

Summary under the Criteria and Evidence for
Proposed Finding
for Federal Acknowledgment of the
Jena Band of Choctaw Indians

Prepared in response to a petition
submitted to the Secretary of the
Interior for Federal Acknowledgment that
this group exists as an Indian tribe.

Approved:

9-27-94
(date)

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INTRODUCTION

This report has been prepared in response to the petition received by the Assistant Secretary - Indian Affairs from the Jena Band of Choctaw Indians seeking Federal acknowledgment as an Indian tribe under Part 83 of Title 25 of the Code of Federal Regulations (25 CFR 83).

Part 83 establishes procedures by which unrecognized Indian groups may seek Federal acknowledgment of an existing government-to-government relationship with the United States. To be entitled to such a political relationship with the United States, the petitioner must submit documentary evidence that the group meets the seven criteria set forth in Section 83.7 of 25 CFR. Failure to meet any one of the seven criteria will result in a determination that the group does not exist as an Indian tribe within the meaning of Federal law.

Publication of the Assistant Secretary's proposed finding in the Federal Register initiates a 180-day response period during which factual and/or legal arguments and evidence to rebut the evidence relied upon are received from the petitioner and any other interested party. Such evidence should be submitted in writing to the Office of the Assistant Secretary - Indian Affairs, Bureau of Indian Affairs, Branch of Acknowledgment and Research, Mail Stop 2611-MIB, 1849 C Street, N.W., Washington, D.C. 20240.

After consideration of all written arguments and evidence received during the 180-day response period, the Assistant Secretary will consult with the petitioner and interested parties to determine an equitable time frame for consideration of written arguments and evidence submitted during the response period. The petitioner and interested parties will be notified of the date such consideration begins. The Assistant Secretary will make a final determination regarding the petitioner's status, a summary of which will be published in the Federal Register within 60 days from the date on which the consideration of the written arguments and evidence rebutting or supporting the proposed finding begins. This determination will become effective 90 days from its date of publication unless a request for reconsideration is filed pursuant to 83.11.

If the final determination is against acknowledgment of the petitioner, the Assistant Secretary will analyze and forward to the petitioner other options, if any, under which the petitioner might make application for Federal services or other benefits.

ABBREVIATIONS AND/OR ACRONYMS USED IN REPORT

- BAR = Branch of Acknowledgment and Research, Bureau of
Indian Affairs (Evaluator of the Petition)
- Ex. = Documentary Exhibit submitted by the Petitioner
- FD = Field 1) data (research conducted by BAR staff for
the purpose of verifying and adding to the
information submitted in the petition)
- JBC = Jena Band of Choctaw Indians

SUMMARY UNDER THE CRITERIA 83.7(a-g)

Evidence submitted by the Jena Band of Choctaw Indians (hereinafter the petitioner) and obtained through other interested parties and independent research by the Acknowledgment staff demonstrates that the petitioner does meet all seven criteria required for Federal acknowledgment. In accordance with the regulations set forth in 25 CFR 83, failure to meet any one of the seven criteria requires a determination that the group does not exist as an Indian tribe within the meaning of Federal law.

There is no indication in the record of prior recognition of the Jena Band of Choctaw as an Indian tribe by the Federal Government. By identifying Choctaws from LaSalle Parish, Louisiana, as Mississippi Choctaws, the Dawes Commission dealt with them as eligible for membership in a recognized tribe; not as a separate tribe. It dealt with the individual applicants directly, not through a political entity which represented them as its members. The commission anticipated their removal to Indian Territory in 1903; not their perpetuation as a separate tribe in Louisiana.

When contemplating the removal of these families to trust lands in Mississippi about 1938, Federal officials indicated that they considered these Indians to be eligible for membership in the recognized Mississippi Choctaw tribe; not part of a continuing Louisiana tribal entity. Although the Federal Government briefly provided some Federal services to individuals in the group during the 1930's, we conclude that the Federal Government did not recognize the Jena Choctaw Indians as a separate tribal entity. Since there was no previous recognition, this report will address the history of the group from its beginnings.

This is a proposed finding based on available evidence, and, as such, does not preclude the submission of other evidence to the contrary during the 180-day comment period which follows publication of this finding. Such new evidence may result in a change in the conclusions reached in the proposed finding. The final determination, which will be published separately after the receipt of the comments, will be based on both the new evidence submitted in response to the proposed finding and the original evidence used in formulating the proposed finding.

Summary Under the Criteria--Jena Band of Choctaw Indians

In the summary of evidence which follows, each criterion has been reproduced in boldface type as it appears in the regulations. Summary statements of the evidence relied upon follow the respective criteria.

- 83.7(a) The petitioner has been identified as an American Indian entity on a substantially continuous basis since 1900. Evidence that the group's character as an Indian entity has from time to time been denied shall not be considered to be conclusive evidence that this criterion has not been met.**

The Jena Band of Choctaw Indians have been identified both as Choctaw and as an Indian entity by scholars, local officials, state and Federal sources on a substantially continuous basis since 1900. Records from each decade since 1900 confirm the existence of an American Indian entity near Jena, Louisiana. No one has denied the Indian identity of the petitioner.

In 1900 and 1910, the ancestors of the petitioner were identified as being Choctaw Indian on the Federal census. The Dawes Commission in 1903 identified the petitioner's ancestors as full-blood Choctaw. The local store account books from the early 20th century showed that they paid for goods by skinning and curing hides as well as by day labor and household help. In the 1910's and 1920's, the Choctaw were identified by local storekeepers by a first name and the title "Indian" rather than by a first and last name. The 1920 census identified the petitioner's ancestors as Indian. Newspaper articles and local education officials identified the petitioner's ancestral group as Indian in the late 1920's and 1930's.

In the 1930's and 1940's, Federal officials who anticipated removing the group to the Mississippi Choctaw Agency, and scholars, identified the petitioner as Choctaw Indian. Local, state, and Federal education officials considered the individuals to be Choctaw Indians and, during the years 1932 to 1938, provided the children with education at a separate Penick Indian School. Newspaper articles in 1938, 1946, and 1950 identified different leaders of the tribe of Indians near Jena. Elderly non-Indian residents of the area,

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including a man who was a LaSalle Parish deputy and sheriff from 1946 to 1976, recall the Choctaws as a constant presence in the community. The petitioner was identified as Indian by the state of Louisiana by resolution in 1974 and incorporated in the same year as the Jena Band of Choctaw Indians of Louisiana. The petitioner has received grants from the ANA since the 1980's, based on its Indian identity.

We conclude that there is sufficient evidence identifying the petitioner as an American Indian entity continuously since 1900 and that the petitioner meets criterion 83.7(a).

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.

According to the revised regulations for meeting criterion 83.7(b) with high evidence, if a petitioner demonstrates that at least 50% of the marriages of its members are to other members of the group, then it shall have provided sufficient evidence of the existence of a distinct community at that point in time. In the case of the Jena Band of Choctaw Indians, 85% of the marriages of members were with other members of the group from 1820 until 1950. After World War II, there was a dramatic decline in the percentage of in-group marriages. As late as 1948 and 1949, however, 50% of the new marriages were to other members of the group.

After 1950, essentially all new marriages involved a non-Indian spouse. It would be a decade, however, before these new marriages to non-Indians outnumbered continuing marriages between Choctaws. Until 1959, 50% of the 14 marriages within the community had both Choctaw husbands and wives. After the deaths of two spouses in 1959, the percent of marriages to non-Indians declined below 50 percent. Therefore, the petitioner meets the criterion for community through 1959 with high evidence based on its continuing high degree of in-group marriages.

Other evidence for community before 1959 comes from the Federal census records from 1880 to 1920. In 1880, the progenitors of the modern community were identified as 26 Indians living in four households. At least half of the 1880 population continued to live in the vicinity of Trout Creek for over 20 years. In 1900 and 1910, there were 40

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Choctaw identified on the Indian schedules for Catahoula and LaSalle parishes. (LaSalle Parish was formed from the western half of Catahoula Parish in 1908.) In the 1910's there was a short transition period during which some of the Choctaw removed to Oklahoma at about the same time that the Lewis family arrived from the Manifest and Aimwell area of Catahoula Parish. Thus the overall population of Choctaw Indians remained viable, with 23 Indians living near the Whatley farms in LaSalle Parish, Louisiana in 1920.

The local population considered the Choctaw to be different from the rest of the population and treated them accordingly. The local store account books from the early 20th century showed that they paid for goods by skinning and curing hides as well as by day labor and household help. The Choctaw were identified by the storekeepers by a first name and the title "Indian" rather than by a first and last name. On the other hand, non-Indian customers were simply identified by name. When the Choctaw arrived in town as a group on a Saturday night, they were often subject to harassment from the general population and in particular from the town marshal.

The group maintained distinct community social institutions and practices. As late as the 1930's, these institutions included the traditional funeral practices and mourning periods of the Choctaws. Group activities included maintenance of the White Rock Indian Cemetery. The cemetery, which is on land formerly owned by the Whatley family, is still used exclusively by the tribe today. Marriage practices were also distinct from those of the surrounding communities until the 1930's, when marriage ceremonies began to be performed by local ministers rather than by the tribal chief. The Choctaw Indians continued to live in close proximity of one another and to speak the Choctaw language.

Efforts to educate the Indian children living in Eden provide evidence that local, state, and Federal officials treated the tribe differently from other residents of the parish. The Indian children were not allowed to attend the white schools, while the Indians refused to attend the black schools. Local authorities and private individuals made efforts to create a school specifically for the Indian population. During the 1930's, the Penick Indian School operated with some funding from the Federal Office of Indian Affairs. The office of Indian Affairs proposed moving those who were willing to move to Federal trust lands in

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Mississippi so that the children could be educated with other Indian children at Pearl River, Mississippi.

Although high levels of Jena Choctaw/Jena Choctaw intermarriage did not continue after 1959, other evidence indicates that a distinct Jena Choctaw community has continued to exist since the 1950's. There is evidence that social ties and cultural practices were maintained after 1950 through "visiting" with friends and relatives. Members who had moved farther away for employment frequently returned to Jena on weekends to visit family and friends. Visitors often met in the homes of Chris and Alice Jackson or William Lewis, who were traditional leaders during the 1950's and 1960's. At these visits, children from various families got to know each other by playing together. Adults discussed cemetery upkeep, marriages and other tribal concerns. These discussions were conducted in the Choctaw language, which continued to be the primary language in the unmixed Indian homes.

During the 1950's and 1960's, most members began to attend Christian churches. Marriage and burial practices began to resemble Christian services. During 1950-1951, there was an attempt to form the "Eden Indian Church of the Nazarene." Although the Indian church met for a time in Joe Whatley's store, there was not enough support to sustain a separate Indian church, but many of the members began to attend the white Nazarene church in Trout. While the Church of the Nazarene in Trout was never an exclusively Indian church, a large proportion of the tribe was active in the 1950's in that church.

Aside from informal social interaction and continued maintenance of the White Rock Indian Cemetery, members of the group shared economic resources and provided each other with services in the 1950's and 1960's. After the tribe incorporated in 1974, the council assumed a major roll in providing for the members' needs. It has provided tutoring, school supplies, clothing, and free haircuts for the school children. The tribe emphasizes teaching and maintaining a sense of Indian identity among the school children. To this end, Choctaw language and history classes which are attended by 15-20 school age children are held at the Tribal Center after school hours and during the summer.

With the formal organization of the Jena Band of Choctaw as a Louisiana state-recognized tribe in 1974, a new framework was established for conducting relations with outside entities. It also provided a focus for renewal of the

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community. The members have the tribe to turn to as a source for educating their children and for strengthening relations within the group. Having a formally organized tribe that is supported by both Indian and non-Indian groups has not only provided access to resources for members, but has renewed their sense of belonging to the tribe.

The Tribal Center has joined the White Rock Indian Cemetery as a central social institution for members of the tribe. The center has facilities for meetings and social gatherings. Members stop by the Center to drop off children for the history class or other youth activities, to arrange participation in state administered Indian programs, and to catch up on the news. Regular meetings of the council and the parents' committee are also held at the center.

The White Rock Indian Cemetery continues to be a site for social practices particular to the Jena Band of Choctaw. The tribe worked together to acquire a steel fence to enclose the one-acre cemetery. The cemetery is maintained by the tribe as a project of the history classes and is used by the history classes as a tool for teaching about the tribe's past. The cemetery land is used as a social gathering place as well as a work site.

Although integration with the surrounding white population began after World War II and has continued to the present day, the tribal membership today maintains close social and economic ties with one another. The longevity of the in-group marriages provided stability to the community during the 1950's and 1960's when the community was in transition and traditional leadership was on the wane. Interaction among tribal members is central to their lives.

Approximately 53% of the membership resides within 20 miles of Jena, Louisiana: 72% resides within 30 miles of Jena. News and gossip are exchanged by phone and frequent personal visits. The sharing of economic resources among members is a central focus of tribal life, primarily among those who reside in the immediate Jena area, but extending to virtually all of the membership. Members who are unable to support themselves receive goods and services from other members as a supplement to any aid they may receive from the parish or state. This is particularly the case for older members with alcohol abuse problems.

Because of high rates of in-group marriage before 1959 and evidence of social interaction and distinctiveness after 1959, we conclude that the Jena Band of Choctaw comprises a

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distinct community and has existed as a community from historical times until the present. Therefore, the Jena Band of Choctaw meets criterion 83.7(b).

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

Under §83.7(c)(3) of the revised regulations, a petitioner that has met the requirements in paragraph 83.7(b)(2) at a given point in time shall be considered to have provided sufficient evidence to meet this criterion at that point in time. The Jena Choctaw have proven that they were a distinct community with 50 percent in-group marriages through the year 1959, they meet the standard for community with high evidence. Other evidence, such as living in close proximity and speaking the Choctaw language, almost exclusively until the late 1930's and according to descendants regularly in their parents' or grandparents' homes through the 1950's, also supports the position that the petitioner met the standards for community at a high level prior to 1959. Therefore, we accept that they also maintained political influence or authority over their membership from historical times until 1959.

The tribe's membership and non-Indians alike acknowledged that Chris Jackson was a leader from 1950 until his death in 1958 and that William Lewis, son of former chief William Bill Lewis, led the tribe from 1958 until his death in 1968. Each man was the eldest male in the community and by tradition, the chief of the group. During the 1950's and 1960's, however, traditional leadership was on the wane. Political authority among the Jena Choctaw was more dispersed than before. Conflicts between the Jackson and Lewis families divided loyalties and political authority within the tribe. However, there is evidence that while Alice Jackson, Chris Jackson's widow, was a central resource for organizing economic assistance and providing services, such as delivering babies and providing traditional remedies, for the membership, William Lewis exercised his authority by making decisions concerning burials in the White Rock Indian Cemetery and acting as a spokesman for the Choctaw community to outside authorities, such as the LaSalle Parish School Board.

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Six years after the death of the William Lewis, the last traditional chief, the tribe formally organized as the Jena Band of Choctaw Indians of Louisiana. The Governor's Commission on Indian Affairs took the initiative to organize the Choctaws near Jena and called a meeting at the parish courthouse in 1974 at which the Choctaw agreed to adopt a legal charter and to elect its leaders. With formal organization, leadership among the Jena Choctaw was altered in fundamental ways. Two of the most significant changes were the incorporation of a formal organization with written rules and was governed by elected officials, and the emergence of young, educated Choctaws in positions of leadership.

The first elected council consisted of five people who were all under 50 years of age. Instead of informal "visiting" as a means of communicating tribal business, the elected tribal council was now required to meet at least quarterly and to hold an annual meeting of the corporation's membership.

In 1974, the state legislature passed a resolution which declared that the state of Louisiana "formally recognized the Choctaw Indian community at Jena, Louisiana, as an Indian tribe." In itself, state recognition is not determinative for Federal acknowledgment. However, as a formal organization recognized by the state of Louisiana, the tribe had a framework for reasserting leadership roles within the community and for perpetuating its existence. The difference from previous generations was that the leaders were now elected by the membership. Through an elected chief and a tribal council, the tribe was able to establish relationships and conduct business with non-Indian authorities in terms that those authorities were prepared to understand.

The new corporation applied for and received grants from the Office of Housing and Urban Development (HUD) to build a tribal center, which was completed in 1977. A second HUD grant was used to improve the facility and its grounds. The Jena Band also received Federal grants to research its petition for Federal recognition. In the 1980's, the tribe received grants from the Administration for Native Americans (ANA), not only to complete their recognition petition, but also to pay the bills to run the tribal offices and pay the salary of the grant administrator.

Being a state-recognized Indian tribe and conducting business through an elected council has been crucial in

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gaining support from outside groups, both Indian and non-Indian, for Federal acknowledgment of the Jena Choctaw. Conversely, the outside support has added legitimacy, in the eyes of the membership, to the current form of tribal government which now has access to resources, such as grants and JPTA funds, that benefit the membership as a whole.

The transition from traditional leadership to a new organization with elected officers was not easy. Within a year of organizing, the majority of the council voted to remove two members from the board. Shortly after that, the members agreed to a re-election of their leaders. State officials again ran the meeting, chaired a meeting in which members expressed complaints about the leadership, and supervised the election. The state Office of Indian Affairs authorized a new election and the State Department of Health and Human Resources sent notices of a new election to the membership. Incumbent members of the council were replaced by four new members. The newly elected chairman served for the next ten years.

The chief and council have always sought to involve members in group activities such as Christmas and Halloween parties, and to provide them with services such as tutoring toward attaining GEDs and the free haircuts for school children. One of the best examples of member participation in group governance has been the parents' committee. In 1975, the LaSalle Parish School Board submitted an application for funding under Title IV of the Indian Education Act of 1972 and, in compliance with the funding regulations, an Indian parents' committee was formed. Correspondence and minutes of the parents' committee meetings showing regular activity since at least 1985. Each year the committee decides how to distribute grant money to children of members for school supplies and expenses. At one meeting in 1985, 22 members were present and a list of beneficiaries in 1992 included 26 names.

Defeat at the election polls or removal from office has not excluded those members from participating in the activities of the tribe. On the contrary, elections and other changes in tribal government have been hotly contested, generating a great deal of interest among the membership. Political factions that cut across the Jackson and Lewis family lines have developed over disagreements on access to the facilities at the tribal center, use of grant funds, and the regularity of tribal meetings. Despite the distinct factions within the tribe, the legitimate authority of the current tribal government to represent the tribe's interests

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to outsiders is not questioned. Supporters and opponents alike responded when the current chief asked the membership to write brief letters expressing in concrete terms what the tribe had done for them through the years.

Election results confirm that members participate in their tribal organization. Perhaps because of internal controversies, the tribe has continued to use outsiders to oversee its elections and to affirm their integrity. The tribe maintains records of qualified voters (adults over age 18) and of election returns.

The tribe has maintained records of the minutes of its tribal council, documenting fairly regular activity since at least December 1983. In addition, each chairman or chief has sent letters to the membership advising them of upcoming elections, activities, or concerns that need to be addressed by the membership, such as completing ancestry charts and individual history sheets needed for the recognition process. Recognizing that it is both good governance and good politics, the current chief has concluded his letters to members by inviting them to drop by the tribal office to discuss their concerns and to ask their questions.

