Creeks to the benefit of those people who elected to participate. It is noted that when the second docket settlement was made, the Tribal Council again had to take the matter

to Washington D.C. because the Poarch Band's leaders who had obtained federal status determined that they should have all of the settlement. (Exhibits 63 and 64) It came as no surprise to our elected tribal leaders. This was the typical policy after the death of Calvin McGhee and the subsequent removal of his son, Houston McGhee, from office.

In 1974, the state agency called the Northwest Florida Creek Indian Council was established to care for the needs of Creeks in North Florida because an end result of the Land Claim Litigation was a recognized and documented minority. And, once again, individuals from Atmore, Alabama were seen by the local government in Walton County where the Bruce Indian Community is located, searching for Indians. It is well documented that Eddie Tullis was Calvin McGhee's personal driver as he traveled across Alabama and Florida. However, it has always been a question in the minds of the leadership from Bruce as to why these individuals did not seek relief in the State of Alabama where they ultimately created a reserved tribe. It appears that they used the Bruce and Blountstown Indian Communities as stepping stones in their pursuit of federal recognition for a specific group of Creeks in Alabama - some of whom have relatives in Escambia County, Florida. The bottom line was that the state 'Council' found that they had a Council but no tribe of Indians. Without followers, access to different types of funding was limited. The same families that had been in control of North Florida for the past 150 years eventually found representation by Gubernatorial Appointment to the Northwest Florida Creek Indian Council - but only after meeting with the County Commissioners and agreeing that this was the course the tribal people wished to take. Contrary to what they had been told, it was soon discovered that programs were basically non-existent inside this Council. There were some commodities handouts, but these never seemed to reach the Townships that were outside Pensacola Urban Indian Area. There was also a CETA program that a few members were able to work through. After the petitioning document was returned in 1978, it seemed that the state council wanted to eliminate the elected tribal council - as though our people never had existed.

In 1978, the Florida Tribe of Eastern Creek Indians filed a petition for recognition that contained an historical work contributed by Professor Ralph Hunt who was also invaluable in creating a

book of our surviving language. At the time of submission, the federal register had been issued with revisions to the process and the petitioning data of the Florida Tribe was returned as incomplete with regulations on how the petitioning document must be submitted. When the Governor appointed township leaders of the Muscogee Nation of Florida to service on the Northwest Florida Creek Indian Council, Eddie Tullis directed his efforts to Atmore, Alabama. The members of the state appointed council found that the Florida Tribe of Eastern Creek Indians Representatives would not allow a dismantling of the tribal government. It was not long before Buford Rolin and Eddie Tullis had both crossed state lines back to Atmore and petitioned for Poarch Band as a separate and distinct Indian entity. It was not the first time that these individuals had abandoned an organizational structure that also represented Florida Creeks. However, in this case, the people of the Muscogee Nation of Florida had been of those same communities that help to make Atmore's legitimacy a reality through the litigation of the Creek Nation East of the Mississippi.

**TA Letter page 6, " Leaders" Paragraph 1**

**"Essentially, the petition as presented analyzes the internal leadership of the Ward family group, analyzes the internal leadership of the Harjo/Boggs/Parrott family group, and does not address the historical leadership of the Escambia County group."**

To answer the Technical Review question of leadership in Escambia County requires the knowledge that some early leaders of the Florida Tribe of Eastern Creek Indians, now called the Muscogee Nation of Florida, are attached by bloodline to people who reside in Atmore, Alabama. The city of Pensacola in Escambia County, Florida has been considered a melting pot of people seeking employment that includes Indian people from both Florida and Alabama. The rural areas of McDavid and Bogia, as well as Chumuckla, East Point, and Jay in Santa Rosa County are areas that have a past and current attachment to this tribe through the families of Wards, Nelsons, Nichols, Ellis', Steeles, Stedhams, and Stiggins.

Naturally, today's tribal structure was altered because of the recognition of the Poarch Band of Creeks in 1983. It could not help but be altered because of the proximity of the communities, the rates of intermarriage, and the continual migrations between Escambia County Alabama and Escambia County Florida that had occurred over the past 150 years. And, the tribal membership had been determined through the assistance of a state appointed Council. At the time this petition was filed in 1996, the tribe was in the beginning stages of an internal audit of 25 years of membership records through the assistance of a grant from the Administration for Native Americans. The BAR staff comments on membership have led us to believe that a computerized mailing list was printed out to accompany the petition. The TA Letter response from this council includes a roll that has been certified by elected representatives from each township, along with a pedigree chart on each member.

There have been an abundance of 'leaders' from Escambia County, mostly self-proclaimed with few followers and self-interest at heart. We cannot be responsible for, nor do we respond to, those 'leaders' who do not care about the Indian people and have not understood the nature of a tribal government through time. While the National Council can and has referred to technical reports on the Poarch Band of Creeks (per your own recommendation in the TA Letter), this tribal government has an in-house, up close and personal, governing history with current Poarch Band leadership and the group formerly known as the Creek Nation East of the Mississippi.

As you are well aware, current leaders of Poarch Band (Buford Rolin, Eddie Tullis, W.V. Williams) were in regular attendance at meetings of the Lower Muskogee in Georgia and Florida with Neil McCormick and Wesley Thomley. This is based on petitioning data that was located in the Georgia Archives. **(Exhibit 89)** Interestingly enough, they began working with the Northwest Florida Creek Indian Council in Pensacola shortly after the minutes of exhibit 89 were issued. This Council was supposedly for the rights of Florida Creek Indians. As is noted by its Council's minutes, they also had a long term cooperative relationship with Wesley Thomley, who was allowed a place on the agenda at each meeting. They were attempting to run the Florida Tribe of Eastern Creek Indian's elected council, as well as, keep a controlling hand in Atmore, Alabama

(Poarch). While this can be construed as an answer to 'leadership' in Escambia County, it does not speak to the issue of truly leading the Indian people of these communities, of creating jobs, maintaining social interaction, and having a known following of Indians. It does appear to be an excellent example of a few people looking for the best chance at federal recognition and finally determining it to be located in Atmore, Alabama.

In answer to your comments, it is the consensus of this Tribal Council that the more public Escambia County leaders of the 1970s and 1980s, such as W.V. Williams, Wesley Thomley of the Lower Muskogeas, Riley Rolin, and others were spin offs from the time of Calvin McGhee that lived and worked in Pensacola and, in retrospect, were displaced members of Poarch Band. These people were able to become attached to the Florida Tribe of Eastern Creek Indians through the first election held by the Northwest Florida Creek Indian Council 1978 because they resided in Florida. Unfortunately, each one believed they owned the organization and, with that ownership, the right to determine all policy that was affecting the Creek people. Today, the National Council of the Muscogee Nation still has Creek leaders from small communities that have historic ties to Escambia Township. This includes the Ellis family, who are members of Elijah Ward's family, and have served on tribal council for 2 generations, and the Pentons who are of the Nelson line.

Earlier leaders of Escambia County conducted 'membership drives' in early 1978 at grocery stores and shopping centers located in Pensacola, Florida without any requirements of bloodline, kinship, community affiliation, or even a docket payment letter. There were no legitimate determinants in place, nor the basic knowledge of a community. This was not so in the old Walton County and Calhoun County townships. When the first election was called for by the Northwest Florida Creek Indian Council, there were few limitations on who could run for the position because the Council had been set up on a county structure - not a township structure. Some counties had no Indian communities. At the time, no one was federally recognized, no 'formal' governing document was in place for the people, and the Escambia County 'leaders'

from the Pensacola area were loyal to Florida Creeks because it was where they resided and worked.

While the people of Muscogee Nation of Florida had no legal reservation land since the John Blount treaty, the actual 'land base' of our people has been known and recognized throughout Northwest Florida. The tribal Council House sits on homesteaded land of Creek pioneers, just as members of Harjo-Boggs still reside on Treaty land. When the tribal election was held that moved the administrative office and center of this tribe back to the heart of our territory in Bruce, Florida members of today's Poarch Band of Creeks physically stole the non-profit charter of the Florida Tribe of Eastern Creek Indians, re-established who the officers were, and attempted to maintain personal control of the tribe against the will of the Indian people. The Tribal Council of Muscogee Nation was required to initiate a lawsuit to reclaim the charter in the District Court in Pensacola Florida. **(Exhibit 8)** The Florida Tribe of Eastern Creek Indians won this litigation. Upon this defeat, W.V. Williams disappeared from our tribal entity and resurfaced as a new member of Poarch Band in 1990. Mr. Williams, who purportedly represented the Indian people of Escambia County, only did so if he were in charge. He could only follow if he was personally federally recognized. Wesley Thomley died and may or may not have left a successor. This tribal government has had no contact with the 'Lower Muskogee' people, nor any government entity which represents themselves as such. We are unsure if Wesley Thomley was Indian, although he did continuously attach himself to Indian people from Perdido Bay area through Holmes County, Florida..

Obviously, the relationship between members on the Northwest Florida Creek Indian Council who served as the Executive Board over the National Council was not to the benefit of our people. In fact, in an interview with Carolyn Davis, now a Poarch Band Councilwoman, who worked as the Executive Director for the Northwest Florida Creek Indian Council, "all those people in Florida care about is their language and their culture." **(Exhibit 132)** When viewed in the proper context, Ms. Davis' interview in its entirety is an excellent example of Poarch Band's influence on people who are hired to represent the best interests of Creek Indians in Florida. Somehow, federal

acknowledgment was reduced to the idea that only one Creek tribe could be recognized by the BIA as is the second exhibit that has been provided of minutes dated May 23, 1982. Therefore, those members/leaders of Poarch Band who served on the Northwest Florida Creek Indian Council determined that it was in their personal best interest to have Poarch Band of Creeks recognized. Consideration was never given to the historic understanding that our two tribal governments were separate and distinct from one another and had been for many years, that they served different people, maintained different societal interactions, and could be equally representative of the Creek people at the federal level. Attempts to receive support for the Florida Tribe of Eastern Creek Indian's recognition from Poarch Band of Creeks were unanswered in the past. **(Exhibit 133)** The council has not pursued it further nor maintained contact with the now federal tribe of Poarch Band of Creeks, whereas contact has been maintained has with the Seminole, Coushatta, Alabama Coushatta, and Miccosukee Tribes of Florida.