We conclude that the Jena Band of Choctaw has maintained political influence or authority over its members as an autonomous entity from historical times until the present. Such authority has been demonstrated in that it was a distinct community through 1959, that it continued to have a traditional chief until his death in 1968, and that since formal incorporation in 1974, the elected chief and council have influenced the actions of the membership and represented the tribe to outside authorities. The membership considers actions taken by the chief and council to be important. Internal conflicts over leadership style and tribal policies generate interest in tribal governance. Significant numbers of the membership are involved in the parents' committee and other activities that provide for the welfare of the membership. There is widespread knowledge, communication and involvement by most of the membership in the political processes. We conclude, therefore, that the Jena Band of Choctaw meets criterion 83.7(c).

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83.7(d) A copy of the group's present governing document, including its membership criteria. In the absence of a written document, the petitioner must provide a statement describing in full its membership criteria and current governing procedures.

The petitioner submitted certified copies of the Articles of Incorporation dated April 20, 1974, and the constitution which was adopted on December 22, 1990. The Articles of Incorporation defined how the corporation related to outside entities while the constitution defined internal activities and relationships between the membership and the governing body.

The petitioner's membership consists of descendants of the Choctaw Indians who settled in LaSalle (formerly Catahoula) Parish, Louisiana, during the second half of the nineteenth century. Although blood quantum is not required for acknowledgment purposes, the petitioner requires a high degree (1/4) of Choctaw blood for membership. However, the constitution allows that membership will extend to those with 1/8 or more Choctaw blood beginning in January 1995 and to all descendants of the November 26, 1990, roll as of January 1, 2000.

A Tribal Council resolution in 1988 stated that the 1880, 1900, and 1910 censuses were to be used to identify the Choctaw progenitors. Interviews with the chief and a tribal council member as well as an analysis of the membership rolls confirmed that the membership criteria and procedures for enrollment expressed in the constitution and amendments to the by-laws reflect the actual practices of the petitioner. We conclude that the petitioner meets criterion 83.7(d).

83.7(e) The petitioner's membership consists of individuals who descend from a historical Indian tribe or from historical Indian tribes which combined and functioned as a single autonomous political entity.

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The petitioner submitted copies of membership rolls dated December 1, 1974, January 1, 1982, December 1, 1984, November 26, 1990, and October 28, 1993. There was no formal membership roll prior to incorporation in 1974. The membership rolls included the member's name, birth date and place, tribe, blood degree and parents names and blood degree. The rolls reflect the membership criteria of possessing at least 1/4 degree Choctaw blood. There were 126 names on the 1984 membership roll and 153 names on the 1993 membership roll.

One hundred percent of the 1993 membership descends from the individuals who were identified as Choctaw on the Federal census in 1900 and 1910 or as Indian on the 1880 and 1920 Federal census in LaSalle or Catahoula Parish, Louisiana. Over 88% of the 1993 membership descends from someone identified by the U.S. Commission to the Five Civilized Tribes (Daves Commission) in 1903 as full blood Choctaw. Based on evidence submitted by the petitioner and uncovered during the research process, it is clear that the membership of the Jena Band of Choctaw Indians descends from the Choctaw who settled in Catahoula Parish, Louisiana, before 1880. Therefore, we conclude that the petitioner meets criterion 83.7(e).

83.7(f) The membership of the petitioning group is composed principally of persons who are not members of any acknowledged North American Indian tribe. However, under certain conditions a petitioning group may be acknowledged even if its membership is composed principally of persons whose names have appeared on rolls of, or who have been otherwise associated with, an acknowledged Indian tribe. The conditions are that the group must establish that it has functioned throughout history until the present as a separate and autonomous Indian tribal entity, that its members do not maintain a bilateral political

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relationship with the acknowledged tribe, and that its members have provided written confirmation of their membership in the petitioning group.

There is no evidence that the membership of the petitioning group belongs to any other tribe of North American Indians. By identifying Choctaws from LaSalle Parish, Louisiana, as Mississippi Choctaws, the Dawes Commission dealt with them as eligible for membership in a recognized tribe: not as members of that tribe. It also dealt with them directly as individual applicants, not through a political entity which represented them as members. The commission anticipated their removal to Indian Territory in 1903, not their perpetuation as a separate tribe.

When contemplating the removal of these families to trust lands in Mississippi about 1938, Federal officials indicated that they considered these Indians to be eligible for membership in the recognized Mississippi Choctaw tribe, but neither members of the Mississippi Choctaw nor part of a continuing Louisiana tribal entity.

By refraining from removal either to Oklahoma or to Mississippi, the ancestors of the Jena Band of Choctaw Indians retained their character as a separate, distinct, and autonomous Indian community. Therefore, we conclude that the petitioner meets criterion 83.7(f).

83.7(g) Neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.

There is no evidence that the petitioner is subject to congressional legislation that has terminated or forbidden the Federal relationship. We conclude that the petitioner meets criterion 83.7 (g).

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Summary of the Evidence

Choctaw Indians have been observed living in the vicinity of Jena, Louisiana, since at least 1880. Their exact dates of arrival, route of migration, and place of origin remain obscure. These Choctaws at first lived in the woods near Trout Creek, west of the town of Jena and between the small towns of Eden and Searcy. Originally a part of Catahoula Parish, this area has been within LaSalle Parish since 1908. The group existed as a stable settlement of several families and about two dozen people until the 1910's. Living on the lands of local farmers, these Choctaws worked as sharecroppers, day laborers, and household help. In 1903, most of them were identified by the Dawes Commission as full-blood Mississippi Choctaws who were eligible to receive land allotments in the Choctaw Nation, or what is now Oklahoma. Although only a few removed there at that time, a significant exodus of these Choctaws from the Jena area to Oklahoma occurred about 1916. At least two families of Jacksons remained after these departures. They were joined about 1917 by a large family of Lewises, who had been living near Manifest in Catahoula Parish. Since 1917, the Choctaws near Jena have been descendants of these Jackson and Lewis families.

The Choctaws near Jena came to the attention of the school officials of Louisiana in 1929. In 1932 a separate Indian school was formed for them through the efforts of their teacher, Mattie Penick. For three years during the 1930's, the parish school board received tuition payments on behalf of the students attending this school from the Federal Government, but this support was withdrawn in 1938 and the school closed. At the same time, Federal officials again treated the Indians near Jena as eligible Mississippi Choctaws and considered removing them to Mississippi and settling them on trust lands, but a removal did not occur. Thus, by remaining in Louisiana, these Choctaws near Jena remained as a separate and distinct Indian group. They have experienced significant changes during the last half-century. After World War II, group members began moving into the town of Jena. In 1974, largely through the efforts of state officials, the group organized as a non-profit

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corporation. Since that time it has been governed by young, elected officials.

The Choctaws before Removal, 1699-1830

The first sustained contact between the Choctaw Indians and European colonizers began after the French founded posts and settlements such as Biloxi, Mobile, Natchitoches, Natchez, and New Orleans along the Gulf Coast, the Mississippi River, and the Red River of the south during the years from 1699 to 1718 (Swanton 1946, 72). At that time, anthropologists and historians have agreed, the core territory of the Choctaws was what is now east-central Mississippi. The Choctaws lived in more than sixty permanent villages, which were organized politically into three geographical divisions, each with its own chief (Gatschet 1884, 100, 108-109; Cushman 1899, 163-164; Hodge 1907, 288-289; Swanton 1911, map; Swanton 1931, 54-55, 59-75; Debo 1934, 20; Swanton 1946, map 1; Cotterill 1954, 6; McKee 1980, 38-39). Scholars have not considered lands west of the Mississippi River to have been a part of the Choctaws' aboriginal homeland. In his map of aboriginal tribal territories, anthropologist John Swanton showed the area of modern Jena, Louisiana, to have been crossed by the boundary which separated the Caddo from the Natchez Indians (Swanton 1911, map). After the Natchez were nearly exterminated in warfare about 1730, however, Choctaw territory often was described as extending to the Mississippi River on the West (Morse 1822, 182; Cushman 1899, 41-42).

Traditional Choctaw territory passed from French to British colonial control by the treaty of 1763 which ended the Seven Years' War (Debo 1934, 30; Kinnaid and Kinnaid 1980, 349). A boundary line then was established between the Choctaws and the British by a treaty of 1765, which granted Britain a strip of land along the Gulf of Mexico and along the eastern bank of the Mississippi River (Cotterill 1954, 33; De Vorse 1966, 207-211). The United States assumed control from Britain of the northern half of Choctaw territory at the end of the American Revolution in 1783, and then acquired most of the remaining Choctaw territory by the Treaty of San Lorenzo, or Pinckney Treaty, of 1795 with Spain (Berry 1917, 477; Debo 1934, 31; Kinnaid and Kinnaid 1980, 356, 366). The Louisiana territory west of the Mississippi River, which Spain transferred to France in 1799, was purchased from France by the United States in 1803.

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During its colonial rule, Spain negotiated several treaties with the Choctaws east of the Mississippi River between 1784 and 1793 (Berry 1917, 463-464, 474-475; Debo 1934, 32-33; Cotterill 1954, 107-108; Holmes 1975, 68, 71; Kinnaird 1946, pt.3:223-227; Kinnaird 1979, 45-48; Kinnaird and Kinnaird 1980, 350-351). No evidence has been identified, however, of any Spanish treaties with Choctaws residing west of the Mississippi River, despite the claim of at least one scholar that such treaties were made (Gregory 1977, 3). Indeed, a report to Secretary of State James Madison in 1803 by Daniel Clark about the Indians of the new Louisiana territory stated that "no Treaties have ever been entered into by Spain with the Indian Nations to the West of the Mississippi. . . ." Clark also reported that the Spaniards believed that their treaties with the Choctaws had been nullified by the Treaty of San Lorenzo of 1795 (Clark 9/29/1803, 62; Kinnaird and Kinnaird 1980, 366; United States. Statutes at Large (hereafter cited as U.S. Statutes) 1795).

Observations of "wandering" Choctaws and Choctaw hunters west of the Mississippi River were common before 1830. According to historian Lawrence Kinnaird, the British acquisition of French territory in 1763 "stimulated a westward movement of various Indian tribes," including the Choctaws, who had been "long accustomed to dealing with the French." Still, the "main portion of the Choctaws," he noted, "only crossed the river to hunt." Choctaw "hunting activity expanded west of the Mississippi" after the Spanish treaty of 1784, Kinnaird added, and, "for a time, was favorably regarded by Spanish officials" (Kinnaird and Kinnaird 1980, 349-351). Choctaw hunters ranged not only into Louisiana, but also into Arkansas and Texas. While exploring up the Red River with a party of Creeks about 1781, the Frenchman Louis Milfort wrote in his memoirs, his group "fell in with a part of the Choctaw nation, which game was plentiful" (Milfort 1956, 65). Spanish Governor Estevan [sic] Miro included the Choctaws among a list of at least ten tribes which could be found in 1785 between the Red and Ouachita rivers (Miro 12/12/1785, 160).

By 1792, the Spanish commandant at Natchitoches was complaining that the Choctaws came into his jurisdiction in "great numbers" and caused trouble by stealing horses and cattle (DeBlanc 4/16/1792, 26). Spanish officials also received reports, in 1796 and 1797, of Choctaw incursions into Arkansas and Texas (Kinnaird and Kinnaird 1980, 358, 364). The Spanish lieutenant-governor at Avoyelles

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complained, in 1796, that the greatest danger to the region was posed by incursions of Choctaws who crossed the Mississippi to hunt. These raiders, he said, stole and extorted horses, cattle, and provisions from both the white settlers and the small Indian tribes of the Red River Valley, and threatened the new settlements along the Ouachita River as well (Kinnaird and Kinnaird 1980, 356-357; Kinnaird and Kinnaird 1983, 187). In response to Spanish complaints about Choctaw raiding, the principal chief of the Choctaw Nation sent a message to Spanish officials at Avoyelles in 1796, indicating that he disapproved of the hostile conduct of some renegade Choctaws west of the Mississippi (Kinnaird and Kinnaird 1983, 189).

Some historians have suggested that Spain experimented with a "removal policy" during the 1790's. However, this "policy" meant only that Spain tolerated Choctaws hunting west of the Mississippi River (O'Callaghan 1942 and 1945; Holmes 1975, 72). In 1792, the Spanish governor at Natchez, Manuel Gayoso de Lemos, informed the governor of Louisiana, Baron de Carondelet, that the Adaes Indians of Texas were assembling to make war on the Choctaws. Gayoso suggested that Carondelet explain to the tribes on the west side of the Mississippi that "they ought not to take it ill that the Choctaws hunt in those lands. . . ." (Carondelet 10/18/1792, 93). This was not quite a request, as one historian portrayed this correspondence, that the western tribes invite the Choctaws to cross the river to share their hunting grounds (O'Callaghan 1942, 65). It certainly was not a resettlement policy, as another scholar appears to have depicted it (Gregory 1977, 3). Carondelet referred Gayoso's recommendations to the commandant at Natchitoches, who replied that the Indian nations within his jurisdiction would obey Governor Carondelet's recommendation "to permit the Choctaws to hunt in their lands. . . ." (DeBlanc 12/1/1792, 100).

The effect of the Spanish tolerance of Choctaws west of the Mississippi appeared to be an increase in hostilities between the Choctaws and Caddos. Spain, therefore, attempted to restore peace (Holmes 1975, 72; O'Callaghan 1942, 70; Kinnaird and Kinnaird 1980, 354-361). However, the peace conference arranged by Spain between Caddos and Choctaws at Natchitoches in 1797 resulted, according to historian Lawrence Kinnaird, in nothing more than a temporary truce (Kinnaird and Kinnaird 1980, 365-368). This conference did not conclude, as the original petition implied, in a treaty between the Choctaws and Spain (Jena Band of Choctaw Indians (hereafter cited as JBC) Petition

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1985, 26). Choctaw activity west of the river continued. Indeed, a prominent Indian trader claimed in 1801 that the Choctaws were doing most of their hunting west of the Mississippi (Whitaker 1934, 284 n.8). At the end of the Spanish period, historian Lawrence Kinnaird has concluded, "Choctaws wandered at will over Lower Louisiana" and into Texas, demonstrating the Spaniards' lack of control (Kinnaird and Kinnaird 1980, 369).

When the Americans assumed the governance of Louisiana, they also commented on the Choctaws wandering through the territory. Indian agent John Sibley observed, in 1805, that "rambling hunting parties" of Choctaws could be met "all over lower Louisiana" (Sibley 4/5/1805, 725). When Lt. Joseph Bowmar assumed command at Post Ouachita, at modern Monroe, Louisiana, in 1804, he was informed that nearly four hundred Choctaws hunted and traded at the post every year (Bowmar 4/15/1804, 224). He was advised by the governor of Louisiana, in 1805, to be conciliatory to the Choctaws west of the Mississippi (Claiborne 3/23/1805, 421). The French traveler Robin also said that, while he was at the post about 1807, Choctaws had come there to trade (Robin 1807, 154). In 1810, Agent Sibley complained to the Secretary of War that the western side of the Mississippi was "in[f]ested with vagabond parties of Choctaw Indians. . . ." (Sibley 11/30/1810, 67).

American observers also noted the existence of permanent Choctaw settlements in Louisiana. A report by Daniel Clark to Secretary of State James Madison in 1803 summarized American knowledge of the Indians of Louisiana at the time the United States acquired the territory. Clark noted a village of 100 "Chactos" at "the Rapide" on the Red River. He also claimed that there were wandering Choctaws on Bayou Crocodile, which was south of the Red River. In addition, he reported that 400 to 500 families of Choctaws were dispersed along the Red and Ouachita rivers, as far west as Natchitoches. Clark also wrote, however, that between the Red and Arkansas rivers, there were "but a few Indians the remains of Tribes almost extinct. . . ." (Clark 9/29/1803 encl., 63-64). Thus, Clark appeared to know of the Choctaws along rivers, but not in the interior between rivers. In an 1805 report, Indian agent John Sibley commented on the locations of the tribes in his jurisdiction. Sibley claimed that: "a considerable number" of Choctaws had been on the west side of the Mississippi for several years. He stated that: there was a Choctaw village of about 30 men about 12 miles north of the post on the Ouachita. He also placed the Choctaws on Bayou Chico in the northern part of the district

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of Opelousas, and claimed that a few Choctaw families had moved from Bayou Boeuf to settle near the Coushattas on the Sabine River (Sibley 4/5/1805, 721-725).

A variety of observers noted the existence of Choctaw villages in the vicinity of the post on the Ouachita River. The French trader J. Gagnard, writing in 1777 from the "Village of the Chacto," apparently on or near the Ouachita, stated that he was trading with the "Chacto and Biloxi nations" and explained that it was necessary for him to spend the winter with them on the Ouachita in order to collect what they owed him (Bolton 1914, II:100; Kinnaird and Kinnaird 1980, 350). In 1804, Lt. Joseph Bowmar at Post Ouachita reported that there was "a village of from eighty to one hundred Choctaw hunters lying south westwardly eight or nine leagues from this place on the route to" Natchitoches (Bowmar 4/15/1804, 224). Agent Sibley reported in 1810 that a village of Choctaws in the Parish of Washita was "very troublesome to the inhabitants. . . ." (Sibley 11/30/1810, 67). In 1820, Tusquahoma, acting for all of the Indians residing in a village located 15 miles west of the Ouachita River, sold to a private individual the lands of the village and any rights which the Indians may have derived from the Spanish government (Gregory 1977, 14). A map of Louisiana published in 1840, however, still showed an Indian village west of Monroe on the road to Natchitoches (Greenleaf 1840).

Testimony given in land claims cases in the early 1800's indicated that a group of Choctaws, who had been settled on the Red River, migrated south to Bayou Boeuf and established a settlement there, perhaps during the late 1770's or 1780's. Evidence provided in these cases suggested that private individuals purchased Choctaw lands on Bayou Boeuf between 1797 and 1802 (American State Papers: Public Lands, 2:788-789, 792-794, and 3:276). In some of these records, this Indian tribe was referred to as "Chocteaux." Indian agent John Sibley called them the "Chactos," listed them separately from the "Choctaws," and concluded that they were "a very ancient tribe of Louisiana Indians. . . ." (Sibley 4/5/1805, 725; Sibley 5/8/1809, 320). Sibley also claimed, though, that a band of Choctaws from the town of "Huani" [Yowani] on the east side of the Mississippi had emigrated more than 15 years earlier and had settled near the Biloxi on the Bayou Boeuf with their permission. Since then, Sibley said, the Huani Choctaws had resettled at the Cooks Prairie, about 40 miles west and south of Natchitoches between the Red and Sabine rivers (Sibley 5/8/1809, 319; see also Sibley 1922, 30-31, 35; Holmes 1968, 39 n.26). When

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explorer Zebulon Pike returned in 1807 from his famous expedition to the West, he said that he "passed many Choctaws" between Spanish Texas and Natchitoches (Pike 1965, 713).