Consequently, the Florida Creeks had as an 'Executive Director' an entity known as the Northwest Florida Creek Indian Council that was supposedly directing the recognition efforts of the Florida Tribe of Eastern Creek Indians. It was conducting the business of tribal government - even though the agenda was not directed towards the betterment of the Creek people in Northwest Florida. Obviously, the state Council was no longer of use to the tribal government as an Executive Director. It is noted that the Council had been created with the political support such as that of Senator W.D. Childers of Pensacola, Florida, who was married in the Bruce Indian Community. Senator Childers was also instrumental in introducing the resolution for the state recognition of the Florida Tribe of Eastern Creek Indians. **(Exhibit 18)** Even though a few of the Bruce Indian Community leaders were participants on the Northwest Florida Creek Indian Council, this agency did not serve as the governing agent of our people after the first three or four years of the Florida Tribe of Eastern Creek Indian's formalized structure. The Northwest Florida Creek Indian Council was not able to assist our government in meeting the needs of our people nor was it a Council that was comprised solely of elected Creek Indians. **(Exhibit 134)**

By the mid 1990's, it had become a Council of representatives from Pan-Indian groups who could not document their Indian bloodlines and had no contact with our tribal government.

The Tribal Council has not given credibility to this organization nor the appearance that this group in any way represents tribal membership since 1987. The Florida Tribe of Eastern Creek Indians received state recognition apart from the Northwest Florida Creek Indian Council in 1986. The Northwest Florida Creek Indian Council became an unfunded entity and was removed from Florida Statute 285 in the year 2001. While the leaders of this Nation recognize the importance of this Council from an entirely historical perspective, the government of Muscogee Nation of Florida is well equipped to handle the needs of its people without intervention by the State of Florida. **(Exhibit 135)**

The Tribal Council of the Muscogee Nation of Florida works hard to stay disassociated from newly created Indian organizations and self- appointed Chiefs. There are numerous factions in Northwest Florida - just as there have been since the days of the land claim settlements. However, most of these groups have no knowledge that a Creek Land Claim Settlement ever occurred. The Indian clubs of the Panhandle of Florida are composed of people who may or may not have managed to collect some sort of historical data that possibly ties them to a Creek Indian, with no understanding that a blood line is not the equivalent of tradition, social ties, language, communal commerce and governance by a tribal people. The problem with the ever increasing Pan-Indian groups in North Florida has escalated to the point that our rolls closed two years ago.

The petitioning document that was filed in 1996 failed to respond to the requirements for federal recognition in accordance with specific parts and sub-parts of 83.7 (c), even though it seemed that some exhibits related to the elements required by this part.

**C-1 (i)**

Mobilization of groups members was important during the Land Claim Settlements as was discussed above. In addition, J.J. Ward encourage the Indian population to work in the shipyards in support of wartime efforts. **(Exhibit 32)**

Other examples included such community activities as barn raising, house building, clearing land for farming and homes, the maintenance of tribal cemeteries and quilting, the use of block vote to mobilize members to support Indian candidates or those candidates that support Indian activities, such as Representative Earl Hutto of Panama City who regularly visited the leader of the Bruce Indian Community. Mobilization in recent times has included the prevention of construction on mound areas and sacred sites and the distribution of food and clothing to tribal townships. A sample form has been provided from the Farm Share program. The tribe distributes approximately 42,000 pounds of food per month inside the townships. **(Exhibit 125)**

Activities that involve communal harvesting and gatherings have been documented in Section B by affidavits from many members and by oral history tapes. Included with this was the communal picking of blueberries, grapes, produce, basket making material such as pine straw by the women. Catfish traps were made of cypress splints and was a communal activity with the men. There was also seasonal mobilization by conducting shoulder to shoulder turtle drives and collecting of palmetto hearts that was then cooked in large kettles at the end of the day for the community members to share. **(Exhibit 34)**

Burial practices were also an example of community mobilization. The washing and dressing of the body was preformed by elder women and midwives. There was an extended wake with the body left at the deceased's home with burial occurring four days after death. Firewood would be gathered by the men and a fire was burning outside the home. This was where the men would gather and talk about the life of the deceased community member and determine the best ways to help the family members left behind. **(Exhibits 31,38 and 95)** Food was cooked for the family of

the deceased and many times, monetary funds were solicited and then provided to widows by the leader of the community. The house was thoroughly cleaned by the women outside the immediate family.

The grounds were maintained as a community effort and still are. When the grounds of Antioch were strong, a bucket of sand was brought to the grounds by each clan. This white sand was from the Gulf Beaches and was quite deep to prevent the growth of weeds in between ceremonies. At the grounds, the arbors were rebuilt and new willow was gathered regularly. The arbors that later were placed in front of churches were also maintained by males and females on specific work days for the community. The church in the Bruce community was destroyed by a tornado in 1929 and was rebuilt by the community. The timber was harvested by the males from the river and milled at Red Bay north of Bruce. Women would cook and provide lunches and dinners while the men labored. These days would be announced by the leader of the community.

The tribal council has intervened on behalf of members who have lost their jobs because of racial discrimination and has met with local schools to ensure tribal member's children are registered as Indian inside the school system. In the early school history of the Bruce Indian School, the tribal members taught at the school, repaired and maintained the school, transported the community's Indian children, cooked at the school, and supervised the school's expenditures.

#### C-1 (ii)

The communities of Muscogee Nation adhered to unwritten rules that governed the behavior of members. For example, if someone recommended a candidate for public office that would benefit the community, a block vote was created to ensure that candidate was elected. This was true in the case of the community leader J. J. Ward, who was the longest running County Commissioner in Walton County since its creation by the State of Florida. A typical method of handling disagreements in a community was through a petitioning process. Heads of families within the

township signed a petition which was presented to the Headman for action to be taken. There is written evidence of this in a letter written by Malzie Ward Pate in the 1940's to her sister that involved a problem with the Creek teacher at the Bruce Indian school. **(Exhibit 136)** These petitioning problems were worked out between the Headman and the parties involved.

There were some crimes inside the community that were not allowed by the leadership. This included failure to provide for a family, theft, and failure to work for the community in projects that required all members to participate, such as building houses or farming. There were different punishments assigned to these crimes. Banishment from the community was typical for such crimes as repeatedly disobeying the leadership, failing to provide for a family, lying, and cheating. This banishment was determined by the heads of families or clan heads and was carried out by the leader of the community. Some cases such as theft of pelts and food sources that contributed to the livelihood of a family were punished by death, particularly in the Apalachicola Township community of Woods outside of Blountstown. **(Exhibit 34)**

### **C-1 (iii)**

The Muscogee Nation has a registrar that is maintained by the Tribal Clerk of all voting members of the nation. The tribe also publishes a quarterly newspaper that covers current tribal issues, township information on members and activities, services of the tribe, and other such business. The Tribal Council is listed on each newspaper with a phone number. There is also a web site and an e-mail address at the Tribal Council house. Each community leader is responsible for contacting its membership and is the go between for the member's problems to the tribal council.

Muscogee Nation of Florida has a series of satellite townships that conduct meetings for township members. While it is up to each member to exercise the initiative to contact the tribal council, the council makes sure that it is accessible. Hearings are available to be conducted on issues that may have raised the concerns of tribal people.

A recent event was the destruction of the tribe's fire mound at the White Earth Tribal Town. This matter was brought before the Tribal Council by the elders of the town and a resolution was passed by the Council which was forwarded to the F.B.I. on behalf of its membership. The governing body determined this to be a hate crime and offered tribal land for the grounds to be relocated for the protection of the tribe's citizens. **(Exhibit 137)**

**C-1(iv)**

The group meets criterion 83.7 b (vii) at more than a minimal level which meets this criteria sub-part.

**C-1 (v)**

The most obvious examples of controversy involves Creek Nation East of the Mississippi and the incorrect information requiring filing for Docket settlements through that tribal entity as has been cited earlier. This occurred during the 1960s.

In 1980, another example of controversy involves the decision of the Florida Tribe of Eastern Creek Indians Tribal Council to continue without the reliance on the Northwest Florida Creek Indian Council as its Executive Board.

The Muscogee Nation has had litigations resolved by District Court in a dispute over tribal governance and leadership and over land claim settlements. **(Exhibits 8, 63, 64)**

In 1998, a small group of members who were of Creek-Euchee lineage in Calhoun County Florida temporarily withdrew from the tribe and filed a notice of intent to petition over a problem with members who did not have adequate documentation or Land Claim settlement and because of an issue involving accusations of improper behavior from the ceremonial leader of Topachula Tribal Town. This matter was resolved by representatives from the Tribal Council to the satisfaction of

the members with the tightening of the constitutional requirements for membership who immediately resumed support of the tribal government and now assists the people of the White Earth ceremonial grounds.

In the month of August 2001, the National Council was required to call a hearing over the intentional takeover of one of the tribe's local satellite office by a disgruntled faction of members who called themselves the 'Doyle Band'. This action violated the sovereignty of the Nation and its ability to govern as a tribe and resulted in the tribe's first suspension of an appointed National Council Representative. The individual subsequently withdrew from the tribe. This representative was new to tribal government and had just returned to the area after living outside the tribal community for some 35 years.

A police report was filed on behalf of the National Council regarding a break in at the tribal council house and a theft of records that included a copy of the membership roll and genealogical data which is covered by the Privacy Act. This case is still under investigation. **(Exhibit 69)**

A policy which has regularly generated discussion has been the tribal tax that was instituted in 1993. This tax is payable by in kind services, money, or trade. However, there are members who believe that they should not be forced to participate or be subjected to a resource generating element of the tribal government. This tax helps covers the Nation's administrative costs. Any excess is place into a land fund for helping to defray land cost upon federal recognition. This tax has been brought to the council on numerous occasions by both citizens and representatives. It is still in place and most members try to adhere to this policy.

## **C-2**

Land ownership in Muscogee Nation was established through homesteading, not through a collective acreage of reservation land that could be disbursed by the governing body of the tribe.

The Blount reservation, however, is an issue that must be further investigated, as some of the Blunt party through the lineage of Tuski Harjo were never removed and remained on the Treaty Land. Such is the case of the Harjo-Boggs/Parrot group who still remains on some of this acreage and is known by county officials. **(Exhibits 138 and 139)**

There were mechanism was in place for changing titles to land between Indian people. Land could be transferred to other members of the community through the abilities of the headman, who could perform the civil requirements. In some instances, communal workers would work for the leader of the community to acquire a piece of land, while living on that land. In other instances, land was made available for purchase at a minimal amount to children of community members for settlement. Land titles were primarily a responsibility of the community leader.

Taxes were not an issue in the Bruce Indian Community until the county began a forced garbage pickup in 1999. Prior to this, there are no tax records and the Indian people of Bruce did not pay taxes - nor was there a collection of such.

**C-2 (ii)**

Disputes were handled by the head of the community who would meet with the heads of family and jointly to discuss the problem or situation and determine the best course to take to handle the problem and decide when and where this would be done. Such problems included domestic disputes, conflicts over cattle or personal property ownership, river rights for fishing and hunting. There were no sub-groups to settle disputes with. There were so few of us and so many other adversarial forces outside the group itself, that conflict was relatively minor and contained in the community with the strength of the leader.

**C-2 (iii)**

Cousin exchange marriage between first cousins was normally prohibited and such couples were not considered members of the community. They were banished by the heads of families and leadership of the community.

**C-2 (iv)**

Shared and cooperative labor are mentioned in many affidavits. The labor for the community fell under the leadership ability of the headman of the community and those families which respected his ability as the leader.

**C-3 (i)**

Please see exhibits including the Abbott-Parsons Roll, the Letter and minutes from the Walton County School System.

**C-3 (ii)**

A list is certified on membership.

**Criterion 83.7 (d)**

**Governing Document**

**Page 7, paragraph 1**

**“The petition includes a copy of the constitution of the Florida Tribe of Eastern Creeks which was adopted on May 28, 1978, with amendments made between 1980 and 1991. Article IV and V of the constitution describes the geographic jurisdiction and the membership criteria; however, there is no description of how the chairperson or membership committee determines that the applicants are eligible.”**

The constitutional changes that were adopted in 2001 affects the geographic boundaries of this tribe, as well as, membership and structure. A copy is provided to you along with a map that stipulates the primary service areas. Primary Services areas are mapped out and named ‘Townships’. These townships are really outreach offices of the tribe and were determined by the population concentration of tribal members. Tribal codes that were created in 1992 are now being re-worked to fit the new governing document as they have been kept in place by the Tribal Council. The center of governance remains in the Bruce Indian Community of the Choctawhatchee Township, where it has been for well over 50 years. When the genealogical records are studied, the pattern of cross marriage will verify the connection between the 4 outreach centers and Bruce. Applicant eligibility, as stated in this paragraph, is covered in the section on Membership Criteria.

**Page 7, Paragraph 2**

**“Were there governing documents for the Northwest Florida Indian Council or any other organization that preceded the formal organization of the FTECI? If so, please enclose copies of those constitutions.”**

During the Land Claim Settlements of the 1950s, members filled out application forms to the Creek Nation East of the Mississippi. However, after the tribal leadership found out that the applications must be made by individuals, not by tribe, applications were returned to Bruce. This

ended any appearance of tribal relationships. In 1974, the Florida Legislature established the Northwest Florida Creek Indian Council to cover a 3 county area: Escambia, Santa Rosa and Okaloosa. This creation was shortly after the monetary settlements from Docket 21 litigation were dispersed and, in effect, the State had a new minority. Buford Rolin, now a resident of Atmore and a member of Poarch Band, was the 1<sup>st</sup> Chairman of this Council. It was created to represent Creek Indian issues in Florida in accordance with State Statute 285. There were members from a part of the tribe's townships, but they were appointed by the Secretary of State rather than elected by the tribal members. **(Exhibit 55)** The tribe did not have the final voice in its own representation. State Council jurisdiction continued its official expansion across North Florida to include Bruce Indian Community in Walton County and Blountstown Indian Community in Calhoun County.

The governing document for the Northwest Florida Creek Indian Council was Statute 285 of Florida Law. Members were appointed through the Secretary of State's Office by the Governor. A sample appointment has been included. **(Exhibit 140)** Creek appointees from the Muscogee Nation of Florida were recommended by leaders of the tribal townships. However, the statute did not restrict Council members to Creek Indians, nor were members of this council a part of one tribal group. The statute and by-laws served the tribe until 1978 when the first written constitution was put into place for our people.

*It must be understood that this new state Council and subsequent written tribal constitution did not dissolve the pre-existing mechanisms that were in place in the Indian townships that constituted governance across the years of our history.*

Through this council, the traditional remnant members of the townships once called Hickory Ground, Tusegee Town, Eufaula, Apalachicola, etc. furnished Creek self governance in a modern day structure incorporated in 1978 as the Florida Tribe of Eastern Creek Indians. Using a non profit corporate entity and obtaining federal 501(c) 3 tax status as an Indian tribe enabled the tribe

to participate and engage in funds development for the benefit of its membership, for the delivery of services, and for the furnishing of diversified programs to members in its townships.

Since the inception of the Northwest Florida Creek Indian Council, the tribe has made its own gains and strides towards self determination and has succeeded in gaining independence from the State of Florida. In 2001, the State of Florida formally dissolved the Council created under Statute 285. This had no negative impact on the tribal government nor its people. The tribal members governing council had not participated in the state Council for many years, preferring to concentrate on the establishment of an acknowledged sovereign nation. There had been no cooperative tribal-state relations of any significance that affected governing, nor had it affected the tribe's receiving grant funding from the State of Florida. **(Exhibit 141)**

In 1986, the State of Florida recognized the Florida Tribe of Eastern Creek Indians by concurrent resolutions of the House and Senate. Although the tribe received state recognition in 1986, the promise of 200 acres of land to be granted for the use and benefit of the Creek people never materialized. The Muscogee Nation of Florida continues to maintain and function as a governing entity, identified and recognized by local governments, as a Creek tribe. **(Exhibit 44 and 148)** Muscogee Nation of Florida has held regular public meetings since its formation which, given the obvious interest of the earlier petitioners in Florida Creek Indian issues, these people attended – as the public often did and still does. **(Exhibit 143)**

### **Membership Criteria**

**Page 7: paragraphs 3-4**

**Include in the petition a description of the application procedures, a copy of the membership application, a description of how the Florida Tribe of Eastern Creeks determines whether or not an applicant is eligible for membership, and a description of the group's procedures for the maintenance of official enrollment records.**

**Please explain the membership criteria for the earlier group(s) such as the Northwest Florida Indian Council, which you regard as having preceded the organization of the Florida Tribe of Eastern Creeks.**

The Northwest Florida Indian Council was created to serve the Creek people of Florida following the 1971 docket payment letters received by Indian people. This Council was a formal structure that was put in motion by the State of Florida because our people had no representative voice to the government or to service agencies. This Council did not have a 'roll' of members. In terms of your comment that states 'our tribe regards this Council as preceding our organization', please see documentation on the 1978 election of tribal representatives and the letter from the Bureau of Indian Affairs on this subject. **(Exhibit 60)**. This council was given oversight authority on the early activities of the Florida Tribe of Eastern Creek Indians. It was not, nor has it ever been, the same as the tribal members and constitutional government represented by the Florida Tribe of Eastern Creek Indians. The Northwest Florida Creek Indian Council did attempt to conduct a census in the early 1970s of people in the Creek towns across Northwest Florida. **(Exhibit 56)** In fact, some of the original census records are still in the Council House in Bruce, Florida. As a state Council, it became the Executive Branch of the Florida Tribe of Eastern Creek Indians in 1978 and stayed such until the tribe became state recognized and could firmly stand on its own feet for the Creek people. The first Councils were mixtures of what is now Poarch Band leaders, interested citizens, and Florida Creek leaders. The office was housed in Pensacola Florida which is a known urban Indian area and a melting pot for Alabama and Florida Creeks seeking employment. Contrary to the Northwest Florida Creek Indian Council, which later became known as the 'Creek Indian Council', the elected council of the Muscogee Nation of Florida is chosen by Creek people to represent Creek people. The Florida Tribe of Eastern Creek Indians, now Muscogee Nation of Florida, was recognized by concurrent resolutions passed by the House and the Senate in 1986 as the governing agent for Creek Indians in Florida. **(Exhibit 18)** Therefore, there was no need for the tribe to continue to support this state appointed council - who did not support the tribal government. The Northwest Florida Indian Council was subsequently no longer funded and was eliminated from Statute 285 in the 2001 legislative session. The tribal government continued to handle the affairs of its people.