Contemporaries and scholars noted Choctaw settlements at several other locations in Louisiana west of the Mississippi River: on the Mississippi near a Spanish post at Point Coupee in 1771; on the Red River at Rapides about 1806; and at Bayou Chico, near Opelousas, in 1807 and 1810 (Rea 1970, 13; JBC Petition 1985, 26; Claiborne 7/25/1807, 758-760; Sibley 11/30/1810, 68). In 1819, the agent at Natchitoches informed the Secretary of War that Choctaws were "scattered over" Louisiana west of the Mississippi and were found in the districts of Attakapas, Opelousas, Rapides, and Ocatahola, and along the Washita and Red rivers (Jamison 6/16/1819). On the basis of a tour made in 1820, Jedidiah Morse attempted to enumerate all of the Indians of the United States. Although the Choctaws occupied a territory bounded on the west by the Mississippi River, Morse said, there also were two Choctaw tribes between the Red River and the Rio Grande: 1,200 at the junction of the Sabine and Nechez rivers, and 140 on the Red River at Pecan Point (Morse 1822, 182, 364, 373). The Sabine River was the boundary between Louisiana and Texas, while Pecan Point was on the Red River in Arkansas Territory (Pierson 3/22/1828, 632; Izard 4/7/1828, 640; Sibley 12/31/1811, 403-404). As historian Angie Debo concluded about the period just before removal, not only had the Choctaws "long been sending war parties and hunting parties into what is now Oklahoma," but they also "had numerous settlements in Arkansas and Louisiana" (Debo 1934, 50).

Prior to the 1830 removal treaty, contemporaries made only a few references to Choctaws in the region of Lake Catahoula. The Spanish commandant of the post at Rapides testified that during the 1790's he was instructed "to establish the Beluxy, the Pascagoula, and the Choctay tribes of Indians on the Catahoula," but that the Indians were "opposed to settle at that place. . . ." (American State Papers: Public Lands, 2:792; see also Swanton 1911, 305). In 1798, Spanish Governor Gayoso de Lemos received reports that Choctaws had threatened and robbed inhabitants of a new settlement on Lake Catahoula (Kinnaird and Kinnaird 1980, 368). At Natchitoches in 1807, Indian agent Sibley noted that "Biachubby a Chacta Chief & 48 persons with him arriv'd from Acatahola where they live. . . ." (Sibley 1922, 24). No evidence from the traditions or genealogy of the Jena Band, however, establishes any linkage to Biachubby. American

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agents reported, in both 1809 and 1819, that "Acatahola" or "Ocatahola" was one of the parishes in which the "rambling" or "scattered" Choctaws of Louisiana were to be found (Sibley 5/8/1809, 320; Jamison 6/16/1819). However, a graduate student in history, who produced a map of Indian locations in Louisiana based on her survey of the records of the early 19th century, did not locate any permanent Choctaw settlements in modern LaSalle or Catahoula parishes (Purser 1961, map at 141; Purser 1961, 7).

The Removal of the Choctaws, 1803-1872

American officials sought to keep the Choctaws at peace and to establish them on reservations or to remove them further west. Indian agent John Sibley at Natchitoches brought the Caddos and Choctaws of Louisiana together in 1804 to make a peace pact (Sibley 7/3/1807, 381). The result, Sibley said, was that more Choctaws came west of the Mississippi and proved to be "troublesome" to the inhabitants of Louisiana (Sibley 4/3/1807, 300). When war between the Choctaws and Caddos became a possibility in 1807, Agent Sibley summoned the leaders of all the Choctaw bands who had made the previous treaty with the Caddos to a conference at Natchitoches. Later, Sibley said that he had collected together all the chiefs and headmen of the Choctaw Nation who "were to be found on this side" of the Mississippi (Sibley 1922, 22-23, 64-65). Biachubby from Acatahola did not stay for this council and apparently had not been among the Choctaw chiefs invited by the agent (Sibley 1922, 24). This incident does not provide evidence, as the original petition contended, that the agent had intervened to designate a chief for Louisiana Choctaws (JBC Petition 1985, 26-27). Rather, at this conference in May 1807, the Choctaws presented Tombolin to Sibley as their new chief. After Tombolin threatened Sibley, however, he was deposed by his uncles and replaced by Tuscatoga, who had been Sibley's preference from the start (Sibley 1922, 24-25, 28-29).

Agent Sibley proposed, in 1807, collecting the Choctaws west of the Mississippi and settling them on a reservation (Sibley 4/3/1807, 300). In 1810, Sibley again proposed to "collect & settle" all of the roaming parties of Choctaws west of the Mississippi who were creating "great uneasiness" in the territory (Sibley 11/30/1810, 68). "I have been trying to collect the small wandering vagabond bands of Choctaw Indians on this side the river Mississippi & settle them at one place, that they may be governed by some laws," Sibley wrote in 1811, "but find great difficulty in doing

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any thing with them. . . ." "The complaints constantly made against those wandering vagabonds by the white inhabitants," the agent added, "cannot be born [sic] with" (Sibley 12/31/1811, 404). Because the scattered Choctaws west of the Mississippi were being crowded by emigrants, the agent at Natchitoches in 1819 also suggested that an attempt "be made to concentrate the Choctaws," presumably on a reservation (Jamison 6/16/1819). Despite these pleas, no reservations for the Choctaws were established in Louisiana.

The United States and the Choctaws signed nine treaties during the half-century from 1786 to 1830. These treaties ceded about 23.4 million acres of Choctaw lands in Mississippi and Alabama to the United States (Ferguson 1985, 214, 217-218). In contrast to the general movement of American settlers from east to west, the lands acquired by the United States from the Choctaws in these treaties began in 1801 on the southwestern corner of Choctaw territory and generally moved in stages to the north along the eastern bank of the Mississippi River and to the east into the interior of the state of Mississippi. Finally, by the Treaty of Dancing Rabbit Creek in 1830, the Choctaws ceded the last of their lands and agreed to remove to lands they had acquired from the Federal Government in what would become the Indian Territory (see DeRosier 1970, map at p. 29; Royce 1900, plate for Mississippi, cessions #43, 61, 115, 156). These cessions did not include lands in Louisiana.

The first treaty between the Government of the United States and the Choctaws was made at Hopewell, in South Carolina, in 1786. In this treaty the two parties pledged to maintain peace, defined the boundaries of Choctaw lands as had been done in the British treaty of 1765, and acknowledged that Choctaw lands were to be under the protection of the United States (U.S. Statutes 1786; Debo 1934, 32; Cotterill 1954, 68). The Treaty of Fort Adams of 1801 reaffirmed the previous boundary between the Choctaws and Britain. By doing so, the Choctaws ceded their claim to lands lying west of that line, east of the Mississippi River, and south of the Yazoo River. In addition, the Choctaws consented to the opening of a wagon road through their territory (U.S. Statutes 1801; Debo 1934, 34; DeRosier 1970, 29; Ferguson 1985, 215). By the Treaty of Mount Dexter of 1805, the Choctaws ceded to the United States a large strip of land along their southern boundary (U.S. Statutes 1805; Debo 1934, 34; Cotterill 1954, 149; DeRosier 1970, 31-32; Ferguson 1985, 218). The Choctaws ceded lands on the

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eastern edge of their territory by a treaty in 1816 (U.S. Statutes 1816; Ferguson 1985, 218).

By 1818, a committee of the United States Congress recognized that portions of the Choctaw tribe had "gradually emigrated to the west, and formed considerable settlements for hunting, and even for agricultural purposes," on public lands within the Louisiana Purchase. The committee contended that this was "in direct violation of the treaty of Hopewell," and reported a bill to prohibit Choctaw emigration and settlement on the public lands west of the Mississippi until the Choctaws should make a treaty to acquire such western lands in exchange for a cession of their lands in Mississippi. Such a treaty would never be obtained, the committee feared, "so long as the Choctaw tribe of Indians are permitted to live and hunt on the lands of the United States west of the Mississippi. . . ." (U.S. House 12/1/1818, 180-181). Andrew Jackson, one of the commissioners appointed by the president to negotiate such a treaty with the Choctaws, proposed telling them that a bill had been reported in Congress "to enforce the return of that part of the [Choctaw] nation which had settled west" of the Mississippi River, and predicting that if they declined to move to the western lands selected for them by the United States those lands would be settled by whites, sold by the Government, and forever lost by the Choctaws (Jackson 4/22/1819, 229).

In the view of Pooshamataha, one of the Choctaw chiefs, the Choctaws west of the Mississippi were "like wolves" who had "no houses or places of residence. . . ." Because "those of our people who are over the Mississippi did not go there with the consent of the nation," the chief declared, "they are considered as strangers. . . ." He stated that the Choctaw council desired the Government "to order these stragglers home" or to remove them where it pleased (Pooshamataha 8/12/1819, 230). Commissioner Jackson judged that at least one-third of Choctaw headmen and warriors had gone west of the Mississippi and that "a few" were in Louisiana. In his view, a refusal by the Choctaws to make a treaty would be "to abandon" the Choctaws west of the river, which the Government would not permit to happen. At the start of treaty negotiations in 1820, Jackson told the Choctaws that the Government had purchased western lands for them which, if rejected, "may never be offered again." The future president warned the Choctaws that, should they refuse to make the proposed treaty, the Government might instead make a treaty with the Choctaws west of the Mississippi. The western Choctaws, he implied, would cede

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lands east of the river in exchange for the western territory (Jackson 10/10/1820 and 10/17/1820, 235-237, 240). In the interpretation of historian Robert Cotterill, Jackson was threatening to deal with the "Arkansas band" of Choctaws (Cotterill 1954, 209).

By the Treaty of Doak's Stand of 1820, the Choctaws ceded to the United States 5.2 million acres of land in Mississippi in exchange for about 13 million acres of land in what is now southern Oklahoma. The lands in Mississippi ceded by the Choctaws represented the southwestern portion of their remaining territory (U.S. Statutes 1820; Debo 1934, 49; Cotterill 1954, 209; DeRosier 1970, 58-68; Ferguson 1985, 217-219). This was the first treaty which contained provisions for removing the Choctaws to the West, and it provided them with all of the land they would ever receive in Indian Territory (DeRosier 1970, 69; Ferguson 1985, 219). The Choctaws, however, did not voluntarily move to the new territory. The new agent appointed for the Choctaws west of the Mississippi reported in 1828 that he believed that at most 50 Choctaws had settled in their new territory. Only eight Choctaws actually had reported to the agent (McClellan 9/28/1828, 753, and McKenney 11/20/1828, 790). The agent was advised by the Commissioner of Indian Affairs in 1827 that it was not yet an opportune time to collect at his agency the Choctaws "represented by you to be in Louisiana" (McKenney 3/30/1827, 439). In 1828, the agent claimed that the Choctaws who were "scattered in small villages" in Louisiana were "too poor to come on to their land" without provisions from the Government (McClellan 9/28/1828, 754).

The removal treaty of 1830 was negotiated soon after Congress passed a general Indian Removal Act and the Mississippi legislature passed legislation to extend its laws over the Choctaws and to abolish their tribal governments (Wright 1928, 106; Debo 1934, 51; Cotterill 1954, 239). The negotiators stressed that the president would not protect the Choctaws from the enforcement of state laws if they chose to remain in Mississippi. By the Treaty of Dancing Rabbit Creek, the Choctaws ceded "the entire country they own and possess, east of the Mississippi River" and agreed "to move beyond the Mississippi River" to the lands they had acquired by the treaty of 1820. What was new with the treaty of 1830 was that the United States now agreed to grant these western lands to the Choctaw Nation in fee simple, and to pledge that no state or territory would have the right to pass laws which would apply to the Choctaw Nation. The United States agreed to remove the Choctaws to the West at Federal expense over the period from 1831 to

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1833. Choctaw consent to the treaty appeared to be won by the late addition of Article 14, which provided that Choctaw individuals would be permitted to remain in Mississippi, to receive one section of land, and to become citizens of the state (U.S. Statutes 1830, Art. 14; Wright 1928, 104, 109; Foreman 1932, 26-29; Debo 1934, 54-55; DeRosier 1970, 119-126; Ferguson 1985, 217, 220-225).

Some Choctaws emigrated to the West on their own. The Government encouraged this by approving, in 1831, a "commutation" plan which pledged to pay \$10 upon arrival in the West to each Choctaw who removed at his own expense (Wright 1928, 107-110). The Choctaw removal parties organized by the Government departed from Vicksburg and Memphis in the fall of 1831, 1832, and 1833. During the removal of 1831-1832, two parties of 564 and 600 Choctaws left Vicksburg on steamboats which traveled down the Mississippi River and up the Ouachita River to Arkansas. Another party of 253 left Vicksburg by steamer and reached Monroe, Louisiana. At least one commutation party of about 200 also traveled up the Ouachita during the winter of 1831-1832. None of the Government's removal parties which left in 1832 or 1833 used the route up the Ouachita River (Wright 1928, 115-116; Foreman 1932, 58-60, map at 394; DeRosier 1970, 144). Thus, only a portion of the Choctaw emigrants to Indian Territory during the years from 1831 to 1833 traveled through Louisiana south of Monroe, and those who did so traveled by steamboat. There was little chance, in other words, for stragglers to have wandered off from the Government expeditions in the vicinity of what would become the towns of Jena or Manifest. The routes used by those who removed themselves and the percentage of such emigrants who actually arrived in the Indian Territory, however, are largely unknown.

Although the removals mandated by the treaty of 1830 came to an end in 1834, Choctaws continued to move from Mississippi to Indian Territory during the remainder of the 19th century. Some emigrated as individuals or in small groups, but the Federal Government again organized removal parties in the mid-1840's. About 5,000 Choctaws were removed during the four years from 1844 to 1847. Several hundred Choctaws emigrated annually for the next several years, and a few hundred more left during the early 1850's (Foreman 1932, 103-104, 103 n.38; Debo 1934, 70-71). It is possible, of course, that defectors from these removals settled in the Trout Creek area. The Jena Band of Choctaw Indians could have been created by defectors from the removals of the 1830's, or the 1840's and 1850's, as the author of a

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dissertation in education suggested, but no evidence has been offered or discovered to support such speculation (Watt 1986, 52-53; JBC Petition 1993, 9-10).

Many Choctaws resisted removal. About 1850, Dominique Rouquette noted that there were Choctaws who "obstinately refuse to abandon the different parishes of Louisiana, where they are grouped in small family tribes. . . ." These Choctaws, he added, "live in rough huts in the vicinity of plantations, and hunt for the planters. . . ." (Rouquette 1938, 12). In 1856, Choctaw agent Douglas Cooper's census of the Choctaws who had avoided removal revealed that at least 2,068 of them remained east of the Mississippi River. Cooper added to his census the comment that he was informed that there were, west of the river, about 100 Choctaws on Bayou Boeuf, another 100 on Bayou Tensas, and about 50 on the Ouachita River in Louisiana and Arkansas (Cooper 1856; Watt 1986, 60-62). In 1889, the Choctaw Nation, claiming that "there are large numbers of Choctaws yet in the States of Mississippi and Louisiana," petitioned Congress to appropriate funds to allow them to emigrate to the Indian Territory (Choctaw Nation 12/24/1889). Having failed to gain Federal support, the council of the Choctaw Nation in 1891 appropriated funds itself to remove certain Choctaw families from Mississippi to the Indian Territory (Dawes Commission 1899, 80).

While no evidence indicates that Choctaws settled in the immediate vicinity of Jena during the removals, there is evidence that the Jena area was traversed by Indian and Spanish trails, and thus would have been known by and accessible to the Choctaws. A map of "The Trail System of the Southeastern United States" by W. E. Myer, which was published by the Smithsonian Institution in 1928, showed a trail from Natchez to Natchitoches and on to Texas which passed through the general vicinity of Jena. Although Myer considered this to be an Indian trail, he discussed it as part of the Spanish "Camino Real" from Florida to Texas. Whether an Indian trail adopted by the Spaniards or only a colonial Spanish road, this transportation route would have been known to the Choctaws who traveled in Louisiana during the 1700's and 1800's (Myer 1928, 828-829 and map at 748). An 1840 map of Louisiana showed that a road from Natchez to Alexandria ran just north of Lake Catahoula and, probably, just south of Trout Creek (Greenleaf 1840). According to the recollections of a Louisiana resident who was born in 1866 and grew up in western Catahoula Parish, an old Indian trail ran through the parish and was used by white emigrants during the late 1870's. The route of this trail--through

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Aimwell, Summerville, and Georgetown--would have been about 5 to 10 miles north of Trout Creek. Throughout his lifetime, this man implied, there had always been "a goodly number" of old Choctaws in Catahoula Parish (Wiggins 1936).

The Jena Choctaws, 1872-1917

The first evidence of a Choctaw settlement in Catahoula Parish, Louisiana, is the 1880 Federal census listing of four Indian families there. A total of 26 Indians were listed in Catahoula in 1880 (see Table 1). Three of these Indian families were in adjacent households in enumeration district 6, and the other household was in enumeration district 5. Listed as the heads of the households in district 6 were Joseph Allen, 40; Simon Allen, 35; and Willis Berry, 27. The household of Joseph Allen included his wife and five children. The household of Simon Allen included his wife, the extended family of the widower George Williams, 60, and the widow Sopha Berry, 45, and her daughter. Williams' family included his son, Wilson Williams, 30, his son's wife (mislabeled as his daughter), and his son's four children. The household of Willis Berry included Samuel Gibson, 30, and three teenagers. Sam Allen, 25, his mother Sally, 45, and a 6-year-old orphan constituted the household in district 5. Joseph Allen and Willis Berry also were listed in the agricultural census that year, each with 10 acres of tilled land (United States Bureau of the Census (hereafter cited as U.S. Census) 1880). It is possible that the 1877 tax roll of the parish has an entry for Joseph Allen, an Indian, but there was a non-Indian Joseph Allen in the parish as well. In six of the eight years between 1877 and 1884, Allen was assessed for taxes on livestock, but not on land (JBC Petition 1993, 139, 157-159; Catahoula Parish 1878).

The existence of this small settlement was also recorded by the linguist Albert Gatschet in 1886. Gatschet said that he had found three Choctaw families on Trout Creek, in Catahoula Parish, and another family on Bear Creek, in Grant Parish. His notes appear to indicate that his informant, Samuel Gibson Johnson, and, perhaps, all these families, were living in log huts on 8 or 10 acres of the land owned by Thomas Whatley (Gatschet 10/16/1886 and 10/24/1886). Gatschet's brief description seems to match the information on the 1880 census schedule. Although one researcher has claimed that Gatschet's informant said that there was no leader among these Choctaws and that he could not remember there being a chief, the words ". . . we have no chief" appear as a Choctaw phrase collected by Gatschet for his

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TABLE 1
CHOCTAWS IN CATAHOULA AND LASALLE PARISHES, 1880-1920

	1880	1890	1900	1910	1920
LaSalle	26	--	32	26	23
Catahoula	0	--	8	14	0
Total	26	34	40	40	23

NOTE: Catahoula Parish was not divided into LaSalle and Catahoula Parishes until 1908; thus, the figures for 1880 and 1900 are based on an estimate that certain enumeration districts were in the western half of Catahoula Parish, and that others were in the eastern half of the parish.

SOURCE: U.S. Census 1880, 1890, 1900, 1910, 1920.

dictionary, not as a statement of fact (Gatschet 10/16/1886; Watt 1986, 69; JBC Petition 1993, 21-22). Although manuscript census schedules, which allow the identification of individual residents, do not survive for 1890, the Census Bureau's special enumeration of Indians that year revealed that 34 Indians were counted in Catahoula Parish in 1890 (U.S. Census 1894, 328). The number of Choctaws in this parish during the 1880's, then, apparently had been fairly stable.