### **Muscogee Nation of Florida Membership Process:**

**Application Process:** The Muscogee Nation of Florida accepts applications from individuals who have an historical blood tie to existing and past members from the Townships of this tribe per Article III, Citizenship, of the Tribal Constitution. The authority for membership eligibility is the responsibility of the Citizenship Board. This Board was originally instituted with the first formal document of this tribe in 1978 and is covered under the Tribal Codes.

An application can be received at the township satellite offices or by writing or calling the Tribal Clerk at the Tribal Council house. The application package is forwarded to the requesting person.

This package includes:

1. An Instruction letter that specifies constitutional membership requirements with a checklist that is signed by the Tribal Chief;
2. A pedigree chart from applicant to documented Creek in historic Creek Nation prior to removal;
3. An affidavit that must be signed to ensure the individual does not belong to another federal tribe. The affidavit identifies the family member that is in the tribe;
4. A general information/individual history sheet.

The requesting individual returns the Application and supporting documentation to the Tribal Clerk where it is logged in and dated by the Tribal Clerk. An individual folder is started on the applicant. If the application package appears administratively complete, it is placed in a file for review of the Citizenship Committee. There is a \$25.00 non-refundable processing fee required of applicants. This fee was passed by the Tribal Council in 1990. Between the 1970s and the 1990s, Muscogee Nation of Florida did not have a processing fee. Unfortunately, overhead costs to the Tribal Government for the paper, postage, printing, and copying were too great to continue the free service.

Since the Tribal Council has grown more proficient at writing and receiving grants, the application fee is either placed in the general fund to support local projects or in the tribal investment fund at UBS Paine Webber to be used for purchasing reservation land upon the tribe's federal recognition.

In the event that the applicant has a financial hardship that prevents the paying of this application fee, the head of the Citizenship Committee can determine another method of payment or volunteer (in-kind) services to cover the fee. No applicant has ever been turned away nor denied membership if there is such a financial hardship.

**Application Requirements:** Applicants must include a birth certificate and/or docket letter from the BIA, supporting genealogical information (the minimum being marriage records of applicant's parents and grandparents), census records or land deeds that show the member to be of known Creeks who have resided in the State of Florida for over 100 years with direct ties to tribal townships. Any additional records that the applicant submits for historical evidence will also be placed in the file. The Pedigree Chart requires the applicant to provide blood ties back to a known Creek of historic Creek Nation prior to removal. An Affidavit must be signed that lists the Township that the applicant identifies with and the name of a tribal family member. This assists the membership committee in cross referencing the applicant.

**Application Review Process:** A 5 person Citizenship Committee is appointed by the Tribal Chief. The Committee is reviewed every 2 years following National Council elections. This Committee is designed to include one member from each of the Tribal Townships that is familiar with the people represented in the area. The Tribal Clerk uses the applicant's information to search against the tribe's Active Members database, including the listing of payees from Land Claim Settlement litigations that was issued by the Muskogee Area Office.

The Citizenship Committee reviews each applicant's file and places it in either the Approved or Non-Approved category and returns the file to the Tribal Clerk. If the applicant meets

membership requirements, the Tribal Clerk issues a letter signed by the Tribal Chief that the applicant should appear before the Tribal Council on the date of the next Council Meeting. A list of all eligible applicants is furnished to each member of the Tribal Council prior to the Council meeting for their review.

On the day of the Council meeting, the head of the Citizenship Committee calls out each prospective member's name and the individual identifies himself/herself to the Council. The National Council is allowed to ask questions of the applicants, if they so desire and then votes to accept or deny citizenship. If the applicant is unable to appear before the Tribal Council, an active tribal member of the same family or band may make arrangements in advance to stand in their place. If the applicant is not in attendance and has no representative, he/she is not voted on until such time as they can be present.

**Juvenile members:** A separate roll is maintained for all minors. The minor's birth certificate is placed in the parent's file until such time as they reach adulthood at age 18. The minor is then notified that it is time to apply for adult citizenship. The tribe does not move members from child to adult without an application being filed by the individual. If the juvenile was a docket recipient and reaches adulthood, the Tribal Clerk assists them with receipt of Land Claim settlement from the Area Office in Oklahoma.

All new members are afforded the opportunity to vote in tribal elections in the Office of the Tribal Clerk following the vote of the Tribal Council. At this time, they are furnished information on the Township's satellite offices and tribal programs and receive a tribal membership card, signed by the Chief, with an assigned membership number on it.

**Problem Applications:** On occasion, individuals apply for tribal membership who either lack adequate documentation or have failed to provide required documents. If this occurs, the individual is notified in writing of the particular discrepancy. The file is placed in a Pending File in the Tribal Council House until receipt of documentation that will correct the cited discrepancies.

When the individual is able to correct or add to the documentation and meets basic application requirements, the file is reviewed by the Citizenship Committee for clearance and is forwarded to the Tribal Council per the established procedure for tribal membership.

**Application Rejection:** Membership criteria for Muscogee Nation are listed on a cover letter from the Chief that accompanies the application package. Also, the Tribal Clerk talks to potential applicants about citizenship requirements. If a person supplies genealogical documentation that does not have a demonstrable tie to known Creek people of Muscogee Nation and historic Creek Nation, the person cannot be accepted for membership. The applicant is notified in writing of the particular discrepancy. The applicant's file becomes the property of the Muscogee Nation. The Membership Committee returns original documents if the applicant so requests. Should the individual not ask for the files to be returned, they are moved to a separate filing cabinet under 'Non-Approved'.

**Withdrawn Members:** If a tribal member elects to withdraw their membership from the tribe, the individual must send written notification. The Tribal Clerk's office then removes the individual from the Active Membership roll and notifies the Executive Board. Members cannot withdraw other members. The tribe maintains a copy of files and returns originals upon written request to the Tribal Clerk. The withdrawn member may be reconsidered for tribal membership on a case-by-case basis if he/she has not become a federal tribal member. The withdrawn member must request an application package and go through the same process as a new member, with the exception being the submission of supporting documentation if the Tribal Clerk already has that information on file.

**Dual Membership:** The Muscogee Nation of Florida does not allow dual membership nor does it accept applicants who have been turned down for federal recognition with other tribal groups. This statement is on the application affidavit for membership. However, the Tribal Clerk and the Citizenship Committee have no means of verifying the affidavit and must rely on the honesty of each individual. We are relatively sure that there is overlapping membership with Poarch Band

because Pensacola, Florida and Mobile, Alabama are urban Indian areas that have historically provided employment to both tribe's members. (These areas should be designated as such.)

While there have been many intermarriages and cooperative efforts in litigations and even government-appointed Councils, the communities of the Muscogee Nation consider themselves to be separate and distinct from the leadership and tribal activities of Poarch Band. The Tribal Council policy states that individuals who are found to be dually enrolled with Poarch Band will not be allowed to change their membership back to Muscogee Nation. Tribal leaders believe these individuals have chosen personal federal recognition with the tribe and government of their choice.

**Adoption Procedure:** Members of federally recognized tribes may ask for adoption into the Muscogee Nation of Florida for such reasons as seeking/maintaining employment in the area or with the tribal government, spouse membership change from another federal tribe, or adoption of children under the Indian Child Welfare Act.

**Maintenance of Tribal Records:** The Tribal Clerk maintains a complete file on each active tribal member. The file is kept in a fireproof filing cabinet and is locked when staff members are not on the premises. The tribal government adheres to the Privacy Act for tribal records.

Separate files cabinets are maintained for active tribal citizens, deceased tribal citizens, inactive tribal members that have failed to notify the Tribal Clerk of a current address, tribal citizens that have withdrawn from the tribe and non-approved members. The overall maintenance of these records is the responsibility of the Tribal Clerk.

The Tribal Clerk uses an Excel Database to maintain a roster of tribal members. The database has a password attached to it that prevents access to the rolls by unauthorized sources. A backup disk is made on the database whenever the database is updated in the event of a computer hardware problems.

**Past Rolls:** Members of the Muscogee Nation of Florida are in a direct line to Creeks listed on the Abbott-Parsons Creek Census taken in 1832-34 or the Apalachicola Treaty as is required for membership. That is the first 'roll' we're aware of and was provided by employees of the federal government. After the migration into Florida, our people lived in self-sufficient and self-supporting townships that were small, remote, and clearly defined. There was no roll necessary. The second cousin exchange marriages allowed for knowing who one another was. Those members who chose to share in the docket settlements of the 1950s were listed on application paperwork of Creek Nation East of the Mississippi. With the death of Calvin McGhee, such papers were returned at the request of the Bruce community leaders. There is a sample original family 'package' of Creek Nation East of the Mississippi still in the Council House that was compiled and certified in 1956. It has not been included as an exhibit because of its age. **(Exhibit 46)** However, a sample copy of a Creek Nation East of the Mississippi application is included. It is interesting to note that J.J. Ward furnished the Creek Nation his own envelopes and postage via the Democratic Committee to send application packages to Bruce. **(Exhibits 120 and 131)** It is also noted that by using this application, many members thought they were actually signed up to receive Land Claim Settlements.

The first written roll of Muscogee Nation (Florida Tribe of Eastern Creek Indians) was filed in 1978 at the Branch of Acknowledgment and Research with the tribe's petitioning document. The Tribal Council representatives believed that this process was about to come to an end and hurriedly compiled a roll. This roll was incomplete, and in some cases, inaccurate from the townships. A copy of this roll is on file in the BAR office. This original roll was handwritten with names furnished by the elected representatives of the townships.