Gatschet claimed that the family on Bear Creek in Grant Parish in 1886 had come there "after the dissolution of a considerable Choctaw" settlement just north of Alexandria, Louisiana (Gatschet 10/24/1886). With this exception, there is no evidence to support the supposition of one anthropologist that the Jena Band was formed by remnants of early Choctaw settlements in Louisiana (Gregory 1977, 5). Gatschet appeared to consider the family in Grant Parish in 1886 to be linked with the Choctaw settlement on Trout

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Creek. None of the Indian families listed in Grant Parish on the 1880 census match any of the known ancestors of the Jena Choctaws. However, two households listed on the 1870 census of Grant Parish may have contained Jena ancestors: Emily Gibson in household #13 and Louisiana Brown in household #14 (U.S. Census 1870). Emily Gibson was the right age in 1870 to be the Emily Batice in Catahoula in 1900, while information on her children identifies her as the mother of Ida Umber of Catahoula. Louisiana Brown was the right age in 1870 to be the Luzanne Gibson who married Samuel Gibson.

Gatschet suggested another origin of the Catahoula settlement when he annotated the entry in his brief dictionary for the Choctaw words for Deer Creek, in Tensas Parish, with the comment that his informant Samuel Gibson Johnson had "lived there [awhile]" (Gatschet 10/16/1886). This inconclusive evidence hints of precursors of the Trout Creek community in Grant Parish to the west and Tensas Parish to the east of Catahoula. Gatschet also reported that the three families of Choctaws on Trout Creek had come there from Scott and Newton counties in Mississippi. It is not clear from his cryptic notes whether he meant that he had been told that these Choctaws had lived in Mississippi before the Civil War, or that they had emigrated to Louisiana before the war. They had attempted to go to the Choctaw Nation in the Indian Territory, Gatschet reported, but had returned to Louisiana from there (Gatschet 10/16/1886 and 10/24/1886).

The three eldest Choctaw men from Catahoula Parish who testified before the Dawes Commission all stated that they had been born in Scott County, Mississippi: John Allen, Sr. (previously called Joseph Allen) about 1822, Samuel Gibson (Gatschet's Samuel Gibson Johnson) about 1851, and Willis Jackson (previously known as Willis Berry) about 1855. Allen's daughter Sally Ann also claimed to have been born in Mississippi about 1872. Thomas (Tell) Williams and his sister Victoria Williams both testified that they had been born, about 1873 and 1877 respectively, near Tullis, Louisiana. Luzanne Gibson's children from her first marriage were born in Louisiana during the 1880's. Thus, the Dawes Commission testimony suggests that tribal members born before 1872 were born in Mississippi, while those who were younger than that were born in Louisiana. Census data on individuals' place of birth does not support this conclusion, but the census is less reliable than personal testimony. Willis (Berry) Jackson testified that he had settled near Tullis, Louisiana, about 30 years earlier, or

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about 1872. John Allen said that he had lived in Louisiana for at least 15 years, or since 1887, and Samuel Gibson testified that he had moved to Louisiana about 1896 (Dawes Commission, M-1301). Allen and Gibson had arrived in Catahoula at least by 1880, however, for they appeared on the 1880 census, as did Jackson. They had not appeared on the 1870 census. This evidence, then, suggests that these founding families arrived in Catahoula Parish during the 1870's, and possibly during 1872 or 1873 (see Table 2).

The Federal census of 1900 found eight families of Choctaws grouped together in Catahoula Parish, as households #217-224, and two other families in a separate location in the parish, as households #340 and #364. The households of Joe Allen and Willis Berry continued from 1880. The third household head from 1880, Simon Allen, did not appear on the 1900 census, but the extended Williams family which was present in that household in 1880 was represented in 1900 by the households of Thomas Tell (Williams) and Victoria Wilson (Williams). Samuel Gibson, who had been a member of Willis Berry's household in 1880, was listed as a household head in 1900. Two of Joseph Allen's sons, John and Heman, members of his household in 1880, were listed as household heads in 1900. Only one household head in 1900 was a newcomer to the community, the widow Emily Batice, or Baptiste. She may have appeared on the 1870 census in neighboring Grant Parish. Thus, the eight household heads in western Catahoula Parish in 1900 were: Joe Allen, 68; Samuel Gibson, 50; Emily Batice, 50; Willis Berry, 45; John Allen, 30; Thomas Tell (Williams), 29; Victoria Wilson (Williams), 28; and Heman Allen, 23. According to the census, 32 Indians were living together at this location. Another 8 Choctaws lived elsewhere in Catahoula Parish, and appeared there on the census for the first time. The household of William Lewis, 40, included his wife and three step-daughters, while the household of Mary Lewis, 40, included her niece and her niece's child (U.S. Census 1900).

Of the 26 Choctaws on the 1880 census of the parish, 13 appeared on the 1900 census and the other 13 had died or moved away (see Appendix A). In 1900, 19 of the 40 Choctaws in the parish had been born during the previous two decades. This probably understates the youth of the community, for none of William Lewis's children were listed on this census. Of the other 21 individuals who were old enough to have appeared on the 1880 census, 8 were new to the parish in 1900. Four of these new adults were members of the Lewis households in eastern Catahoula. Therefore, only 4 of the 17 adult Choctaws in western Catahoula were new to the

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TABLE 2

CHOCTAWS OF CATAHOULA PARISH, BORN BEFORE 1880

Name	Born ca.	POB Dawes	POB Census
Williams, George	1820		LA
Allen, Lizabeth	1830		LA
Allen, John, Sr.	1831	MS	MS
Allen, Sally	1835		MS
Berry, Sopha	1835		LA
Allen, Simon	1845		LA
Baptiste, Eaily	1850		LA
Berry, Nancy	1850		LA
Gibson, Samuel	1850	MS	LA
Lewis, Nancy	1850		LA
Williams, Polley	1850		LA
Williams, Wilson	1850		LA
Jackson, Willis	1854	MS	LA
Allen, Martha	1855		LA
Allen, Sam	1855		MS
Lewis, Mary	1857+		LA
Gibson, Luzanne	1860	?	LA
Lewis, William Bill	1860		LA
Lewis, Mary	1861		LA
Berry, Rosa	1864		LA
Allen, Amy	1865		LA
Davis, Jeff	1868		LA
Allen, John, Jr.	1869	?	LA
Allen, Sallie Ann	1872+	MS	LA
Allen, Heman	1873+		LA
Allen, Phin	1873+		LA
Allen, Melissa	1874		LA
Williams, Thomas	1874	LA	LA
Bowie, Nancy	1875		LA
Williams, Susan	1875	?	LA
Williams, Victoria	1876	LA	LA
Jackson, Mary Ann	1877		LA
Umber, Ida	1877	LA	LA
Batise, Williamson	1879+	?	LA
Lewis, Rosalie/Roselia	1879+		LA
Williams, Melissa	1879+	LA	LA

NOTE: Year of birth calculated as an average from each available census and the Dawes Commission testimony.

SOURCES: U.S. Census 1880, 1900, 1910, 1920; National Archives microfilm M-1186.

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community in 1900, while 13 of 17 had lived there for at least 20 years. This Choctaw settlement in the vicinity of Trout Creek, then, appears to have been a very stable community during the late-19th century.

Indians who were identified as residents of western Catahoula Parish by the Federal census were also identified as Choctaws by the Dawes Commission. The Commission to the Five Civilized Tribes was created by Section 16 of the Indian Appropriation Act of 1893. President Cleveland chose former senator Henry L. Dawes of Massachusetts to head the Commission, and it became commonly known as the Dawes Commission. The commissioners were assigned the task of entering into negotiations with the Choctaw Nation and the other four tribes "for the purpose of the extinguishment of the national or tribal title" to their lands and the allotment of those lands to individual tribal members (U.S. Statutes 1893, 645-646; for general histories of the Dawes Commission, see Debo 1934, 246-290; Debo 1940, 42-47, 97-98; Prucha 1984, 746-755). The Commission eventually made such an agreement, known as the Atoka Agreement, with the Choctaw and Chickasaw nations in 1897, and it was ratified by Congress in 1898 (U.S. Statutes 1898, 505-513). Congress gave the Commission, in 1896, the additional duties of determining who was entitled to citizenship and compiling a final roll of citizens for each of the five tribes (U.S. Statutes 1896, 339-340). In 1897, Congress asked the Commission for a report on the question of whether the Choctaws remaining in Mississippi were entitled to Choctaw citizenship (U.S. Statutes 1897, 83).

In its report to Congress on the rights of the Mississippi Choctaws, the Dawes Commission concluded that the descendants of the Choctaws who had resisted removal were not entitled to the rights of Choctaw citizenship unless they moved to the Choctaw Nation in the Indian Territory. The treaty of 1830 had stated, in Article 14, that those Choctaws who remained in Mississippi by claiming land under the treaty's provisions would "not lose the privilege of a Choctaw citizen. . . ." (U.S. Statutes 1830, Art. 14). The Commission construed that language as a pledge that if the Mississippi Choctaws removed to the Choctaw Nation in the future, they would be admitted to membership with the same privileges as other citizens, except for a share in treaty annuities. To have interpreted the treaty language as providing that the Choctaws could remain in Mississippi, receive land, and also share in the commonly-owned lands of the Choctaw Nation in the Indian Territory because they enjoyed all the rights of Choctaw citizenship, the

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Commission reasoned, would have provided the Choctaws with an incentive to avoid removal and thus would have defeated the purpose of the treaty of 1830 (Dawes Commission 1/28/1898).

The Commission also argued that a treaty made in 1866 did not grant rights to Choctaws who remained outside Indian Territory. The treaty of 1866 required that, should the Choctaw Nation decide to divide its commonly-owned lands into allotments of individually-owned land, a public notice of the land survey must be published in newspapers in Mississippi, Louisiana, and other places outside the Choctaw Nation (U.S. Statutes 1866, Art. 13). The Commission interpreted this language as informing those eastern Choctaws that if they desired to share in the allotment they must move to the Choctaw Nation and become members (Dawes Commission 1/28/1898). Noting that the Choctaw Nation had stated, in 1889, that the Choctaws in Mississippi and Louisiana were "entitled to all the rights and privileges of citizenship in the Choctaw Nation," the Commission contended that the western Choctaws had "never denied the right of their eastern brethren to remove to and settle upon the Choctaw lands in Indian Territory and become citizens of the Choctaw Nation. . . ." (Dawes Commission 1899, 80; Choctaw Nation 12/24/1889). To obtain the privileges of a Choctaw citizen, the Commission concluded, a person must show that he or she was a descendant of Choctaws provided for by the treaty of 1830 and that he or she had settled in the Indian Territory (Dawes Commission 1/28/1898; 1899, 18).

In the Commission's view, Congress responded to this report by providing "for the identification of Mississippi Choctaws" in the Curtis Act of 1898 (Dawes Commission 1899, 18). In this act, Congress gave the Commission the authority to determine the identity of Choctaws who claimed rights in the Choctaw lands under Article 14 of the treaty of 1830 (U.S. Statutes 1898, 503). The Commissioner of Indian Affairs argued that when Congress, by the act of 1898, required the Commission to identify Mississippi Choctaws, it had before it the report of the Commission on the rights of the Mississippi Choctaws. Therefore, he said, the Curtis Act "was taken as the approval by Congress of the opinion of the commission as to the rights of these Indians." Thus, the Indian Office and the Department of the Interior also held that the Mississippi Choctaws would be entitled to enrollment in the Choctaw Nation when they made a permanent settlement in the Indian Territory (United States. Department of the Interior. Office of Indian Affairs (hereafter cited as Commissioner of Indian Affairs)

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1899, 123). At the end of 1900, the Department directed the Commission, when it proposed to visit Mississippi, to inform the applicants that they would not have a right to be enrolled as members of the Choctaw Nation and to be entitled to a share of its lands without settling in the Choctaw country in Indian Territory (Commissioner of Indian Affairs 1901, 158).

After one commissioner visited Mississippi for several weeks, the Dawes Commission produced a roll of the Mississippi Choctaws and submitted it to the Department of the Interior in March 1899. Later in the year, however, the Commission asked that the roll be withdrawn and returned to it. The roll contained 1,923 names (Dawes Commission 1899, 78; 1900, 18, 20; Commissioner of Indian Affairs 1899, 122; 1901, 157-158). The Commission had identified as Mississippi Choctaws all of the full-blood Choctaws who had appeared before it. The Commission noted that it was impossible to prove that an individual's Choctaw ancestors had made a good-faith effort to comply with the provisions of Article 14 of the treaty of 1830. The facts were not known to those living 60 years later, the Choctaws with English names could not be traced back to ancestors with Indian names, the Government's records were inadequate, and the investigations made after the treaty had demonstrated that Agent William Ward had refused to register Choctaws who had sought to comply with the treaty's terms. The Mississippi Choctaws, the Commission contended, could not reasonably be expected to show that their ancestors had complied with the provisions of the treaty. It was "fair and reasonable to assume," however, that the Choctaws who had remained in Mississippi had intended to declare their intention to do so and to use the treaty to assure themselves of a homestead (Dawes Commission 1899, 78-79).

When Congress in 1902 ratified a supplemental agreement with the Choctaws and Chickasaws, it provided that the Commission should identify as Mississippi Choctaws "all full-blood Mississippi Choctaw Indians" who had not moved to Indian Territory prior to 1898 (U.S. Statutes 1902, 651). The effect of this language was that full-blood Choctaws, in contrast to mixed-blood Choctaws, were not required to show that an ancestor had attempted to comply with the provisions of Article 14 of the treaty of 1830 (Commissioner of Indian Affairs 1903, 92). This provision had been inserted into the act, the Commission claimed, in order that Mississippi Choctaws would not be denied the benefits of the act of 1897 because of an inability to prove that their ancestors had complied with Article 14. All full-blood Choctaws,

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according to this act, were entitled to the benefits under Article 14 and would be deemed to be Mississippi Choctaws (Daves Commission 1906, 32). The act of 1902 had the effect of allowing Choctaws from Catahoula Parish to be identified as Mississippi Choctaws.

Congress had provided in 1900 that anyone identified as a Mississippi Choctaw would have the right to settle within the Choctaw-Chickasaw country in Indian Territory and, "on proof of the fact of bona fide settlement," could be enrolled as Choctaws entitled to allotment (U.S. Statutes 1900, 236-237). The act of 1902 gave individuals identified as Mississippi Choctaws six months to settle in the Choctaw Nation and one year to provide the Commission with proof of that settlement. Congress also provided that applications for identification as Mississippi Choctaws would be accepted for only six months after the ratification of the supplemental agreement (U.S. Statutes 1902, 651). By the provisions of that agreement, which was approved by Congress in 1902, the deadline to apply for identification as a Mississippi Choctaw was set as March 25, 1903 (Daves Commission 3/25/1903, 289-290; 1903, 14; 1906, 33; 1907, 12).

The Dawes Commission submitted a roll of Mississippi Choctaws to the Department of the Interior in 1903 that included 1,735 names. Of these, 1,729 were full-blood Choctaws. The Commission had received applications on behalf of 24,634 persons, so most claims had been denied (Daves Commission 1903, 15; Commissioner of Indian Affairs 1903, 92). Congress responded by appropriating \$20,000 in 1903 to aid identified full-blood Mississippi Choctaws to remove to the Indian Territory (U.S. Statutes 1903, 982). The Commission appointed a special agent to carry out the removals, and the Government distributed circulars describing its removal program, the Commission said, "throughout the full-blood settlements" in the states of Mississippi, Alabama, and Louisiana. A total of 290 Choctaws were removed by the Commission to the Choctaw Nation and given allotments of land there (Daves Commission 1904, 19). The removal lists did not contain the names of any of the Choctaws from Catahoula Parish (Watt 1986, 97). The rolls created by the Dawes Commission were closed on March 4, 1907. A congressional mandate to add minors to the roll increased the total of identified Mississippi Choctaws to 2,534. The Commission concluded that at least 1,000 of them had failed to remove to the Indian Territory within the time limit set by law. Because the enrollees had to submit proof of continuous residence for three years in their new

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homes, however, the deadline to do so was not until March 4, 1911 (Dawes Commission 1907, 11-13).

The Dawes Commission acknowledged the existence of Choctaws in Louisiana in several ways. Although the 1899 roll did not list Choctaws west of the Mississippi, the Commission said that it had been informed "that several hundred" Mississippi Choctaws had moved to the States of Alabama and Louisiana. . . ." (Dawes Commission 1899, 80). The commissioners did not make field trips into Louisiana, but the Commission did place advertisements in Louisiana newspapers to announce that its final session to hear applications in Mississippi would be held at Meridian in April 1902 (Dawes Commission 1902, 26). When the Government distributed circulars describing its removal program in 1903, it did so in Louisiana (Dawes Commission 1904, 19). Most importantly, the Commission accepted applications from Choctaws with Post Office addresses in Louisiana and placed them on its list of identified Mississippi Choctaws.

The Choctaws from Catahoula Parish testified before the Dawes Commission at Muskogee, Indian Territory, in 1902 (Dawes Commission, M-1301). The Commission had closed its office at Atoka, in the Choctaw Nation, at the end of October 1901, and had held its final session to hear applications in Mississippi in April 1902. After that date, applicants had to travel to Muskogee where the Commission's office was located (Dawes Commission 1902, 24; 1903, 15). Tribal tradition claims that the Choctaws from Jena walked all the way to Muskogee (JBC Petition 1993, 48). One version of the tribal story says that a man who had married Samuel Gibson's stepdaughter and moved to Oklahoma talked the group into the journey. Later, he was killed by Gibson, possibly because he failed to provide for the group's return to Louisiana (JBC Petition 1993, 170-172). Each Choctaw household from western Catahoula Parish found on the 1900 Federal census made an application before the Dawes Commission. The two Lewis families from eastern Catahoula Parish did not apply to the Commission. Tribal tradition says that Lewis was doing well as a farmer and was not interested in moving (Fairbanks 2/25/1985).

Twelve adult Choctaws from the vicinity of Tullis, Louisiana, in Catahoula Parish, testified before the Dawes Commission on June 30 and July 1, 1902, in 13 applications on behalf of 27 applicants (see Table 3). They appeared to be accompanied by at least two Choctaw families from the area of Tioga, Louisiana, near Alexandria. Samuel Gibson acknowledged that his wife Luzanne was not a full-blood

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TABLE 3

DAWES COMMISSION APPLICANTS FROM CATAHOULA PARISH

Name	P.O.	Age	App. Field#	I.D. Card#	Final Roll#
Gibson, Sam	Tullis	5	5949	657	-
Gibson, Luzanne	Tullis	48a	5949	Refused	-
Baptiste, Dixie	Tullis	11	5949	Refused	-
Baptiste, Ella	Tullis	9	5949	Refused	-
Allen, John	Tullis	80	5950	509	-
Allen, Sally Ann	Tullis	30	5951	447	-
Allen, Young	Tullis	32b	5952	450	-
Jackson, Willis	Tullis	47	5959	469	-
Jackson, Wesley	Tullis	11	5959	469	-
Jackson, Martha J.	Tullis	10	5959	469	-
Jackson, Chris	Tullis	8	5959	469	-
Jackson, Willie	Tullis	21	5960	470	-
Jackson, Mary Ann	Tullis	25	5960	470	-
Jackson, Sally	Tullis	0	5960	470	-
Williams, Victoria	Tullis	25	5961	260	-
Williams, Thomas	Tullis	29	5962	125	-
Williams, Susan	Tullis	29	5962	125	-
Williams, Lilly	Tullis	9	5962	125	-
Williams, Alice	Tullis	7	5962	125	-
Williams, Melissa	Tullis	23	5963	261	-
Usher, Ida	Tullis	23	5964	270	445
Usher, Joe	Tullis	7	5964	270	446
Usher, Minnie	Tullis	3	5964	270	447
Horton, Bob	Tullis	11	5964	270	448
Williams, Joanna	Tullis	16	5965	195	-
Johnson, Roselia	I.T.	17	5967*	Refused	-
Batise, William	Tullis	22	5969	Refused	-

NOTES:

- a Luzanne Gibson's age was not given on the form, but Sam Gibson gave it as 48 in his testimony.
- b Young Allen's age was not given on the form; he testified both that he was 32 and that he did not know how old he was.
- c Susan Williams's age was not given on the form; her husband said that she was about his age.
- * Roselia Johnson also applied with her husband Bankston Johnson for regular Choctaw enrollment as #3705.