From 1978 to present, the roll was added to or corrected as necessary. The tribe received a grant from the Administration for Nation Americans to perform an audit on records that were some 25 years old. These records used the membership requirements of the Muscogee Nation of Florida's new constitution that strictly defined membership requirements.

A tribal roll is submitted with in Section 83.7 (e) that reflects the baseline of the tribe's community. Please see that section for additional information on membership.

**Criterion 83.7 (e): Current Membership List**

**Technical Assistance Review Letter: Page 7, paragraph 5**

**"The membership roll which was certified by the council appears to be simply a mailing list with numbers such as "FT# 89013" and "EC#11312" after each member's name. The membership roll does not include birthdates, parents' names, or other information to determine descent or to confirm family relationships among the current membership. Several people have the same numbers. Please explain the relationship of the number to the member."**

From these comments, it appears that a certified roll with supporting genealogical supporting data was not forwarded to you in 1996. The numbers listed are internally identifiable as a very basic, computerized mailing list. Chairman Thomas died during coronary bypass surgery shortly after the technical review was received. Since we have not found additional copies of an official membership roll, we have forwarded the active membership roll for this tribe, along with genealogical information.

When the tribal government adopted the new constitution, the membership criteria was re-defined to define our satellite townships. The tribe received a grant from the Administration for Native Americans in 1998 to audit twenty five years of tribal records. A modern, computerized database was created that allows a by different types of sorts on tribal member demographics. This grant was successfully completed and our certified listing of membership roll has been included. The membership database is created in Microsoft Excel, updated and backed up regularly. It contains the basic information required by BAR and tribal information specific to government projects. We assume that you kept a copy of the 1978 roll when the petitioning document was returned to the Tribal Council, even though this was not stated in your review. The Tribal Clerk's office is prepared to furnish information on names that were listed if you so require.

The identical numbers which are shared by tribal members (i.e. EC # 11312) are the enrollment codes assigned to Creek Indians who were still in historic Creek Nation before 1814. This number was assigned by the Department of the Interior and is found in the upper right hand corner of each letter that was issued for an individual to receive docket payment (or can be eligible to receive future docket payment) under the Land Claim Settlements.

Under our new membership process, each of the member on the list we have submitted has been audited for evidence of docket eligibility, evidence of blood tie to local census records, church rolls from 1912 to 1919 or grounds history to meet the 100 plus years of residency in our townships, direct lineage to a Creek listed on the Abbott-Parsons census or Apalachicola Treaty, and the maintenance of a direct social/blood tie to another member of this tribe. These are our criteria for membership. The printout of the roll includes birth dates and gender. A pedigree chart is furnished on each member with the member's parents listed and the family tree is traced back to one of the appropriate documents for membership.

The number you have cited (i.e. FT # 89013) is the tribe's internal control number for each child and adult member. Each individual has a file in the council house with records that document the lineal bloodline, holds correspondence to the tribe, etc. and has an individual number that is placed on his/her tribal card.

**Technical Assistance Review Letter: Page 8: Former Lists of Members**

**"Were other membership rolls made prior to 1995? If so, please include copies with your response."**

The tribe has maintained and updated its roll regularly since 1978. However, we have no policy that requires a yearly print-out. The roll that you receive with this response is the master roll of our people, prepared through the assistance of a Status Clarification grant from the Administration for Native Americans.

As previously stated, there may still be names that are overlapping with the Poarch Band of Creeks because the Muscogee Nation of Florida tribal constitution only restricts census evidence back to 1895 in the state of Florida and during this time, migrations between adjacent Alabama and Florida were regular. We have attempted to clarify the listing, but it is up to the individual to report if they have joined another federal tribe and need to withdraw from this tribe. Should there still be dual membership problems, the National Council has determined that these individuals are to be left in the federal tribe they chose to govern them prior to this tribe's acknowledgment.

**Technical Assistance Review Letter: Page 8 and 9: Evidence of Descent from the Historic Tribe: specific requests for information and comments**

**page 9: paragraph 1**

**“...you will need to provide some type of ancestry or pedigree charts and individual history sheets or family group sheets for the adults in the current membership. . .”**

A separate pedigree chart is included with the roll in alphabetical order, and organized by the enrollment code that was established by the Department of the Interior during the Land Claim Settlements. Please note that some individuals have more than one docketed Creek line. The pedigrees charts will clarify any questions regarding lineage. There are copies of docket letters stapled to members that received the settlement. Ample evidence has been presented in Section A and Section C to show that not all members chose to pursue such a settlement and that other members records were never submitted in the Department of the Interior.

**page 9: paragraph 2**

**“Please send samples from these files for some of the significant family lines, such as the Ward, Boggs, Ramsey, Daniels, Thomley, and Linton.”**

The tribe has included ample historical documentation on the Ward, Boggs, and Ramsey line, along with many others Creek Indian families who are, in fact, our 'significant family lines'. However, this sentence requests evidence on the significant family lines of "...Daniels, Thomley, and Linton." This tribal government cannot provide data that it has no reason to have. One would assume that Wesley Thomley's genealogy was a part of his petitioning document to you, since he considered himself the Chief of the Lower Muskogeas and Findings and Determinations were issued by your agency. His people were separate and distinct from this tribe. Perloca Linton, who served as Calvin McGhee's aide and, as such, was an acquaintance of members and leaders of this tribe, is not a member of the Muscogee Nation of Florida. She, like Wesley Thomley, was elected by her supporters from Escambia County in 1978, during the first tribal election that was held by the Northwest Florida Creek Indian Council. We have searched our listing of docket recipients that we received from the Muskogee Area Office and do not find her listed. We did find one reference to her lineage on the first ballot issued through the Northwest Florida Creek Indian Council, but have never had possession of any of her genealogical data. **(Exhibit 146)** The majority of this tribe's information centers around Perloca Linton as a genealogical researcher from Calvin McGhee. Members were affected in different ways by association with her. The information she could provide was furnished to some, but not to others during the peak of Land Claim Settlement filings. Since our research demonstrates that Perloca Linton and Wesley Thomley were historically attached to Atmore Alabama, you can possibly direct your interest in these individuals' genealogies to the Poarch Band of Creek Indians. Members who are named Daniels have pedigree charts furnished. However, if you are referring to J. R. Daniels and his son, Charles, who were in charge of the Topachula Grounds, J.R. Daniels is deceased, and his son, Charles, never had children. He had cancer during the mid 1990s and has not been involved in tribal activities for many years. His responsibilities are now carried out by Daniel Penton. It is noted that although Charles Randall was trained in continuance of all ceremonies of Topachula, he was not of the same Creek blood line as J.R. Daniels and did not file for full membership.

Consequently, the Muscogee Nation of Florida can not provide information that will comply with portions of this request. Further, the intent behind your request of specific names is not understood. There are over 1000 members in this Nation - all of which are important, either as leaders or as followers. Suffice it to say that the history of the Wards, Boggs, and Ramseys is well documented. The remaining individuals in question have never been tasked with any official duties from the tribal council nor authorized to represent our member's interests in any way. While the ceremonial grounds are very much a part of many of our people's lives, as is the church, it is still separate from the elected tribal government.

page 9, paragraph 4-5 and page 10, paragraph 1

**“... the petition narrative concerning the Harjo/Boggs/Parrot family does not provide clear documentation that this family can show descent from the historic tribe. . .”**

The Harjo/Boggs/Parrot family is docketed by land claim settlement through Elijah Ward's daughter, Gabriella Ward, who is of the lineage of Jackson Knight of historic Creek Nation. A copy of his docket letter is provided with his pedigree chart. The Cherokee lineage of Chief Ramsey is not an issue in this tribal matter, as there are both Cherokee and Creek ties in this family. We consider the intermarriage of our members with other Southeastern tribes to be evidence of the social relationship that exists between our people. We have provided the evidence that the BAR staff needs to show Andrew Ramsey's blood line, family ties, and lineage are Creek. He was a part of this tribe's more formalized organization in 1978. Ample documentation is afforded to the BAR staff in this response. As your genealogical researchers will find, our people are often named the same things through the generations with little to no variations. This can lead to mistakes by outsiders.

In terms of the questions that you have raised regarding the existence of Polly Parrot, she is buried at Tallequah, Oklahoma. Her grave has been visited by tribal members who have blood ties to Creek Nation Oklahoma and were spending time with their relatives of past Tribal

Chairman, George Hill. If you need information beyond genealogical records we have provided to make a valid determination of Andrew Ramsey's *Creek* ties, we will gladly provide it.

page 10, paragraph 2

**"All of the 19<sup>th</sup> century census records recorded this Boggs family as white."**

Census records of the 19<sup>th</sup> and mid 20<sup>th</sup> centuries in Northwest Florida do not make a listing of Creek Indians, as has been exhibited to the BAR staff in numerous sections of this response. The racial choices that were made available to our people were Black or White, unless we had a desire to be exterminated or removed. The General Assembly law of 1853 is included as an exhibit. **(Exhibit 43)**

It is the hope of the tribal government that since all of our members have either shared in or are eligible to share in the Creek Land Claim Settlements dating back to the 1950s, the question of racial orientation - as was determined by state law - will not be an issue.

**Criterion 83.7 (f) : Members of the Petitioning Group may not be enrolled in any Recognized Tribe.**

Technical Assistance Review Letter: Page 10, paragraph 2

**"A statement from the current members of the Florida Tribe of Eastern Creeks, perhaps included on an application for membership, that the applicant is not an enrolled member of a federally recognized Indian tribe would fulfill this criterion. Similarly, a formal statement from the governing body that the membership is not principally composed of enrolled members of other federally acknowledged tribes is adequate."**

A member of the Florida Tribe of Eastern Creek Indians, now known as the Muscogee Nation of Florida, is required to sign an affidavit at the time of membership application. The member must verify that he or she is not enrolled in another tribe and name a tribal member that is of the same

lineage. There is also a statement on the application form that requires the applicant to certify that he or she has not been a member of a petitioning group whose government was turned down for federal acknowledgment. This additional requirement is an attempt on the part of the National Council to ensure autonomous membership in this tribe. A copy of the affidavit is included that each member must sign. (Exhibit 147)

A certification of membership has been accomplished that includes the above requested statement and the roll has been reviewed by the Executive and Legislative bodies of this government.

**SUMMARY: Technical Assistance Letter - page 10**

A revised and current membership roll has been completed with all required data to place this Tribe on Active Consideration. In response to the TA Letter, supporting documents are furnished along with exhibits and other information that will justify points made in the narrative as well as clarify specific issues in your letter.

A formal letter of transmittal is included along with signatures by the Executive Branch of this government, the Ceremonial Chief, and the Chairman of the Petition Review Committee of the National Council..

**RECEIVED**

MAR 19 2002

**BIA, Branch of Acknowledgment  
and Research**

**Muscogee Nation of Florida  
Response to TA Review Letter  
Petitioner No. 32**

**VOLUME TWO OF FOUR: EXHIBITS 1 TO 69**

**Exhibit Numbers and Content:**

- Exhibit 1** Letter dtd 11/16/83 to Buffalo Tiger, Miccosukee Tribal Headquarters
- Exhibit 2a** Letter from Gov Bob Graham dtd 4/11/85 to Chairman Don Sharon regarding his recommendation of Andrew Ramsey to Governor's Council on Indian Affairs
- Exhibit 2b** Board of Director's Minutes dtd 10/24/85 for Governor's Council on Indian Affairs with Andrew Ramsey listed as Council member
- Exhibit 2c** Letter dated 5/14/85 from Appointment Coordinator for Governor on tribal appointment recommendation
- Exhibit 2d** Excerpt from Tribal minutes dtd 4/28/85: report by Andrew Ramsey on appointment to the Governor's Council on Indian Affairs
- Exhibit 3a** Nation to Nation agreement on water bottling from St. Regis Mohawk Tribe
- Exhibit 3b** Alabama-Coushatta letter to offer assistance in development of health delivery system for the Muscogee Nation after recognition
- Exhibit 3c** USET registration form from 6/5/2000 to show interaction with other tribes by Chairman J.A. Mason
- Exhibit 3d** USET registration form for Tribal Project Director to show interaction with other federal tribal groups
- Exhibit 4** Agenda from meeting of the Northwest Florida Creek Indian Council dtd 3/15/83: the Lower Creek Muskogee Tribe, headed by Wesley Thomley is listed as a separate item on the agenda from the Florida Tribe of Eastern Creek Indians, who is represented by Chairman Donald Sharon. The entities were separate and distinct.
- Exhibit 5** Letter dtd 5/9/83 from U.S. Dept of Interior - Tribal Government Services regarding the endorsement for Poarch Band's federal acknowledgment. This is the only tribe in the Southeast that the council has passed a resolution for.
- Exhibit 6** Affidavit: Andrew B. Ramsey on his relationship with the Lower Muskogees and

their leader, Wesley Thomley

- Exhibit 7 Constitution: Section 18. Authority for the position of Ceremonial Chief
- Exhibit 8 Case No. 90-5093 - District Court. Florida Tribe of Eastern Creek Indians (Plaintiffs) and W. V. Williams et. al. (Respondents) to recover the charter for the tribe after it was assumed illegally
- Exhibit 9 Letter dtd 10/23/90 from W. V. Williams to prevent and interfere with the normal flow of business and governing activities of the Florida Tribe of Eastern Creek Indians. At this time, Don Sharon was the elected Chairman of the Tribe. According to Mr. William's wife, he had become a member of the Poarch Band of Creeks in 1990. If so, this represents the deliberate interference by a federal tribal member in a petitioning tribe's organization.
- Exhibit 10 Minutes dtd 9/14/78 of the Northwest Florida Creek Indian Council giving evidence of the meeting held in Bruce, Florida. Note the names of the Council Members that were appointed by the Secretary of State's Office.
- Exhibit 11 Letter dtd 4/4/78 from the Northwest Florida Creek Indian Council to current Muscogee Nation Treasurer, Zera Denson, on the general election held to elect the Tribal Council of the Florida Tribe of Eastern Creek Indians.
- Exhibit 12 Letter from Executive Director of the NWFCIC with an attached newspaper article regarding self-appointed Chief, Arthur Turner, of Principal Creek Nation. The County Commissioners withheld voting until they met with local Indian leaders before allowing the NWFCIC to have jurisdiction in the area. The meeting included Lamar Ward and Mazie Rossell of the Bruce Indian Community whose membership had chosen to support this Council.
- Exhibit 13a Copy of the Federal Register showing the separate petitioning groups for federal acknowledgment including the Lower Muskogee Tribe, Poarch Band, Principal Creek Nation, and the Florida Tribe - now Muscogee Nation of Florida.
- Exhibit 13b Newspaper article dtd 6/17/76 that shows an election being held by citizens who desired an elected Chief for the Creek people as they believed there was no such representation in the early NWFCIC. This election was a catalyst for the future election of the formal structure of the Florida Tribe of Eastern Creek Indians. It also shows Principal Creek Nation as decidedly separate from this activity.
- Exhibit 14 Bruce Indian Church Rolls from 1919. These families are part of the baseline representatives for the Bruce Indian Community of today. During this time the Antioch Grounds were also available to the community.
- Exhibit 15 Letter dtd 1/10/57 from Lenoir Thompson, attorney for the Creek Indian Land

Claim Settlements to the leader of the Bruce Indian Community, J.J. Ward, regarding falsified census records. The record was prohibited from use by members of his community.

- Exhibit 16 Sample List of tribal members names from 12/10/69 whose applications were being forwarded to the Department of the Interior.
- Exhibit 17 National Archival records and tribal council member correspondence on docket application not being completed by Perloca Linton. Many of our tribal members were affected by this type of activity that was going on across our townships and did not receive docket settlements because of it. This family had paid over \$1500.00 for applications and representation for the Land Claim litigation
- Exhibit 18a Concurrent Senate/House of Representatives State Recognition Resolution
- Exhibit 18b Billboard paid for by the tribe as lobbying tool for State Recognition Bill. The sign was located on Apalachee Pkwy in Tallahassee Florida near the State Capitol.
- Exhibit 19 Resolution 2000-10 passed by Tribal Council to allow Ann Tucker to meet with Mary Blunt Morris on behalf of the Muscogee Nation government
- Exhibit 20 Report on Apalachicola Band of Creek Indians filed by Ann Tucker to the Chairman of Petitioning Committee, Daniel Penton.
- Exhibit 21 Ltr dtd June 30, 1982 from Creek Nation of Oklahoma regarding genealogical request of Mary Blunt Morris who are Polk County Texas Indians
- Exhibit 22 Article dtd 3/7/84 from the tribal newspaper regarding Mary Blunt Morris visiting Muscogee Nation area and her being shown the Blount Reservation where our people still reside
- Exhibit 23 Letter dtd 9/3/89 from Mary 'Blount' to PAEC. Ms. Blount's letters created a series of problems that ultimately affected the tribal language program
- Exhibit 24 Resolution for an Intent to Petition the Federal Government filed 8/10/95 by Mary Morris who is now called Mary 'Blount'.
- Exhibit 25 Letter to Holly Reckord dtd 10/27/95 from Chairman John Thomas on behalf of the Florida Tribe of Eastern Creek Indians and the problem with Ms. Blount
- Exhibit 26 Letter dtd 10/27/95 to Mary Blount requesting her withdrawal by 11/3 /95 and Resolution passed by Tribal Council to remove Mary Lou Blount from the roll
- Exhibit 27 Birth Certificates furnished by Mary Lou Blunt Morris to the Tribal Membership Committee to demonstrate her community/familial ties to the state of Texas. She

has not had a tie to the state of Florida since the removal of John Blunt in 1813.