SOURCE: National Archives microfilm, M-1186 and M-1301.

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Choctaw, since her father was white. This meant that her four children, who were Gibson's step-children, also were not full-blood Choctaws. On this basis, and their inability to claim that their ancestors had complied with Article 14 of the treaty of 1830, the Commission refused to identify these five applicants as Mississippi Choctaws. All of the other claimants professed to be full-bloods, and in each case the Commission commented that the physical appearance of the applicant supported such a conclusion. Thus, the Dawes Commission identified 22 individuals from Catahoula Parish as Mississippi Choctaws (Dawes Commission, M-1301 and M-1186).

The Commission made its decisions to identify these Choctaws in February and April 1903, with the exception of Samuel Gibson, whose case was not decided until January 1904. It then sent letters to these people by registered mail to inform them of its decision and to notify them that they had six months to remove to the Choctaw-Chickasaw country within Indian Territory and another six months to submit proof that they had done so to the land office. Thomas Williams and Ida Umber and their families needed to remove by August 1903, John Allen and Willis Jackson and their families by October 1903, and Samuel Gibson by July 1904. Only the family of Ida Umber complied with these mandates and these deadlines. In 1903, she again testified before the Commission to demonstrate that she had settled in the Indian Territory. Umber said that she had gone to the Indian Territory in June 1902 to see about land and had married while there. She and her new husband went to Louisiana for a visit that lasted seven months, but they returned to Indian Territory. Umber brought her mother with her. Her mother, Emily Baptiste, had applied to the Dawes Commission while living in St. Tammany Parish, Louisiana (Dawes Commission, M-1186 and M-1301). Both Umber and Baptiste applied for enrollment in the Choctaw Nation and land allotment in the Indian Territory (Dawes Commission, Enrollment Stubs, Allotment Ledgers, and Allotment Record).

By removing to Indian Territory, Ida Umber and Emily Baptiste were listed on the Dawes Commission's "final roll" of 1907. Umber was listed as roll #445 and her children and adopted nephew were listed as roll #s 446-448, while her mother was listed as roll #444 (Dawes Commission 1907). The other Choctaws from Catahoula, who failed or refused to remove from Louisiana to Indian Territory and who did not provide evidence of settlement in the Indian Territory, were classified as "refused" Mississippi Choctaws and were deleted from the Commission's final roll (Dawes Commission,

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M-1186 and M-1301). Thus, the ultimate verdict of the Dawes Commission on the 27 Choctaws from Catahoula Parish who made an application for identification as Mississippi Choctaws was that 4 were placed on the final roll, 18 were identified as Choctaws but not included on the final roll, and 5 were determined to be less than full-blood Choctaws and thus not eligible for identification.

Nine of the twelve Choctaws from Catahoula Parish who testified before the Dawes Commission in 1902 used an interpreter to do so. Only Samuel Gibson, 51, Willis (Berry) Jackson, 47, and Willie Jackson, 21, testified without the use of an interpreter. The Commission said that Gibson "speaks and understands the English language and also speaks Choctaw, and is acting as interpreter for the Commission in other applications. . . ." Perhaps this is why he was the first witness from the group to testify. His wife, Luzanne Gibson, whose father was not an Indian, was listed as the interpreter for many of the other group members. The Commission described Willis Jackson's English as "fairly good," but Willie Jackson's as "limited." Ida UMBER, 23, also was described as speaking English "fairly well," but she did need to use an interpreter to testify. John Allen, 80, was said to know "very little" English, while his children apparently knew none. Thomas Williams, 29, spoke "very limited" English, while his sisters spoke it "imperfectly" or not at all. The children of Luzanne Gibson from her first marriage, William Batise, 22, and Roselia Johnson, 17, were both characterized as speaking English "imperfectly" (Dawes Commission, M-1301). From this evidence, it appears that those individuals who had grown up in Mississippi had a better command of English than those born in Louisiana, and that the use of English within this group had declined rather than increased in Louisiana before 1902.

While a stable community core persisted until 1910, this Choctaw settlement began to disintegrate in the years after the Dawes Commission hearings. The 1910 census was the first after the division of Catahoula Parish, by which the western half of Catahoula became known as LaSalle Parish. Four Choctaw households were listed in LaSalle Parish in 1910. These families were headed by John Allen, Sr. (Joseph Allen), 80; Thomas (Tell) Williams, 29; his sister Victoria Williams, 28; and Will Jackson, 26. The only new household head in 1910 was Will Jackson, who in 1900 had lived in the household of his father Willis (Berry) Jackson. Since the Indian population was listed on separate schedules in 1910, it is not possible to determine whether these Choctaw

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families lived in adjacent households. The total Choctaw population in LaSalle was 26. In old Catahoula Parish, the Choctaw population consisted of 14 members of the single household of William Lewis, or Louis, 45 (U.S. Census 1910).

Of the 40 Choctaws on the 1900 census of undivided Catahoula Parish, only 15 appeared on the 1910 census of the two new parishes. Another 3 were absent or missed in 1910 but reappeared in 1920, while the other 22 had died or moved away permanently (see Appendix A). A larger percentage of the Choctaw population disappeared from this area during the decade from 1900 to 1910 than had been lost during the preceding two decades. Only four individuals appeared on the 1910 census of LaSalle who had not been listed in 1900. Because they all appeared to have family connections to continuing residents, it is possible that they were missed by the enumerator in 1900 rather than being new residents in 1910. This appeared to be the case in Catahoula, where the six people listed in 1910 but not 1900 were all children of William Lewis. In 1910, 16 of the 40 individuals counted in the two parishes had been born during the previous decade. This birth rate was just adequate to maintain the total population of the Choctaws in LaSalle and Catahoula at 40 people.

The Choctaws from western Catahoula Parish who testified before the Dawes Commission in 1902, but did not appear on the 1910 or 1920 Federal census of LaSalle Parish were Ida Umber, her children Joe and Minnie Umber, and her nephew Bob Horton, all of whom left the parish and settled in Indian Territory; Thomas (Tell) Williams' wife Susan Williams, who apparently died, and their children Lillie and Wash; Willis (Berry) Jackson, who also may have died; and Samuel Gibson, his wife Luzanne, and his wife's children Dixie Baptiste, Ella Baptiste, William Batise, and Rosalia Batise Johnson (see Appendix A). Rosalia Batise Johnson already had married and settled in Indian Territory. The Gibsons may have moved, or moved and returned, or they may simply have been missed by the census enumerator in 1910, for Gibson is remembered in tribal tradition as continuing as a community leader during the 1910's. In addition, one member remembers Gibson officiating at a funeral in the early 1920's (JBC Petition 1993, 96-97, 124; Fairbanks 2/25/1985).

During the decade of the 1910's, about 77 percent of the residents of the Choctaw settlement died or moved away; only 6 of the 26 Choctaws in LaSalle Parish in 1910 appeared on the 1920 census of the parish (see Appendix A). John Allen, Sr., who is remembered in tribal tradition as the first

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chief of the band, died during the decade. The petitioners place his death soon after the 1910 census, while a Whatley daughter implied that his funeral was about 1916 (JBC Petition 1993, 96-97, 124; Pipes 9/28/1988). Three of Allen's sons reportedly died within six months of his death (Fairbanks 2/25/1985; see also Pipes 10/5/1988). In 1920, no one with the surname of Allen remained in the community. At some point about 1916, according to tribal tradition and the recollections of Whatley daughters, many members of the LaSalle Choctaw community left for Oklahoma. This exodus included the families of Thomas (Tell) Williams and his sisters Victoria, Melissie, and Johanna; several surviving Allens; Wes Jackson; and perhaps others, like Samuel Gibson (Jones 12/11/1984; Pipes 9/28/1988; Pyle 9/28/1988; Watt 1986, 108; JBC Petition 1993, 121, 156). A daughter of Thomas (Tell) Williams married a son of Willis (Berry) Jackson, however, and remained in LaSalle Parish.

Before the arrival in LaSalle Parish about 1917 of William Bill Lewis and his extended family from Catahoula Parish, the Trout Creek settlement may have shrunk to two families, those of brothers Will Jackson and Chris Jackson, the sons of Willis (Berry) Jackson. Will Jackson had been married to a sister of Thomas (Tell) Williams. His second marriage was to Katie Lewis, a daughter of Bill Lewis. Their first child was born in 1914. In 1910, Chris Jackson lived in his brother Will's household, but he married Alice Williams and their first child was born about 1916 or 1917. At that time, these two Jackson families may have consisted of only 8 people. Census enumerators, of course, may have missed other residents. Bill Lewis' extended family, which joined the Jacksons near Eden, included 14 people in 1910 and 13 people in 1920 (U.S. Census 1920). One of Lewis' sons said that his father moved to Whatley's place from Aimwell in 1919. He also said, however, that they moved when he was 4, which would have been in 1916 or 1917 (Lewis 12/11/1984). The petitioners accept 1917 as the date when the Lewis family joined the Choctaws at Trout Creek (JBC Petition 1993, 185; Watt 1986, 108). The marriage of Will Jackson and Katie Lewis before 1914 indicates either that the Jackson and Lewis families were interacting prior to the arrival of the Lewises at Eden, or that the Lewises moved to Eden before 1914 and, therefore, before the exodus from the community to Oklahoma. The arrival of the Lewis family gave the Trout Creek settlement the potential to remain a viable community.

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The Jena Choctaws, 1917-1974

In 1920, the Federal census listed four Indian households and an Indian population of only 23 in LaSalle Parish. These households were headed by William Lewis (or Louis), 65; Will (or Willis), Jackson, 40; Chris Jackson, 25; and Bowie Parker, (or Parker Bowie), 24. These four households were listed within a range of twelve households. Thus, while they did not reside in an exclusively Choctaw settlement in 1920, these Choctaw families were in close proximity to each other. Will and Chris Jackson had lived in LaSalle in 1910, William Lewis had lived in Catahoula in 1910, and Bowie Parker likely was the Bowie infant listed on the 1900 census in eastern Catahoula. Only 3 of the 19 individuals who presumably had been alive in 1910 had not been listed on the 1910 or 1900 census: an 11-year-old son of William Lewis, an 11-year-old being raised by William Lewis' sister Mary, and 70-year-old Nancy Lewis (see Appendix A). In short, no outsiders had been added to the consolidated LaSalle and Catahoula Choctaw group. Also, only 4 of the 23 members of the community had been born in the previous decade, which was a much smaller percentage of children than ever before. At 1920, then, the Choctaw settlement on Trout Creek had been diminished in size and had experienced little growth (see Table 1). This community, however, had also been recently altered by the influx of Choctaws from Catahoula Parish.

From the 1900's through the 1920's, some members of the Choctaw community near Eden were listed in the ledgers of the local Whatley store. During the 1900's, they were identified as Indians, for example, by their entries as "Allen Indian" or "Tell Indian." By the 1920's, most were listed with a surname, as, for example, "Will Jackson" or "Bill Louis." Many of the payments at the Whatley store were made by labor for the Whatley family. In her dissertation in education on the Choctaws at Jena, Marilyn Watt found that the ledgers revealed sharecropping arrangements between the Choctaws and the Whatleys during the 1920's, but also that these sharecroppers were paid as wage laborers as well. Watt also surmised that some of the Choctaws at Eden must have performed wage labor on other farms or in the lumber industry, because they paid bills by cashing checks at the Whatley store (Whatley Store Ledgers 1906-1909, 1922-1925; Watt 1986, 117-122, 128-129).

A newspaper article in 1929 described the rural Choctaws near Eden and Jena as four families living on the Whatley farms. These Choctaws "have little to do with outsiders,"

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the reporter said, and "still cling to Indian customs of old." As an example, the reporter mentioned that an "Indian funeral" service had been held that summer (Shreveport Times 10/31/1929). The Jena Choctaws were chronicled by a newspaper at this time because their children first received education from the state of Louisiana in 1929 as part of a state "literacy campaign." The parish school superintendent claimed that none of these Indians could read or write English. J. L. Pipes, assistant principal of the Jena high school, who had married one of the Whatley daughters, taught these classes in a church building at Eden as part of a two-month summer program (Shreveport Times 10/31/1929; Pipes 9/28/1988).

In the oral history of group members, William Bill Lewis is remembered as the group's leader from the time of his arrival from Catahoula Parish about 1917 until his death about 1933 (JBC Petition 1993, 124, 189). Non-Indian residents also remembered Lewis as the chief (Pipes 9/28/1988; Pyle 9/28/1988; Greer n.d.). The newspaper article of 1929 about the school described Bill Lewis, although it called him "Bert," as "the chief of the tribe" (Shreveport Times 10/31/1929). In 1938, a newspaper article described Lewis as having been the "chief of the tribe" until his death (Alexandria Town Talk 5/4/1938). Lewis is remembered by the Choctaws as a domineering leader who, as the petition puts it, "carried a bull whip and ruled with an iron fist" (JBC Petition 1993, 191). In her dissertation on the Jena Choctaws, Marilyn Watt said that they remembered Lewis as someone who sought to discipline members. Watt also noted, though, that one member's recollection was that the "young men didn't pay too much attention to him" (Watt 1986, 109-110). Indeed, anecdotes about Lewis' forceful role contrast with the traditional style of Choctaw leadership as described by anthropologists and historians. For example, in 1822 an observer had commented that the Choctaws' "government is entirely advisory" (Morse 1822, 183; see also Swanton 1918, 54).

As the eldest male among the Choctaw residents of the Jena area after the death of Bill Lewis, Will Jackson was expected to play the role of community leader or chief. Jackson, clearly, did not continue the leadership style of Lewis. Jackson did preside at Lewis' funeral, according to group members. An outsider remembered, however, that the next death among the Choctaws occurred in February 1937 and that that funeral was their first Christian burial service (End of the Trail n.d., in Penick Scrapbook). Jackson's nephew recalled that Lewis had set the date for funerals or

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celebrations and had collected money for those affairs from members, but that Jackson did not care to collect money. The nephew also recalled Jackson organizing only graveyard work, and perhaps only on one occasion (R. Jackson 11/24/1987; see also JBC Petition 1993, 76). Will Jackson was described by one elder who remembers him as not a very talkative man (Jones 5/11/1994). The Federal Indian agent to the Mississippi Choctaws, however, did identify Will Jackson in 1941 as the "head-man" of the Indians near Jena (McMullen 2/13/1941). Non-Indian residents also remembered Jackson as a chief (Pipes 9/28/1988). The issue of leadership after Lewis' death may have resulted in factionalism between the Jackson and Lewis families (newspaper clipping ca. 1938, in Penick Scrapbook). An indication of that factionalism is that a newspaper referred to William Lewis, not Will Jackson, as the group's chief in 1946 (newspaper clipping ca. 1946, in Penick Scrapbook).

The Choctaws living in the rural area west of Jena, Louisiana, came to the attention of outsiders largely through the efforts of Mattie B. Penick. Penick opened an "Indian school" in LaSalle Parish in November 1932 which, by the time it closed in 1938, had become known as the "Penick Indian School." She claimed to be teaching the children of a "small tribe of Choctaw Indians" who numbered about 40 people and lived in the woods between Jena and White Sulphur Springs (Penick 3/4/1935 and n.d.). This school was housed in several buildings in several locations during the 1930's. The first school was located near Searcy and was built on land and with materials donated by a local timber company. During the spring of 1935, Penick rented a dwelling in Jena as a school building. In September 1935, she opened her school "in the Eden community, seven miles west of Jena. . . ." (Penick 8/26/1940). This school building was constructed by W.P.A. laborers out of materials donated by local sawmills (Penick n.d., 11/13/1934, 3/4/1935, and 8/26/1940; Penick Scrapbook; Robertson 3/28/1934, attachment; Jena Times 9/26/1935; Groves 12/12/1937; New Orleans Times-Picayune 4/3/1938; JBC Petition 1985, cxviii, cxv; Watt 1986, 136, 144). This last school was located on one acre of land along the highway from Jena to Alexandria which Penick purchased in 1935 from P. W. Whatley for \$10. In 1947, after the school had closed, she sold this land for \$500 (JBC Petition 1985, cxvii, cxix).

In 1933 this school was visited by Helene Sliffe, an assistant supervisor of elementary schools for the state. She found that 18 children "from five families" of "the Choctaw tribe" were attending the school. Only a few of

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these children, she claimed, had known any English when they started at the school (Sliffe 4/13/1933). The state supervisor who visited LaSalle Parish in 1934 was M. S. Robertson. A report which he apparently prepared stated that, "Several families" of "full-blooded Choctaw Indians" lived in this neighborhood. The Choctaws were living as tenant farmers, he said, and were "somewhat scattered" (Robertson 3/28/1934, attachment). Penick described the Choctaws as "engaged in farming and working as day laborers" (Penick n.d.). She identified the chief occupation of the Choctaw women as doing laundry (Penick 6/1/1934). A map of the Choctaw community about 1935, prepared by the petitioners, shows six households within about five miles of each other, three in the vicinity of Eden and three on the opposite side of Trout Creek just west of Searcy. The Indian cemetery was centered between these residential clusters (JBC Petition 1993, 131).

The superintendent of the Choctaw Agency in Mississippi, A. C. Hector, visited the Indians at Jena in 1935 and 1937. These people, he said, "are Choctaw and speak the language." He noted, however, that they did speak some English. Hector learned that there were five or six families belonging to "two cliques," the Jacksons and the Lewises, and he estimated their population as about 60. He described them as "sharecroppers and wage hands" and as "tenants living in tenant houses. . . ." (Hector 4/23/1935 and 12/15/1937). Edna Groves, the superintendent of Indian education for the Office of Indian Affairs, who visited the school in 1937 and 1938, said that there were five "scattered" Choctaw families in the area and that they were "squatters or share croppers" (Groves 12/12/1937 and 1/17/1938). In 1938, a New Orleans newspaper characterized the Choctaws around Jena as working "as tenants or in the lumber mills when they can find jobs." Before the school was opened in 1932, it added, "almost none of them could speak English" (New Orleans Times-Picayune 4/3/1938). As late as 1940, state school officials still described the Jena Choctaws as "tenants on nearby plantations" (Robertson 1/23/1940).