- Exhibit 28 Affidavit and Vital statistics forms filed by Mary Lou Blunt Morris on 10/21/89
- Exhibit 29 Ltr dtd 10/29/95 to Chairman John Thomas from Andrew B. Ramsey sating that he is not a member of the Apalachicola Band of Creek Indians
- Exhibit 30 Interview with Nathan Chessher from the Red Oak community
- Exhibit 31 Deposition by Ann D. Tucker dtd 21 November 2000 on life and governance in the Bruce Indian Community
- Exhibit 32 Newspaper article on Shipyard Workers and Sugar Cane Production from 1918. J.J. Ward arranged for trucks to transport members of the Bruce Indian Community to Panama City Florida to work. He mobilized most of the men in the community. This support continued across the years as is evidence by an article written 8/9/89 by Ward's daughter, Mazie Rossell who mobilized with Bruce Indian Women back to the shipyard in 1942.
- Exhibit 34 Affidavit dated 10/6/01 furnished by Les and Donnie Conyers. Donnie Conyers is the Deputy Sheriff of Liberty County, Florida
- Exhibit 35 Affidavit by Minnie Boggs at 90 years of age on the leadership and grounds activities in the Blountstown Indian Community
- Exhibit 36 Affidavit: Family Recollections of Daniel T. Penton, Maker of Medicine of the White Earth Grounds (Note: there is a typographical error on the last page where the number of adult members of Muscogee Nation should be around 1,000)
- Exhibit 37 Interview: Mazie Ward Rossell immediately prior to her death. This interview is dated 7/6/00 about the original settlers of the Bruce Indian Community and the leadership in the community
- Exhibit 38 Interview with Sylvester Ward, Assembly of God pastor who worked on Land Claim litigations with Calvin McGhee. Mr. Ward offers information on the traditional grounds activities in the Bruce Indian Community and participants
- Exhibit 39 Letter from Clary-Godwin Funeral home on traditional tribal ceremonies and burials that occur in Bruce Indian Community.
- Exhibit 40 Report on Treaty Land: Guy Fringer
- Exhibit 41 Notarized deposition by Zera Pate Denson, age 77, who is a lifelong resident of the Bruce Community and is Treasurer of the Muscogee Nation of Florida

- Exhibit 42 Land deed transactions between Indians in Walton County
- Exhibit 43 State of Florida: General Assembly Laws of 1852 and 1853
- Exhibit 44 Sample Resolution passed by local government officials on tribal existence and in support of federal acknowledgment (additional letters in Exhibit 148)
- Exhibit 45 Estate document from J.J. Ward filed in 1947 on Creek Indian member by J.J. Ward which shows that there is a settlement from the U.S. Government pending
- Exhibit 46 Sample file cover on William Dennis Ward originally furnished to Creek Nation East of the Mississippi in 1956 (a.k.a. Poarch Band of Creek Indians) After the members of the Bruce Community withdrew from Creek Nation East, families were notified during the 1960s to claim individual records for submission to the Bureau of Indian Affairs for Land Claim Settlement. Some records were not picked up and continued to be held in the tribal council house in their original state.
- Exhibit 47 Photograph in Washington D.C. of representatives from Bruce Florida sitting with Calvin McGhee for sub-committee hearing on land claim litigation. Top right photograph: white haired man with glasses: John Crews. White haired woman in hat: Lura McCook Top left photograph: Calvin McGhee and Perloca Linton. Bottom photos: Senate members and Attorneys for litigation
- Exhibit 47a Sample list of submitted applications from Bruce Indian Community to the BIA for land claim litigation settlement. Unfortunately, all of the community members were not able to receive the docket at their papers were not filed by various pseudo 'genealogists' that included Perloca Linton and Peggy Venable McCormick. Many of our tribal members suffered because of this lucrative trade. These applications were handled by a Bruce Community leader who had certification by outside parties.
- Exhibit 48 Interview with Clarence Mabire, tribal member.
- Exhibit 49 Federal recognition through DOD correspondence on repatriation, et al.
- Exhibit 50 State and Local letters on potential impact of burial areas. The tribal government is contacted regularly by state contractors
- Exhibit 51 Affidavit: Billie Joe Ward on Bruce Women's Club and local community meetings
- Exhibit 52 Letters to Congressman Bob Sikes regarding the impact of hearings on his Constituency that serves as evidence of a mobilization of members.
- Exhibit 53 Series of letters from J.J. Ward to Lenoir Thompson in Bay Minette Alabama including evidence that J.J. Ward is to be a Senate Committee witness

- Exhibit 54 Letter dated 6/22/78 by Juanita Felter using Bruce Indian School as a meeting place
- Exhibit 55 Florida Statute 285
- Exhibit 56 Sample Census Forms: 1976, 1984, 1998
- Exhibit 57 Incorporation papers for the Florida Tribe of Eastern Creek Indians
- Exhibit 58 IRS 501 (c) 3 for Florida Tribe of Eastern Creek Indians
- Exhibit 59a Sample Jackson County Ballot from the 1978 election with instructions
- Exhibit 59b Installation Brochure of the 1<sup>st</sup> elected council through the NWFCIC
- Exhibit 60a Letter from the BIA on the Florida Tribe identity
- Exhibit 60b Letter to Fuques from the BIA on the Florida Tribe's 1978 petition
- Exhibit 61a NWFCIC Minutes of March 1978 stating that only ONE Creek tribe will be recognized and setting up the administrative oversight of the council
- Exhibit 61b Minute excerpts from the first tribal meeting in Bruce Florida which details Escambia County representatives misconceptions on State Line and federal acknowledgment. This idea was perpetuated regularly.
- Exhibit 61c Minutes from 5/28/78 in Bruce, Florida which was attended by Buford Rolin who was pleased to see the strength in the Tribal Council This feeling did not continue after the petition was returned along with 25 CFR 83.7 guidelines.
- Exhibit 62a Newsletter from 1957 issued by Myron Thompson on behalf of J.J. Ward as a method of communication throughout the communities
- Exhibit 62b Handwritten letter from Lamar Ward to Joe (J.J.) Ward on Myron Thompson Mr. Thompson assisted J.J. Ward in legal research during the litigation
- Exhibit 63a Hearing Minutes on Docket 272 claims settlement involving the Florida Tribe and the Poarch Band of Creeks who had determined that the settlement should only be received by their government, since they were a federal tribe.
- Exhibit 63b Memorandum from Congressman Hutto to the Eastern Creek Indians on 272
- Exhibit 64 District Court Lawsuit: Florida Tribe vs U.S. Government
- Exhibit 65 Samples of Federal funding documents received by the Florida Tribe to conduct programs

- Exhibit 66 Executive Order II-1-01 Township Ordinances dtd 8/1/01 on the structure and operations of the sub-satellite township offices
- Exhibit 67a Tribal incorporation papers as Muscogee Nation of Florida. This change was due to the Tribal Council's desire for a more traditional name for federal recognition
- Exhibit 67b IRS correspondence on change of name attached to ID number first issued in 1985
- Exhibit 67c Audit letter from most recent Independent Auditor. Tribal records were all in compliance with federal auditing standards
- Exhibit 68 Historical samples of John Ward documents
- Exhibit 68b Bounty report on Elijah Ward who settled in Walton County in 1834
- Exhibit 69 Police Report filed in Walton County on 2 October 01 after a series of records were missing in the Council House

**RECEIVED**

MAR 19 2002

BIA, Branch of Acknowledgment  
and Research

Muscogee Nation of Florida  
Response to TA Review Letter  
Petitioner No. 32

**VOLUME THREE OF FOUR: EXHIBITS 70 TO 148**

**Exhibit Numbers and Content:**

- Exhibit 70 Collection of Language/sentences from Chris Sewell in Blountstown Indian Community from the early 1990s.
- Exhibit 71 Invitation to Muscogee (Creek) Nation from Bill Fife
- Exhibit 72 Correspondence to Tribal Attorney terminating her representation with the tribe. This was an ongoing problem between 1987 and 1995
- Exhibit 73 Tribal Minutes from 7/18/93 on displeasure with the Petition structure that made the tribe appear to be three separate units rather than one people
- Exhibit 74 Dr. Terry Prewitt and Karen Haworth report on tribal Genealogy and community
- Exhibit 75a Justice File set up on the application process being sold to Indians that was not legal forms from DOI.
- Exhibit 75b Correspondence to U.S. Justice Department by John Crews, designee of J.J. Ward to work on federal litigation issue regarding the use of improper application forms
- Exhibit 76 DOI Application letter of 6/4/69
- Exhibit 77 One of many Blank applications for Land Claim Settlements received by Bruce Indian community leaders to fill out on behalf of the members of the community
- Exhibit 78 Tribal Council Minutes - Membership overlap policy
- Exhibit 79 Membership Requirements - Adoption
- Exhibit 80a DOI letter dtd 12/5/78 acknowledging receipt and return of petitioning documents with notation as to new guidelines that have been developed
- Exhibit 80b Tribal Minutes of 6/1/80 regarding the turning over of tribal records to the Council from the NWFCIC. At this point, the change in procedures from the DOI had led to Poarch leaders wanting the Tribal Council to be disbanded

- Exhibit 81 Ltr from Robert Trepp: Office of the Principal Chief - Creek Nation on the Oak Hill - now Topachula - ceremonial grounds. An invitation to Green Corn is part of the minutes of Exhibit 80b
- Exhibit 82 Pensacola historical summary provided to show the many flags and people that have formed this city, including the Indian people. As a center of commerce for Northwest Florida, Pensacola has been a melting pot of different people for 200 years.
- Exhibit 83a Letter from Eric Jakubowski to Chairman John Thomas on Petition Problems with Mary Callaway, Attorney for the Tribe. Mr. Jakubowski was hired by the Council to re-write the petition and ensure that the 1 community was represented. He was unable to complete his task.
- Exhibit 83b Letter to Chairman Thomas dtd 10/5/92 from the Native American Rights Fund who also had problems with the Attorney for the Tribe
- Exhibit 84 Sample of Creek Indian Census of 1833 in accordance with the Treaty of Washington. Names familiar to our community on this list include: Ward, Steel, Danely, Doyell, Carr, McIntosh, and Stidman
- Exhibit 85a Census partnership documentation including newspaper article of 2/9/00
- Exhibit 85b Leadership in Partnership certificate for the tribe's participation in the assuring Creek identification of tribal membership
- Exhibit 86 Yuchi Information - Walton County, Florida. History where the Bruce Indian Community is located. Bruce Creek is where the historic ceremonial grounds of Antioch were located. Evidence is also provided as to the Creek skirmishes in the Bruce area, including Battle Creek and Cow Ford
- Exhibit 87a Services in military: confederacy desertion papers - first leader of the Bruce Indian Community after migration into Florida
- Exhibit 87b Letter to General Counsel of Veteran Affairs dtd 6/15/57 on bounty land that James Ward was never allotted
- Exhibit 88 Company Muster Roll of numerous Indian families from 1837 Yellow River area
- Exhibit 89a Minutes - Tri State Creek council 3/10/73 showing McGhee's desire to unify the Creeks, carrying the same policies as his father in the same
- Exhibit 89b Minutes of 5/19/73 of Tri-State Council attended by Buford Rolin who is placing Poarch Band as the priority in funding, etc.