Before opening her school, Penick sought Federal funding and support. The Indian Office had not been providing education or other services to Louisiana Choctaws. As its director of education put it, Penick had "discovered" the four or five families of Choctaws at Jena and had "called them to our attention" (Beatty 5/16/1938). In early 1932, Senator Huey Long forwarded a letter from Penick to the Commissioner of Indian Affairs, who replied that the Indian Service had "no jurisdiction over the Indians of Louisiana" and had not

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extended any financial assistance "to provide schools for them." Louisiana Indians, the Commissioner concluded, "must necessarily look to the state schools for their educational opportunity. . . ." (Rhoads 3/3/1932). The parish school board superintendent, however, said that "Parish funds are inadequate to establish and maintain a special school" for the 15 Choctaw children of the parish. A separate school was necessary, he contended, because the Choctaws "will not, and should not, attend our negro schools," but were "too far behind in their studies . . . to attend the white schools. . . ." (Richardson 5/10/1932). Penick, then, began her Indian school without Federal aid. She apparently operated the school during the 1932-1933 school year with money from the state's illiteracy fund, but closed it during the 1933-1934 year (Penick n.d.; JBC Petition 1985, cxxiii).

The state government of Louisiana took up the quest for Federal financial aid for the Choctaw students in 1934. M. S. Robertson of the state Department of Education wrote to W. Carson Ryan, Jr., director of education for the Office of Indian Affairs, to propose opening the Indian school in LaSalle Parish and to recommend Penick as the teacher (Robertson 3/28/1934). In April 1934, Ryan approved an arrangement, for the remainder of the fiscal year only, to provide Federal payment to the state of 50 cents per pupil per day to operate the school for the Indians at Jena (Ryan 4/5/1934). Penick wrote to Ryan as well, to make her case to teach the school and to offer her "sound plans" to help the Indians. She advocated that the Government acquire 40 acres of land from a timber company on which the Choctaws could build homes (Penick 6/1/1934). Early in the next fiscal year, however, Robertson again was urging Federal officials to provide financial support so that a school could be established for the Indian children near Jena (Robertson 7/23/1934). He stated that they "did not have any schools whatever last year" (Robertson 8/16/1934). Thus, it appears that Ryan's approval of aid in 1934 had not resulted in actual expenditures for classroom education.

When Robertson sought the support of Superintendent A. C. Hector of the Choctaw Agency in Mississippi for Federal aid for the school in LaSalle Parish, Hector said that he could not recommend "assistance for such a small group who have for years been separated from any other Indians" (Hector 8/10/1934). He argued that the state ought to provide for them without asking the Federal Government to do so. The superintendent also pointed out that no Federal officials had visited the group at Jena (Hector 9/12/1934). It appeared that Hector had some reservations about the group's

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legitimacy. He satisfied his concerns, apparently, when he finally visited the Jena Choctaws in April 1935 (Hector 4/23/1935). At the least, he did certify Robertson's application the next month on behalf of an Indian school for LaSalle Parish.

Federal aid was first provided for the Penick Indian School for the 1935-1936 school year. The established program of Federal payment of tuition on behalf of Indian students attending public schools was based on the theory that these funds offset property tax revenues lost by school districts because Federal Indian lands were tax exempt (Szasz 1977, 90). Regulations of the Office of Indian Affairs prohibited payment of tuition for pupils who were less than one-quarter Indian blood or whose parents owned taxable real property (U.S., O.I.A. 4/30/1935). In May 1935, on behalf of the state Department of Education, Robertson applied for Federal payment of public school tuition to LaSalle Parish for 20 Indian pupils at the rate of 50 cents per pupil per day (Robertson 5/21/1935). Commissioner of Indian Affairs John Collier authorized the expenditure, during the fiscal year to end in June 1936, of \$1,800 for 20 pupils in LaSalle Parish (Collier 8/28/1935). Similar applications were submitted and approved in 1936 and 1937. For the school year 1937-1938, \$2,070 of Federal aid was authorized for 23 Indian pupils (Robertson 4/20/1936 and 6/25/1937; Armstrong 6/24/1936 and 8/18/1937). Despite this Federal aid, the assistant commissioner would still maintain that the Indians of Louisiana "are not recognized as wards of the Government. . . ." (Zimmerman 3/11/1936).

The superintendent of Indian education for the Office of Indian Affairs, Edna Groves, visited the Penick Indian School in December 1937 with A. C. Hector, superintendent of the Choctaw Agency. Groves reported that there were only 7 students in attendance at the school on the day of her visit, when it was supposed to serve 22 children. Although it had been in existence for three years, Groves concluded that "almost nothing has been accomplished in this school" (Groves 12/12/1937 and 1/17/1938). Hector agreed that "very little results are being obtained at Jena" (Hector 12/15/1937). In a second visit in May 1938, Groves found "no signs of any improvement," and therefore recommended that the Penick school not be continued. She raised questions about whether Penick received funds for students who did not attend the school and whether she worked a full day for her meager salary (Groves 5/6/1938). Willard W. Beatty, the Indian Office's director of education, argued that Penick had certified that she had 22 children in

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attendance, and had collected Federal funds for that amount, when her school building could not even hold 12 children. He concluded that she was both "an incompetent teacher" and "dishonest" (Beatty 5/16/1938). When the Office of Indian Affairs authorized Federal expenditures for Indian schools in Louisiana in 1938, no funds were provided for the school in LaSalle Parish (Fickinger 10/24/1938). Federal aid for the Penick Indian School had ended.

Groves and Hector preferred to put Choctaw children in the public schools and suggested that tuition continue to be paid for any Choctaw students placed in the local school system (Groves 5/6/1938; Hector 5/24/1938). When Assistant Commissioner William Zimmerman approved a plan to remove the Jena Choctaws to Mississippi, he also agreed to continue to pay the tuition of any Choctaw children who remained in the area and enrolled in the white public schools of LaSalle Parish (Zimmerman 7/11/1938). The new superintendent of the Choctaw Agency noted that former superintendent Hector had provided the parish school superintendent in Jena with public school tuition blanks with which to enroll Indian children (Page 9/8/1938). Instead, Superintendent J. D. Russell, Jr. of the LaSalle Parish School Board told agency Superintendent L. W. Page that it would be "impossible" for Indian children to attend the public schools. Russell recommended maintaining the separate Indian school (Russell 9/10/1938). Again in 1940, another new agency superintendent, Harvey K. Meyer, informed the Indian Office that parish school officials denied that there had ever been an understanding that Choctaw children would be admitted to the local public schools for white children. Superintendent Russell of the local school district said the parish was poor, already had budgeted its funds, and was restricted by local prejudice against educating the Choctaws (Meyer 2/19/1940).

In 1940, Penick tried to interest the State Normal College at Natchitoches in educating the Jena Choctaw children at its training school for future teachers. This plan also would provide Penick both with employment and the opportunity to finish her four-year course of study at the college (Penick 8/26/1940). Her list of the 21 potential students to be housed and taught at the college included individuals between the ages of 7 and 25 (Penick 11/8/1940). When this did not succeed, Penick wrote to the Office of Indian Affairs in 1941. It replied that it had "no funds available for the education" of the Indian children living near Jena, Louisiana, and "no treaty obligation" to them. Claiming that the "education of these children is a

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responsibility of the state," the Indian Office suggested that Penick "endeavor to interest state education officials and the local people" in the education of the Indian population (Fickinger 1/13/1941).

As early as 1934, Superintendent A. C. Hector of the Choctaw Agency in Mississippi proposed that, rather than subsidizing education in Louisiana, the Choctaw group near Jena be offered an opportunity to remove to Mississippi when land there could be purchased for them (Hector 8/10/1934). Three years later, after Hector and Groves had inspected the school, they decided that the five Choctaw families at Jena should be offered land in Mississippi at Pearl River so that their children "could be absorbed in the already existing school" there. According to Groves, the superintendent believed that "the Jackson group has expressed a desire to move" (Groves 12/12/1937; see also Hector 12/15/1937). When the proposal was put to the director of the land division of the Office of Indian Affairs, he replied that if the Louisiana Choctaws were eligible to benefit under the Indian Reorganization Act and if Superintendent Hector could find land for them, then there would be no objection to their removal (Stewart [1]/8/1938). Proponents of the removal may not have noted the conditional nature of this approval of their plan. In 1938, Groves reported that Superintendent Hector would "attempt to place the largest family in the Pearl River area in Mississippi" and try to offer land to the other families within a year (Groves 5/6/1938).

Willard W. Beatty, the director of education for the Office of Indian Affairs, agreed that Superintendent Hector's proposal to remove the Jena Choctaws to Pearl River in Mississippi "should be carried out as promptly as possible." He informed the assistant commissioner both that "a number of the Indians" were "entirely willing to make the move," and that the Indian Office's land division had "approved the offering of land to these Choctaws. . . ." (Beatty 5/16/1938). Two months later, Assistant Commissioner William Zimmerman informed the new superintendent at the Choctaw Agency, L. W. Page, that he was being given "authority for transferring as many of these Indians to the Pearl River area in Mississippi as you may find it possible to persuade to take up new land" (Zimmerman 7/11/1938). The superintendent was not enthusiastic about this authority. Page indicated that he had doubts about the advisability of such a transfer at a time when the agency was "unable to accommodate" the local Mississippi Choctaws who had applied for homes. The new superintendent argued that the Indian Office "should delay transferring any Louisiana Indians into

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Mississippi" until the Mississippi Choctaws had been provided with land (Page 7/22/1938).

In September 1938, Page informed the Commissioner of Indian Affairs that his agency had taken "no action" to transfer Choctaws from Jena to Mississippi because the agency did not have "sufficient homes to accomodate Indians already living in the Mississippi area" who had applied for places. The superintendent made it clear that he would not carry out a removal unless instructed to do so (Page 9/8/1938). The land division also informed the education division that it likely would be some time before a proposed purchase of lands in the vicinity of the Pearl River school would take place (Stewart 10/27/1938). These obstacles prevented the removal of the Jena Choctaws to Mississippi at this time. Penick's interpretation of the removal issue was that the Choctaws at Jena "were not pleased with the stipulations concerning their removal and refused to go. . . ." (Penick 8/26/1940). As late as 1941, however, Will Jackson told the agency superintendent that "we would like to move over to your agency," but would like to visit and look over the place first (W. Jackson 1/15/1941). When Jackson said "we," it is not clear to whom he was referring. Superintendent A. H. McMullen was unable to arrange a visit and removal quickly enough to allow Jackson to do any farm work in Mississippi that year and could tell Jackson only that he looked forward "to talking this over with you" (McMullen 1/30/1941).

When an application for Federal tuition aid was submitted for the Penick Indian School in 1940, it was denied. Paul L. Fickinger, the associate director of education for the Office of Indian Affairs, told the superintendent that after "considerable study" the Indian Office had decided that "there is little responsibility accruing to the Federal government for these [Louisiana] groups. . . ." The state was responsible for the education of these children, he said, and, because these Indians did not have tax-exempt Federal lands, there was no justification for paying tuition for them (Fickinger 2/17/1940). The Indian Office could not provide funds for tuition payments, he argued in a memorandum that outlined the agency's policy decision, unless Congress appropriated money for assistance to these Indian groups (Fickinger 3/5/1940). When the president of the State Normal College inquired about Federal aid to educate the Jena Choctaws, Fickinger explained that the Federal Government provided financial assistance to local public school districts in areas where non-taxable Indian-occupied land deprived the local district of a source of tax

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revenue. This did not apply to the Choctaws at Jena. Therefore, he concluded that "this group of Indians is in the same status as any other group of citizens in the state of Louisiana, and the responsibility for their education lies with the state and its local agencies" (Fickinger 10/24/1940).

Although the Federal Government provided Federal aid for tuition for the education of Jena Choctaw children for three years; from 1935 to 1938, it had done so through Louisiana's Department of Education and had never dealt directly with the group as a tribal entity. It had provided financial support for individual students, not for a tribe, and it had distributed funds to the state or the parish, not to a tribe. By 1940, the Indian Office had decided that it could not even justify Federal tuition payments under the law. Although Federal officials talked about removing the Jena Choctaws to Mississippi, they never developed a plan to do so. In this case the agency superintendent apparently had discussed removal with members of the Choctaw community, but he proposed to remove individual families, not to relocate a tribe. His idea appeared to be that those removed from Jena would become part of the Mississippi Choctaw tribe, not that they would be dealt with as a separate tribe of Choctaws. The officials involved in the discussions about removal in the late 1930's did not refer to or rely upon the decisions of the Dawes Commission or its rolls of identified Mississippi Choctaws. Although they had done less explicit research than the Dawes Commission, these officials appear to have reached a similar conclusion. They acted upon the assumption that the Indians near Jena were largely full-blood Choctaws and, as such, deserved to be treated as part of the Mississippi Choctaws, if they would remove to Mississippi from Louisiana.

During the middle of the 20th century, neighbors and scholars, as well as Federal officials, were aware of a Choctaw group near Jena. Anthropologist James Ford noted the existence of Choctaws near Jena in an article published in 1936 (Ford 1936, 41). M. L. Wiggins of nearby Georgetown, Louisiana, told the Federal Indian agent in 1940 that he had known "this tribe for more [than] 60" years (Wiggins 11/15/1940). The next year, Superintendent A. H. McMullen of the Choctaw Agency wrote that the "group of Indians near Jena, Louisiana, are of the Choctaw Tribe" (McMullen 2/13/1941). The existence of a Jena Choctaw settlement was acknowledged in 1945 in a textbook on the Indians of Louisiana by Fred Kniffen, a professor of geography and anthropology at Louisiana State University.

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Kniffen limited his remarks, however, to saying only that "a few Choctaw Indians" lived near Jena (Kniffen 1945, 84). He repeated this identification in later publications. In 1973, a survey of Louisiana's Indians by the Gulf South Research Institute stated that it had "ascertained" that a Choctaw community in LaSalle Parish was still in existence. No Indians from LaSalle Parish, however, were included in its random sample. A footnote revealed that the Institute had "ascertained" that a Choctaw settlement existed at Jena by placing a telephone call to Professor Kniffen. Its conclusion that the population of this community was about 30 was simply a restatement of the Census Bureau's report that there were 30 Indians in LaSalle Parish in 1970 (Gulf South Research Institute 1973, 10, 13, 19).

The years after World War II brought significant, but poorly-documented, social changes to the Choctaws residing in LaSalle Parish. One change was that Choctaw children began attending public school. One member remembered beginning school about 1943, after local Indian men left to fight in the war (Governor's Commission 1990). In her doctoral dissertation on the history of educational policy toward the Jena Choctaws, Marilyn Watt concluded, apparently on the basis of her interviews of members of the Jena Choctaw community, that during the 1945-1946 school year, seven students became the first Choctaws to be enrolled in the white schools of the parish (Watt 1986, 154). The post-war decade also was the period in which the formerly-rural Choctaw population moved into the town of Jena. One member believes that the first two families moved to town about 1946. Among those who resisted moving was the group's nominal leader, Chris Jackson, and it was not until after his death in 1958 that his daughter moved into town (Jones 5/11/1994). By 1955, the petitioners contend, "most tribal members" had settled in Jena. Their map of the residences of members in 1955 shows seven households in town, four within 5 miles of town, and another four outside the local area (JBC Petition 1993, 74, 126, 133).

When Will Jackson died in December 1950, the notice of his death in the Jena newspaper, as part of the news from the Searcy area, referred to him as "the old Indian Chief Will Jackson" (Jena Times 12/14/1950). Leadership responsibilities then fell upon his brother Chris Jackson. According to Chris Jackson's daughter, he may already have been playing that role. If the local Choctaws "had any kind of trouble or anything they needed," she recalled, they came to Chris "because they couldn't go to Will" (Mary Jackson Jones, in R. Jackson 11/24/1987). People did not call her father

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"chief," she notes, but they came to him with their problems or about sickness in their family. After Chris Jackson's death in 1958, people still would come to his wife with problems, but, their daughter claims, she then would send them to talk to William Lewis (Jones 5/11/1994). William Lewis, the son of Bill Lewis, was the eldest male Choctaw in the area until his death in 1968. The petitioners claim no traditional leader after 1968, perhaps because the eldest male during these years was Anderson Lewis, a source of friction rather than respect. From her discussions with the Jena Choctaws, doctoral student Marilyn Watt concluded that during the 1950's and 1960's they discussed community problems during informal gatherings--while working on maintenance of the cemetery, for example--and sought to reach a consensus. Such communal decision-making, she suggested, had replaced leadership by a dominant individual (Watt 1986, 157).

The Jena Choctaws, 1974-1994

Leadership among the Choctaws near Jena was altered in fundamental ways in 1974. The two most significant changes were the incorporation of a formal organization which was operated by written rules and governed by elected officials, and the emergence of very young Choctaws in positions of leadership. The Governor's Commission on Indian Affairs took the initiative to organize the Choctaws near Jena and called a meeting at the parish courthouse in 1974. State and local officials, obviously, had enough knowledge about the Choctaws to know whom to contact to organize such a meeting. At this meeting the Choctaw group agreed to adopt a legal charter and to elect its leaders. A district judge helped draft articles and by-laws. The Choctaws adopted articles of incorporation in April 1974 and filed them with the secretary of state. The non-profit corporation created by the articles was to be known as the "Jena Band of Choctaw Indians of Louisiana." Its purpose was to "promote and preserve the cultural heritage of the Choctaw peoples" and to administer government grants and private donations. The articles limited membership to persons of one-quarter degree or more of Choctaw blood who were direct descendants of settlers of LaSalle Parish (JBC 1974a).

As the corporation's governing body, the articles established a five-member tribal council, or board of trustees, with three-year terms. In addition, the articles required an annual meeting of the corporation's membership. The first tribal council consisted of five people: chairman

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Jerry D. Jackson and members Clyde Jackson, Leon Allen, Mary Jackson Jones, and Dorothy Nugent (JBC 4/5/1974 and 12/1/1974; Gregory 1977, 9; Watt 1986, 171-174). The oldest member of the new council was Mary Jackson Jones, 44. She was a daughter of former "chief" Chris Jackson and his wife Alice, and had observed their traditional style of leadership. The council chairman, Jerry D. Jackson, 24, was the grandson of Chris and Alice Jackson, and the nephew of Mary Jackson Jones. In addition to this lineage, he was the only college-educated member of the group. When elected, he was living in Pineville, near Alexandria, rather than in the immediate vicinity of Jena. His emergence to leadership suggested a new sense within the group of the importance of the representation of their interests to outsiders and the ability of an educated individual to do so.

In 1974, the state legislature passed a resolution which declared that the state of Louisiana "formally recognizes the Choctaw Indian community at Jena, Louisiana, as an Indian tribe" (Gregory 1977, 14). Although some of the claims made in Senate Concurrent Resolution No. 60 about the history of the group were of debatable validity, there is no indication that the legislature considered the merits of the historical evidence relevant to these claims prior to approving the resolution. After granting this symbolic recognition, the legislature requested the United States to take steps "to effect . . . formal recognition of the Choctaw Indian community at Jena, Louisiana. . . ." (Gregory 1977, 14). The first chairman of the new organization, Jerry D. Jackson, has said that he believes that the governor supported tribal recognition because of the group's disclaimer of land claims in the state and its refusal to expand its membership (Jerry D. Jackson, in Jones 5/11/1994). Later, the Jena Choctaws also received an expression of support from the federally-recognized Mississippi Band of Choctaws for the effort to obtain federal acknowledgment (Mississippi Band 2/20/1990).