- Exhibit 90 Newspaper Article: Creek Settlement by Lenior Thompson, Attorney, citing the people of J.J. Ward in Bruce, Florida as docket recipients
- Exhibit 91a Sample Correspondence: Department of the Interior from J.J. Ward, community leader who lived in Bruce, Florida
- Exhibit 92 Site observation report by Ernest Sickey
- Exhibit 93a Newspaper Article: traditional burial of Chairman John Thomas
- Exhibit 93b Observation by Carol McCrite, Newspaper Reporter, on burial of Mazie Rossell
- Exhibit 94 Current White Earth Ceremonial Calendar
- Exhibit 95a Interview with Tribal Member Amber Lollie
- Exhibit 95b Interview with Tribal Member Tommy Lollie
- Exhibit 95c Letter furnished by Andrew Lollie, evidence of a Creek family
- Exhibit 96 Affidavit by Andrew Ramsey on participants at the old grounds in Blountstown
- Exhibit 97 John L. McKinnon "History of Walton County" Yuchi presence in tribal area
- Exhibit 98 Land Deed to Bruce Indian School from the Board of Public Institution to women of the Bruce Indian Community
- Exhibit 99 Affidavit by Harris 'Buck' Roper, a non-tribal citizen on Jess Williams, the Maker of Medicine for Red Ground
- Exhibit 100a Examples of Medicinal Plants - Apalachicola Township
- Exhibit 100b Examples of Medicines - Choctawhatchee Township (Additional cures in the Deposition by Daniel Penton - Exhibit 36)
- Exhibit 101 Affidavit: Minnie Greene, age 102 regarding social interaction between Blountstown Indian Community and Bruce Indian Community.
- Exhibit 102 Sample Birth Certificate with Midwife (Lucy Bozeman) and the Town Headman of Bruce Indian Community, J.J. Ward
- Exhibit 103 Newspaper Articles from DeFuniak Springs Herald on J.J. Ward and the different relationships he had between different communities.
- Exhibit 104a Letter dtd 9/24/91 from Board of Missions on Native American Majority of

Church members in Bruce, Florida

- Exhibit 104b 1993 Report by Rev Michael J. Columbo on Native American Conference that was attended by Mazie Rossell from Bruce Indian Community
- Exhibit 105 1941: Letter on Choctawhatchee Fish Camps economic from J.J. Ward and on the trial of two Indian heads of family - Ollie Ward and Rube Hare. J.J. was driving them to court. He testified when necessary on behalf of the Indian families.
- Exhibit 106 Supervisor of Elections: Voting Roster from Precinct 13 showing Indians listed as a race of "O"
- Exhibit 107 Article by Dr. Jane Dysart "Another Road to Disappearance" 1980
- Exhibit 108a Letter of 9/6/01 from Walton Co. School District Superintendent of Schools on history of the Bruce Indian School
- Exhibit 108b Copies of minutes from School Board in 1913 where community leader, J.J. Ward appeared to negotiate assistance for building of new school building
- Exhibit 109 Collection of documentation on the grounds from federal tribe and federal agency
- Exhibit 110 Pictures of area Grave houses
- Exhibit 111 Ltr. dtd 10/5/84 From Pensacola Historical Society on removal of skeletal remains and the new tribal Language Books
- Exhibit 112 Samples of numerous BIA Ltrs in reference to J.J. Ward with tribal government file number assigned
- Exhibit 113 Newspaper article on Bob Sikes and Creek constituents dtd 4/7/67
- Exhibit 115 Letter regarding marriage of Pansy Pate and Carl Bjorklund between J.J. Ward and Mazie Thomas, his daughter
- Exhibit 116 Sample correspondence to Congressional members from J.J. Ward on behalf of the Bruce Community during the 1950s
- Exhibit 117 Affidavit: Maze Rossell on passage of leadership in community to son - 1990
- Exhibit 118 Letter dtd 1/30/02 from Close up Foundation to Zera P. Denson
- Exhibit 119 Article on Masonic Burial of McGillivray. The masons was an organization that Creeks could affiliate with inside the townships

- Exhibit 120 Postmarked envelopes from 1957 from J.J. Ward for Judge T.C. Hand to send application packages from Creek Nation East of the Mississippi into the community (paid for by the Democratic Executive Committee)
- Exhibit 121 "The Southeastern Indian", Charles Hudson, 1982: Matrilineal social organization of Creeks
- Exhibit 122 Settlement Information of Elijah Ward of Ward's Basin with bounty land citations who migrated to Florida in 1834
- Exhibit 123a Map from Clarence Moore showing Mound indications from Daleville where William Josiah left south into Walton County
- Exhibit 123b Map of old trails between Georgia, Alabama, and Florida
- Exhibit 124 Woodward Reminiscences: travels of Nimrod Doyle (current members of the Hill family in Blountstown) and John Ward (current members in Bruce and Ward's Basin near Chumuckla, Florida)
- Exhibit 125 Farm Share sign in sheet for food distribution of produce. The Council House on the tribe's seven acres of reservated land is the distribution point for fresh produce and commodities through a federal program. The Tribal Council gives out 42,000 pounds of food per month within its townships.
- Exhibit 126 Confederate relationship with the Creek specifically citing the Apalachicola
- Exhibit 127 1940 correspondence on trial activities inside the community
- Exhibit 128 Referral from Bob Sikes dtd 1/23/56 for J.J. Ward to contact Lenoir Thompson and second letter dtd 4/2/56
- Exhibit 129 Letter dtd 1/2/55 to A. Bohmer Rudd from J.J. Ward for research work on Ward Lineage. This letter is important because it is dated prior to J.J. Ward being referred to Lenior Thompson from Bob Sikes (exhibit 129)
- Exhibit 130 Letter postmarked 1969 regarding contact on Indian papers from Bruce, Florida Ila Ward was the wife of J.J. Ward and handled most of his correspondence. This correspondence is to Noma, Florida and is evidence of how the community maintained contact across distances
- Exhibit 131 Application 9697 to Creek Nation East of the Mississippi returned to community upon the death of Calvin McGhee. The Bruce Indian Community did not find leadership in Atmore that would protect its community needs.

- Exhibit 132a Minutes dtd 5/23/82 with NWFCIC Executive Director comments on the Florida Tribe being in 'good standing as long as Poarch is not recognized'.
- Exhibit 132b Interview with former Executive Director of the Northwest Florida Creek Indian Council. This council's main function was to work for the recognition of the Florida Tribe. Ms. Davis now serves on Poarch Band Council. Her lack of concern for the Florida Tribe's activities is very evident, as is the page 3 comment on the tribe's preoccupation with preserving tradition, language and culture.
- Exhibit 133 Letter dtd 5/22/89 from Don Sharon to Eddie Tullis requesting support for federal recognition. No response was received.
- Exhibit 134a Tribal Council minutes dtd 6/13/87 on changes to NWFCIC minutes that removes it as the Administrative Council of the Florida Tribe. The 1985 addendum is also attached
- Exhibit 134b A history of the Northwest Florida Creek Indian Council up through 1978
- Exhibit 135 E-mail to Joe Quetone, Executive Director of the Governor's Council on Indian Affairs on the removal of Statute 285 Creek Indian Council. By the time of its removal, the council had been unfunded for some 10 years and was of no benefit to the Muscogee Nation of Florida
- Exhibit 136 Letter from Malzie Pate to Mazie Rossell on petition filing about school problems inside the community. The petition process was used as recently as December 2001 for a community member in an attempt to get support for his release from the county jail.
- Exhibit 137a Article on Destruction at the Tribal Town
- Exhibit 137b Resolution 99-4 passed to declare desecration of the grounds as a hate crime and urge full prosecution of perpetrators
- Exhibit 138a Boundaries of Blunt Reservation from 1831 geological survey. This plot was surveyed again in the 1940s
- Exhibit 138b 6/30/48 Report from the Smithsonian Institute on the Blountstown Indian Community. The Creeks were incorrectly identified as Melungian. However, the presence of a community was noted by this federal source
- Exhibit 139 Letters from county officials on the Boggs Clan as people of the Blunt Reservation. The Boggs Clan is intermarried with the Wards and Hills
- Exhibit 140 Appointment by Gov Bob Graham of current Vice Chief, Ann (DeBeaux) Tucker

to the Northwest Florida Creek Indian Council

- Exhibit 141 Letter from State Department on receipt of State funding for creating a Creek Exhibit for the public school system - primarily 4<sup>th</sup> graders who study Florida History
- Exhibit 143 Sign in sheets from Tribal Council Clerk's Office (1978 and 2000)
- Exhibit 144 Article on Escambia Farms, a federal farm program our people called the 'Poor Farms'
- Exhibit 146 1978 Ballot with some genealogical Information on Perloca Linton. While Mrs. Linton was able to serve on the 1<sup>st</sup> Tribal Council, she was unable to provide any proof of Creek ancestry. Mrs. Linton's husband was Creek and there are Linton's buried in the Dead River Cemetery in Bruce, Florida. The association with Perloca Linton by elders of Muscogee Nation was through Calvin McGhee's litigation
- Exhibit 147 Affidavit for Muscogee Nation
- Exhibit 148 Various letters in fulfillment of Criteria 83.7 (a) for the tribe's federal recognition including federal, state, local, foundation, collegiate correspondence