The new corporation of Jena Choctaws did receive Federal grants and private donations. The organization obtained a \$50,000 grant from the office of Housing and Urban Development for a community center, which was not completed until 1977. A second HUD grant of \$90,000 was used to improve the facility and its grounds. In 1982, Mrs. Alton W. Griffin donated land once belonging to her father, Phin Whatley, to the Jena Band for their use as a cemetery (JBC Petition 1993, 144-145). The Jena Band's research for its Federal recognition petition was supported by Federal grants. In 1981, the Mississippi Choctaws received a grant

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from the Administration for Native Americans and subcontracted it to the Jena Band for petition research. For two years this grant paid the bills to run the tribal office and pay the salary of the grant administrator (JBC 2/22/1984; Watt 1986, 176-177, 184-185). The Jena Choctaws applied directly to ANA in 1984 and were awarded almost \$40,000 to complete their recognition petition (Watt 1986, 185). In 1988, the Jena Band received another \$90,000 from ANA (JBC 8/2/1988 and 8/7/1988).

That the transition to this new organization was difficult became apparent when, within a year, the majority of the council voted to remove Clyde Jackson and Dorothy Nugent from the board (JBC 11/7/1974). After only one year of the corporation's existence, the members agreed to a re-election of their leaders. Once again, state officials ran the meeting, drew up the articles of incorporation and by-laws, and supervised the election. State Senator James Brown and Ernest Sickey of the state Office of Indian Affairs chaired the meeting in February 1975 in which members discussed Clyde Jackson's complaints about chairman Jerry D. Jackson. The state Office of Indian Affairs was authorized to implement the members' decision to hold another election (JBC 2/13/1975). Therefore, the state Department of Health and Human Resources sent out a notice to all members of the Jena Band of Choctaw Indians that an election would be held on March 15, 1975, at the courthouse in Jena (Louisiana Health 3/10/1975). According to the petitioners, chairman Jerry D. Jackson resigned and Clyde Jackson was elected as the new chairman in the election held in 1975 (JBC Petition 1993, 88). In addition, the incumbent members of the council were replaced by four new members: Jesse Lewis, Clifton Jackson, Larry Jackson, and Clarice Jackson (JBC 1/8/1976).

Clyde Jackson would serve as chairman for the next 10 years. After he was chosen in 1984 to be the executive director of the Governor's Commission on Indian Affairs, he announced that he would not seek reelection when his term ended the next year (JBC 6/29/1984 and 11/28/1984). In the elections in March 1985, Jackson was replaced as chairman by former vice-chairman George Allen. All members elected to the tribal council were under the age of 40 (Watt 1986, 211-212). The next year, the council members asked Allen to resign as chairman. Arguing that the positions of chairman and grants administrator were two separate jobs, the council requested Allen to continue only as administrator. Allen then resigned and the council voted unanimously to appoint Jerry D. Jackson as the new tribal chairman (JBC 6/29/1986

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and 6/30/1986). He has continued in office since that time. In 1988, his election was not contested (JBC 2/10/1988). After a constitutional change replaced the office of chairman with that of tribal chief, incumbent chairman Jerry D. Jackson defeated former chairman Clyde Jackson 34-13 to be elected tribal chief in 1991 (JBC 2/2/1991).

The Jena Band has maintained records of the minutes of its tribal council which document fairly regular activity since at least December 1983 (JBC 1983-1991). Recognizing that it is both good governance and good politics, the current chief has concluded his letters to members by inviting them to drop by the tribal office to discuss their concerns and to ask their questions (J. D. Jackson n.d. [ca. Jan. 1991]). The chief and council have always sought to involve members in group activities such as Christmas and Halloween parties, and to provide them with services such as tutorials towards earning GED degrees and free haircuts (JBC 12/1/1987; Mississippi Choctaw ca. 1982). One of the best examples of member participation in group governance has been the parents' committee. In 1975, the LaSalle Parish School Board submitted an application for funding under Title IV of the Indian Education Act of 1972 and formed an Indian parents' committee (Watt 1986, 180; JBC Petition 1993, 91). The Jena Band has maintained records of the correspondence and minutes of this parents' committee which document fairly regular activity since at least 1985. Each year, the committee has decided how to distribute grant money to children of members for school supplies and expenses. At one meeting in 1985, for example, 22 members were present, and a list of beneficiaries in 1992 included 26 names (JBC 1985-1992). According to Marilyn Watt, who studied educational policy for the Jena Choctaws, local school officials "let the parent committee make all decisions affecting the disposition of the Title IV funds" (Watt 1986, 206-207).

Election results appear to confirm that members participate in their organization. Perhaps because of internal controversies, however, the Jena Band has continued to use outsiders to oversee its elections and to affirm their integrity. The election in March 1985 was held at the Tribal Center and was supervised by the local police chief and a local minister (Watt 1986, 211). In February 1991, Diana Williamson of the Governor's Commission on Indian Affairs and State Fire Marshall V. J. Bella were present to count the votes and to certify the results (JBC 1991 ca. and 2/2/1991). At these elections, in-state voters voted at the Tribal Center, while ballots were mailed to out-of-state

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voters. In 1985, 22 of 54 votes apparently were cast by absentee ballots, while in 1991, 12 of 47 ballots were cast by out-of-state members (Watt 1986, 211; JBC n.d. [1991]). A high rate of turnout was observed in the election of 1985, when 54 votes were cast by a presumed total of 60 eligible voters (Watt 1986, 211). In November 1990, a list of 81 eligible voters was developed from the tribal roll of 148 members (JBC 11/26/1990). At the constitutional election in December 1990, 42 votes were cast, and 47 votes were cast in the election of a tribal chief in February 1991, so a majority of eligible members had participated in both elections (JBC 12/22/1990 and 2/2/1991).

Summary

A settlement of Choctaw Indians has existed in the vicinity of Jena, Louisiana, since at least 1880. Evidence from the Federal census and from the testimony of the Choctaws from the Jena area before the Dawes Commission suggest that the founders of this community arrived from Mississippi in the 1870's, but it is not possible to state their time of arrival or their place of origins with any certainty. This was a fairly stable settlement of less than 40 people until the 1910's, when a majority of the local Choctaws left and the Lewis family moved into the area. Prior to World War II, when they began to move into town, these Choctaws lived in the woods on lands of local farmers, and earned their living as sharecroppers, laborers, and domestic workers. They lacked education, spoke mostly Choctaw, and showed some deference to the eldest male as a community leader.

Most of the Indians residing near Jena, Louisiana, were identified as full-blood Mississippi Choctaws by the Dawes Commission in 1903. They were identified as Choctaws on the separate Indian schedules of 1900 and 1910 and as Indians on the Federal census of 1920. The Lewis family members who joined them about 1917 also were identified as Choctaws on the 1910 census and as Indians on the 1920 census. Local, state, and Federal education officials considered these individuals to be Choctaw Indians and, during the years from 1932 to 1938, provided their children with education at a separate Penick Indian School. A few newspaper articles covered this school and, in doing so, portrayed the school as serving several Choctaw families who resided in the rural areas west of Jena. Elderly non-Indian residents of the area recall the Choctaws as a constant presence among them. Several scholars have noted the existence of a small Choctaw community near Jena. In 1974, the state of Louisiana passed

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a resolution which granted recognition to the Jena Choctaw tribe. No one has denied that the petitioners are Indians. Thus, identification of the Jena Choctaws as Indians has been consistent throughout the 20th century.

By identifying Choctaws from LaSalle Parish, Louisiana, as Mississippi Choctaws, the Daves Commission dealt with them as eligible members of a recognized tribe, not as a separate tribe, and it dealt with them directly as individual applicants, not through a political entity which represented them as members. The Commission anticipated their removal to Indian Territory in 1903, not their perpetuation as a separate tribe. By again contemplating the removal of these families to trust lands in Mississippi about 1938, Federal officials indicated that they considered these Indians to be eligible members of the recognized Mississippi Choctaw tribe, not part of a continuing Louisiana tribal entity. When the Office of Indian Affairs provided Federal aid for tuition for the Choctaw students at the Penick Indian School, it did not deal directly with the Indians but provided funds to state and local governments. In short, although briefly providing some Federal services to individuals, the Federal Government had not recognized the Jena Choctaws as a separate tribal entity.

Because the Choctaws from rural Jena, Louisiana, were not removed to Oklahoma in 1903 or to Mississippi in 1938, they retained their identity as a separate and distinct Indian group. When these Indians organized as the Jena Band of Choctaw Indians in 1974, with the encouragement and aid of state officials, they not only assured the continued existence of their group, but also transformed their group in significant ways. For the first time, tribal affairs were handled by elected leaders according to a written constitution. In a break from tradition, these leaders were among the youngest, rather than oldest, members of the group. Another new development was that the new organization began receiving grant money to support tribal projects. Leadership of the group has been contested, but whether this has been on the basis of issues or personalities is not clear. For the past decade, at least, the new corporation can document regular activity by its tribal council and parents' committee, while election turnout figures demonstrate that a majority of members participate in their organization.

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APPENDIX A

CHOCTAWS OF CATAHOULA AND LASALLE PARISHES, 1880-1920

Name	----- U.S. Census -----				POB	Dawes --	
	'80 age	'00 age	'10 age	'20 age		'02 age	POB
Allen, Allen (b)							
Allen, Amy (a)	18	32	?		LA		
Allen, Heman	10	23			LA		
Allen, Henry			?		LA		
Allen, Janie			25		LA		
Allen, Jim			?		LA		
Allen, John, Jr. (b)	13	30	40		LA	32	?
Allen, John, Sr. (c)	40	68	80		MS	80	MS
Allen, Joseph (c)							
Allen, Lizabeth	50				LA		
Allen, Lizzie			6		LA		
Allen, Lonnie			8		LA		
Allen, Martha	25				LA		
Allen, Mary Jane		18			LA		
Allen, Melissa	6				LA		
Allen, Phin	7	26			LA		
Allen, Rosa			?		LA		
Allen, Sallie Ann	14	28	30		LA	30	MS
Allen, Sally	45				MS		
Allen, Sam	25				MS		
Allen, Simon	35				LA		
Allen, [Sue]			13		LA		
Allen, Young (b)							
Amans, Lucy (d)							
Baptiste, Dixie/Richard		10			LA	11	?
Baptiste, Ella		6			LA	9	?
Baptiste, Emily		50			LA	76	MS
Batice, Ida (n)							
Batice, Joe (o)							
Batice, Lee D.		0			LA		
Batice, Minnie (p)							
Batice, Robert (e)							
Batise, Roselia (k)							
Batise, Williamson		21			LA	22	?
Berry, Chris (g)							
Berry, Nancy	30				LA		
Berry, Rosa	16				LA		
Berry, Sopha	45				LA		
Berry, Susan		7			LA		

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Name	----- U.S. Census -----				POB	Dawes --	
	'80 age	'00 age	'10 age	'20 age		'02 age	POB
Berry, Wesley (h)							
Berry, Willie (i)							
Berry, Willis (j)							
Bowie, infant/Parker (w)		0		24	LA		
Bowie, Nancy		25			LA		
Davis, Jeff (x)	12				LA		
Gibson, Luzanne (d)	13	40			LA	48	?
Gibson, Samuel	30	50			LA	51	MS
Horton, Robert (e)		10			LA	11	?
Jackson, Alice (f)		5		21	LA	7	?
Jackson, Chris (g)		4	15	25	LA	8	?
Jackson, Lillie			6	18	LA		
Jackson, Lucille				1	LA		
Jackson, Mary Ann (r)	6	25	29		LA	25	
Jackson, Martha J.			17		LA	10	?
Jackson, Phillip				3	LA		
Jackson, Rosa/Rosie			?	16	LA		
Jackson, Sallie			8	20	LA		
Jackson, Wesley (h)		10	22		LA	11	?
Jackson, Will (i)		16	26	40	LA	21	
Jackson, Willie				10	LA		
Jackson, Willis (j)	27	45			LA	47	MS
Johnson, Roselia (k)		11			LA	17	LA
Lewis, Addie			3		LA		
Lewis, Albert			11	19	LA		
Lewis, Alton			7		LA		
Lewis, [Alva] (m)				11	LA		
Lewis, Charlie			19		LA		
Lewis, Ella			6	13	LA		
Lewis, Frances		11			LA		
Lewis, James			2		LA		
Lewis, Johnson			20		LA		
Lewis, Katie			13	15	LA		
Lewis, Mary		40		65	LA		
Lewis, Mary (l)		46	42		LA		
Lewis, Mary				3	LA		
Lewis, Nancy				70	LA		
Lewis, Robert			15	17	LA		
Lewis, Rosalie/Roselia		16		45	LA		
Lewis, Sallie			1		LA		
Lewis, Susanna		19			LA		
Lewis, Thomas				11	LA		
Lewis, Tony			4		LA		
Lewis, William			17	21	LA		
Lewis, William Bill		40	45	65	LA		

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Name	----- U.S. Census -----				Dawes --		
	'80 age	'00 age	'10 age	'20 age	POB	'02 age	POB
Parker, Bowie (w)							
Tell, Allie (f)							
Tell, Lilli (q)							
Tell, Susan (t)							
Tell, Thomas (u)							
Umber, Ida (n)		25			LA	23	LA
Umber, Joe (o)		6			LA	7	?
Umber, Minnie (p)		3			LA	3	?
Williams, Alice (f)							
Williams, Corene			12		LA		
Williams, George	60				LA		
Williams, Joanna		17	21		LA	16	?
Williams, Lewis/Louis			5	16	LA		
Williams, Lillie (q)		7			LA	9	?
Williams, Mary Ann (r)							
Williams, Melissa (s)	5	23	23		LA	23	LA
Williams, Polley	30				LA		
Williams, Susan (t)		25			LA	?	?
Williams, Thomas (u)	10	29	29		LA	29	LA
Williams, Victoria (v)	8	28	28		LA	25	LA
Williams, Wash			8		LA		
Williams, Wilson	30				LA		
Wilson, Mary A. (r)							
Wilson, Melissa (s)							
Wilson, Victoria (v)							

NOTES:

- (a) Amy Allen = Anney Allen (1910)
- (b) John Allen, Jr. = Allen Allen (1880) = Young Allen (1902)
- (c) John Allen, Sr. = Joseph Allen (1880, 1900)
- (d) Luzanne / Louisiana Gibson = Lucy Amans (1880) m. Baptiste
- (e) Robert Horton (Dawes 1902) = Robert Batice (1900)
- (f) Alice Jackson = Allie Tell (1900) Williams m. Jackson
- (g) Chris Jackson = Chris Berry (1900)
- (h) Wesley Jackson = Wesley Berry (1900)
- (i) Will / Willie / Willis Jackson = Willie Berry (1900)
- (j) Willis Jackson (Dawes 1902) = Willis Berry (1880, 1900)
- (k) Roselia Johnson (Dawes 1902) = Roselia Batise (1900)
- (l) Mary Lewis = Mary Whatley m. Lewis
- (m) [Alva] Lewis = Ivy Fairbanks
- (n) Ida Umber (Dawes 1902) = Ida Batice (1900)
- (o) Joe Umber (Dawes 1902) = Joe Batice (1900)
- (p) Minnie Umber (Dawes 1902) = Minnie Batice (1900)
- (q) Lillie Williams = Lillie Tell (1900)

Name	----- U.S. Census -----				Dawes --	
	'80 age	'00 age	'10 age	'20 age	POB	'02 age

- (r) Mary Ann Williams = Mary A. Wilson (1900) m. Jackson (1910)
- (s) Melissa Williams m. [Jones] = Melissa Wilson (1900)
- (t) Susan Edmond m. Williams = Susan Tell (1900)
- (u) Thomas Williams = Till Williams (1880), Thomas Tell (1900)
- (v) Victcria Williams = Victoria Wilson (1900)
- (w) Bowie Parker (1920) = Bowie infant (1900)
- (x) Jeff Davis (1880) = Jeff Umber = Davis Umber ?

SOURCES: U.S. Census 1880, 1900, 1910, 1920; National Archives microfilm M-1186 and M-1301.

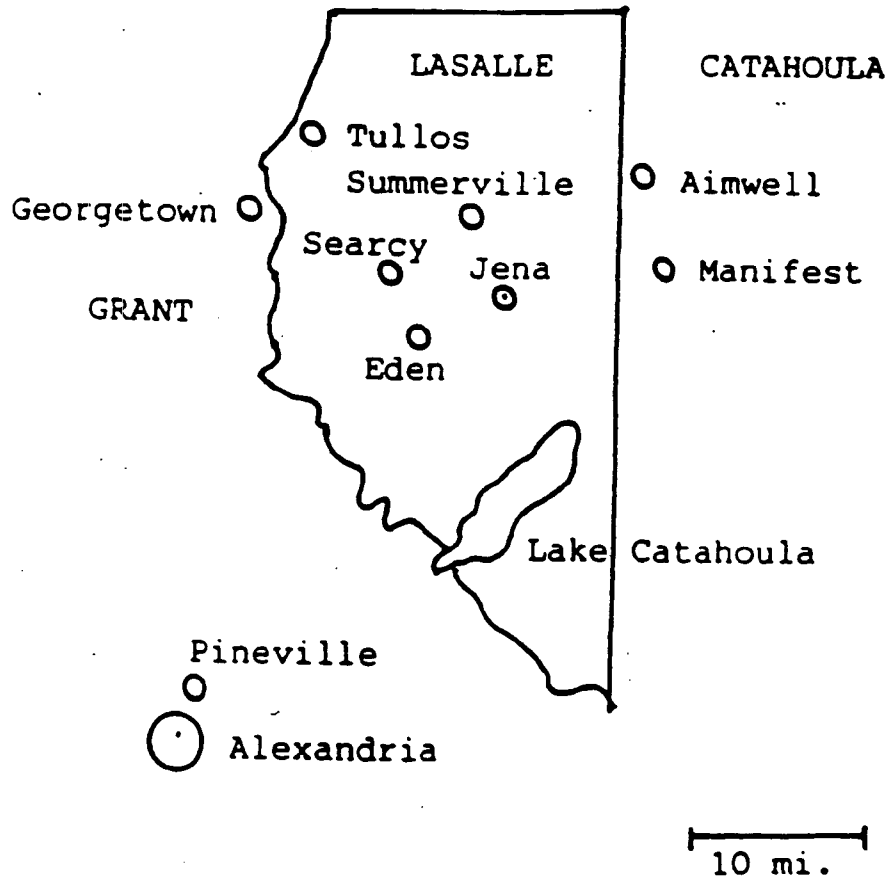


Figure 1. Jena, Louisiana, Vicinity

SOURCE: Branch of Acknowledgment and Research.

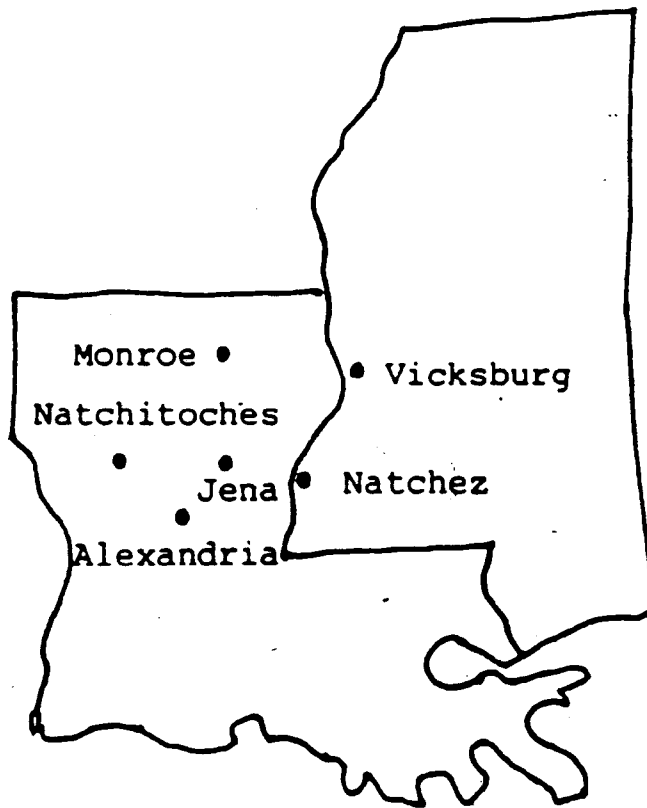


Figure 2. Louisiana and Mississippi

SOURCE: Branch of Acknowledgment and Research.

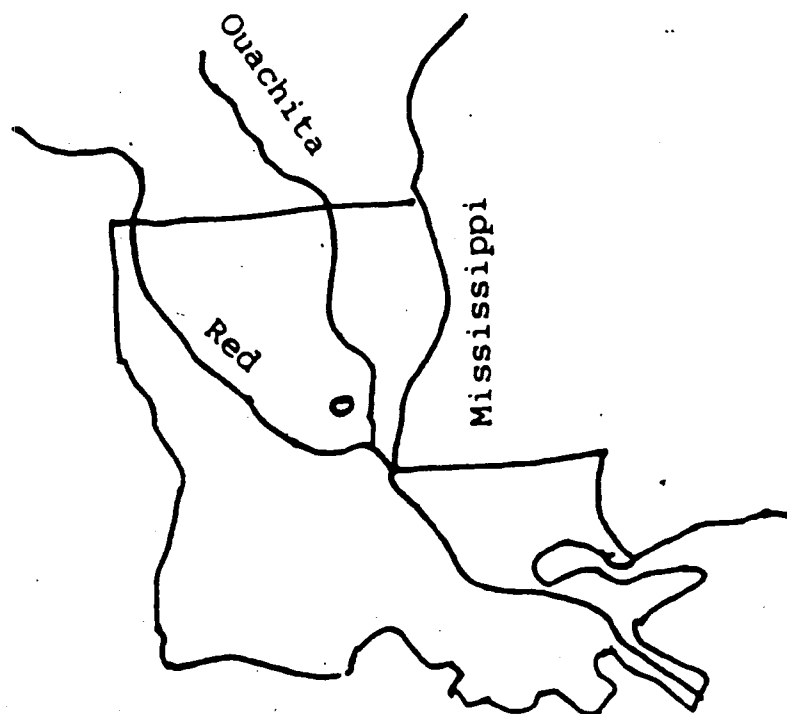


Figure 3. Rivers of Louisiana.

SOURCE: Branch of Acknowledgment and Research.

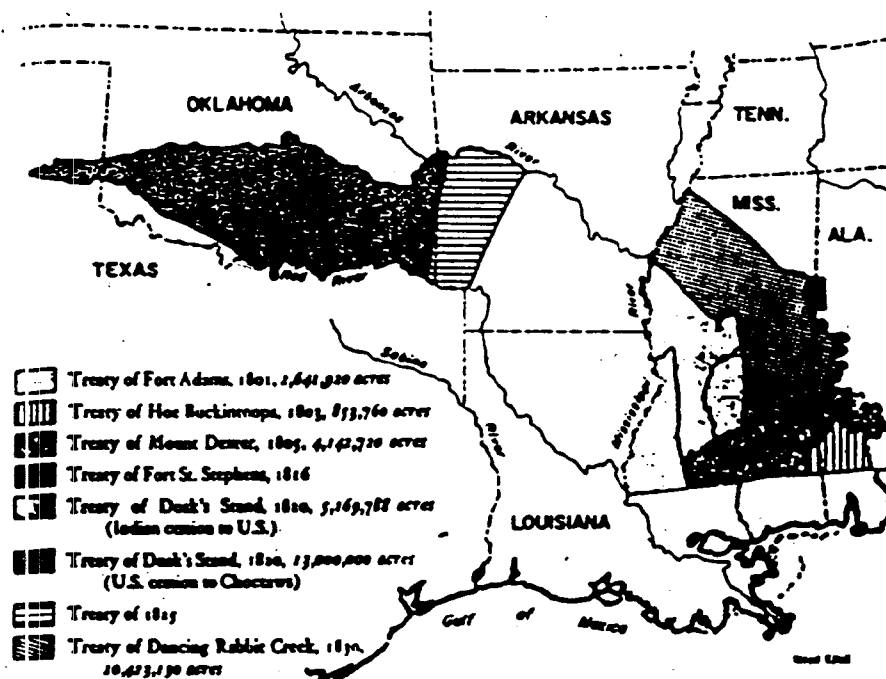


Figure 4. Choctaw Treaties, 1801-1830

SOURCE: DeRosiers 1970, 29.

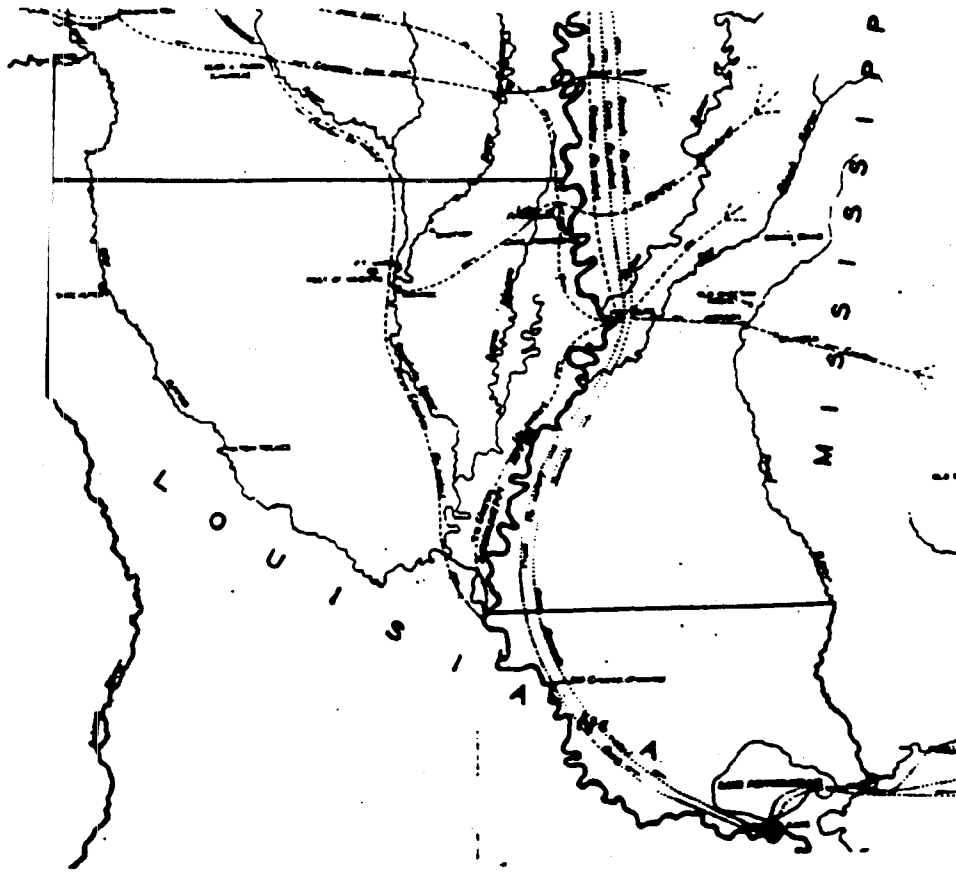


Figure 5. Choctaw Removal Routes, 1830's

SOURCE: Foreman 1932, 394.

ANTHROPOLOGICAL TECHNICAL REPORT

JENA BAND OF CHOCTAW INDIANS

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ANTHROPOLOGICAL TECHNICAL REPORT

JENA BAND OF CHOCTAW INDIANS

Summary of the Evidence

The Jena Band of Choctaw Indians is located in north-central Louisiana and based in the town of Jena, LaSalle Parish. According to tribal records, just over 60% of tribal members live within LaSalle Parish, or in Grant and Rapides Parishes, which border on LaSalle (letter from Jerry Jackson, 4/25/94).¹ The current membership of the tribe stands at approximately 159 individuals.² The petitioners claim continuous existence as a distinct Choctaw tribal community near Jena from at least the middle of the 19th century. This report focuses on analyzing the evidence concerning the continuing existence of a distinct Choctaw community since the 1930's. It also examines evidence concerning forms of political authority particular to the petitioner during the same period.

The analysis that follows is based on data provided by the petitioners to the Branch of Acknowledgement and Research (BAR), as well as on information collected for BAR by its own researchers. This includes ethnographic materials gathered through interviews with 23 tribal members and with 7 non-Indians living in Jena who have had substantial interaction with members of the petitioner in either personal or professional capacities. It also includes data collected from the State of Louisiana's Office of Indian Affairs and from discussions with the director of that office (cited as Beriss FD 1994).

Prior to World War II, the petitioning group was geographically isolated in the area around the Whatley farm, near Eden, LaSalle Parish (prior to 1908, Catahoula Parish), Louisiana. Many, perhaps most, of the members were monolingual Choctaw speakers and, if the recollections of

¹ A number of members live, for instance, in the vicinity of the city of Alexandria, which is about 50 miles south of Jena in Rapides Parish. Members travel back and forth between Jena and Alexandria often and consider Alexandria to be part of their cultural space. Many of the members who live outside of the three-parish area return to Jena frequently, often several times a year.

² There are 159 members according to Chief Jerry Jackson. However, the 1993 membership roll (Jena Band of Choctaw Indians (hereafter cited as JBC) 1993b) indicates a total membership of 153.

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descendants of the Whatleys are correct, the Indians were easily distinguishable from other people in the area. They were not accepted in white schools and did not choose to attend black schools, thus increasing their isolation. They maintained their own cemetery and practiced marriage under the authority of a "traditional" Indian leader. Furthermore, most of the members married other members, so that the rate of intermarriage was well over 50%. Finally, the members were known by their neighbors as Indians and as a distinct community and were treated as such.

Service in World War II and the changing economy of north-central Louisiana had a dramatic impact on the shape of this community between 1945 and 1974. Most of the members moved into the nearby town of Jena, with some members moving even farther away, especially to communities near Alexandria, Rapides Parish, Louisiana. Employment patterns shifted and many began work in the oil fields or for lumber companies. While the community was no longer geographically isolated, most did live in a particular area of Jena and were dependent on one another for services and economic assistance in difficult times. Although many continued to speak Choctaw, the children were accepted into white schools starting in the 1940's and gradually learned English. Until 1968, leadership remained "traditional," falling on the eldest male, but conflicts among the Lewis and Jackson families meant that it was not always clear who the leader really was. The small size of the group led to a dramatic decline in intermarriage rates but not to a decline in inter-group dependence and visiting.

Changing economic conditions, integrated education, and a desire for economic advancement all contributed to significant changes in structural characteristics of the Jena group in the years after the war. These changes included more dispersed settlement patterns, increasing intermarriage with non-Indians, rising educational achievement, shifts in employment, and the abandonment of aspects of Choctaw culture, such as language and religious belief. However, relatively high continuing levels of economic interdependence, intermarriage, regular social interaction within the group, and Choctaw language use all demonstrate a distinct community existed between 1945 and 1974.

Since 1974, formal organization and state recognition have provided a framework for the group's continuance under an elected leadership. Political authority is now also based on the ability of the elected chief and tribal council to

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secure resources from outside the community. In some ways, this has increased the dependence of members on the band. While Choctaw/Choctaw marriages have virtually ceased to take place, the ties between members have remained intense, as evidenced by the interest in sending children to classes and other events organized by the tribe and by general interest in elections and meetings. Tribal members work hard to make members benefit from the tribal organization. At the same time, there appears to be a real interest in maintaining the distinctiveness of the community.

The character of the Jena Band of Choctaw, as a community and as a group with its own form of political authority and organization, has undergone dramatic changes since the first half of this century. In spite of the small size of the group and the difficult economic circumstances in which most of the members have lived for most of the twentieth century, the petitioner's members have neither socially merged into the white community in such a way that their own community is no longer distinct nor left the settlement area in search of better opportunities. The extent to which the group has remained together and continued to function as a group under these circumstances constitutes convincing evidence as to the continuing existence of a community.

Before World War II: A Stable Community

Members of the petitioning group often speak of the period prior to World War II as something of a "golden age" in the history of the Jena Choctaw. This characterization stems not so much from a romantic view of past material comfort as from an understanding of the pre-war period as one in which the group retained much of its traditional way of life. This view is largely shared by outside researchers (Watt 1986; Gregory 1977).

Until approximately 1919, the Indians in the vicinity of Jena lived in two fairly distinct locations (see Historical Report). Bill Lewis and his family were located in Catahoula Parish, near the towns of Manifest, Alwell, and Enterprise. Members of the Lewis family earned their living working the land of the Bowie family. The Jackson, Allen and Williams families resided in Eden, where they worked as servants and sharecroppers on land owned by the Whatley family. Some accounts suggest that non-Indians distinguished between these two groups by calling the former "Enterprise Indians" and the latter "Eden Indians" or, alternatively, "Bowie Indians" and "Whatley Indians" (Beriss

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FD 1994). Early in the twentieth century, some members of the settlement near Eden moved to Oklahoma, while the Lewis family moved to Eden. The Jackson and Lewis families combined through marriage to form the core of what is now the Jena Band of Choctaw Indians.

Marriage and Residential Patterns

Prior to World War II, Choctaw/Choctaw intermarriage rates among the petitioner's ancestors were very high. Thus, for instance, all four of Will Jackson's children married descendants of Bill Lewis. There were several other marriages between the two families and a large number of the current tribal membership can trace their ancestry to both families (see Genealogical Report).

Will Jackson had four children, born between 1899 and 1914. All four of these married children or grandchildren of Bill Lewis, in six total marriages. Will Jackson's brother, Chris Jackson, had eight children, born between 1917 and 1935. Six of these were eventually married, two to tribal members, both of whom were children of Bill Lewis. Of Bill Lewis' 15 children, 6 married. Of these, only one married a non-Indian. Sixty-four percent of all the marriages by members of the generation of Jena Choctaw whose grandparents included Will Jackson and Bill Lewis were between two tribal members (see Genealogical Report).

Until the 1940's, most of the band lived together in the area surrounding the Whatley farm, near Eden. The men engaged in sharecropping on Whatley lands and the families purchased goods at the stores owned by the Whatleys (Watt 1986; Whatley Store Ledgers). The women often worked as servants in the Whatley household. According to a 93-year-old member of the Whatley family who grew up surrounded by members of the group, the Indians constituted an easily distinguishable community among those who worked the Whatley lands. She recalls having been especially close to the Indians since many of them lived on the land surrounding the Whatley home where she grew up, going to their marriages and funerals (Beriss FD:Pipes 1994). Another of the Whatley daughters also recalls having especially close relations with the Indian families because they (the Indians and the Whatleys) "lived together," while she says she was never as close to other families of sharecroppers (Beriss FD:Simmons 1994).

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Social Institutions

The group maintained distinct community social institutions during the decade prior to World War II as well. The most prominent of these was the White Rock Indian Cemetery, located across Trout Creek from Eden. This cemetery is still used exclusively by the band today. Older members, such as Mary Jones, recall that funerals and mourning periods were conducted in a manner particular to the group. This included refraining from cutting hair for six months to a year following a death and interdiction to marry for a year.³ Current members as well as non-Indians recall that the entire group gathered together once every month in order to work on the upkeep of the Indian cemetery. Marriage practices were also distinct from those of the surrounding communities. Prior to the war, weddings were conducted by the tribal leader rather than by Christian clergy. It was only after the war that tribal members began to join white Christian churches.

Discrimination in Education

Members of the tribe were discriminated against by the white population in the area. Correspondence regarding the establishment of an Indian school suggests that white people viewed the Indians with general suspicion and accused them of being thieves (Meyer 2/19/40). This was used as justification for excluding them from attending white schools. Furthermore, members and at least one non-member (Curtis Lees, a white citizen of Jena) recall that the tribe used to come into Jena on foot, as a group, on Saturdays and that they might be subject to harassment from the general population and the town marshall. On one occasion, when the marshall attempted to force the group to leave town, Phillip Jackson (a tribal member) resisted and was beaten, losing one eye. At least one living tribal member confirms this account of the incident as an eyewitness (Beriss FD 1994).

Interviews conducted with tribal members and non-members in Jena, as well as correspondence regarding attempts to establish schools for the tribe in the 1930's (Richardson 5/10/1932; Sliffe 4/13/1933; Robertson 3/28/1934; Beatty 5/16/1938), strongly suggest that most of the Indians living in Eden were, until the 1940's, not only illiterate but also monolingual speakers of Choctaw. This was perceived as a

³ Discussions with current JBC members (Beriss FD 1994) did not indicate to whom within the tribe these restrictions applied.

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problem and several attempts were made to establish schools for the Jena Choctaw children, as Indians were not allowed into white schools in LaSalle Parish until during or shortly after World War II. In order to avoid being identified with the black population, the Indians refused to attend the black schools, leaving them with no access to formal education at all (Richardson 5/10/1932; Hardin 2/15/1936). This pattern is consistent with the behavior of other groups of Indians in the South (Blu 1980).

There were local efforts to create a school specifically for the Indian population of LaSalle Parish, first by E.E. Richardson (the Superintendent of Schools) and Jay Pipes (husband of one of the Whatley family members) and later by Mrs. Charles Penick (a white former school teacher), whose school came to be known as the Penick Indian School. In the instance of the Penick initiative, a school building was constructed and the school's operation was at least in part funded by the Federal Office of Indian Affairs for a period of four years (Watt 1986, 153).

One of the reasons given by the Office of Indian Affairs for ending funding for the school was doubt concerning the actual attendance figures provided by Mrs. Penick (JBC 1985). According to tribal records, close to 20 Choctaw children attended the Penick school at one time or another (JBC 1987, 58).⁴ Of these, three are still alive today: Jerry Joe Jackson, Elmer Lewis and Mary Jones. English lessons were the primary focus of the school's curriculum.

When federal funding for the school ended, one of the proposals made by the Office of Indian Affairs to replace it involved removal of the entire band to Federal trust lands in Mississippi, authorized in a letter from William Zimmerman, Jr. Assistant Commissioner of Indian Affairs, July 11, 1938 (Zimmerman 7/11/38; see Historical Report).

Internal Leadership

Lack of a formal constitution and some uncertainty as to specific practices make political organization and authority within the petitioning group in the 1920's and 1930's hard

⁴ One of the reasons given by the Office of Indian Affairs for ending funding for the school was doubt concerning the actual attendance figures for the school provided by Mrs. Penick. See correspondence concerning the school provided by the Jena Band of Choctaw (see Jena Band 1985).

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to define. According to current members, from 1917 until 1933, Bill Lewis was the leader, followed by Will Jackson, from 1933 until 1950. Their names are inscribed on a wall chart at the current Choctaw tribal center that lists all leaders since 1850. Members describe these two as having achieved the position of chief through "traditional" means. This is usually defined as selection of the oldest male as leader. There was no tribal council or other formal political leadership within the tribe prior to 1974, although, as will be seen below, rendering services to tribal members did give a measure of authority to some people. The chief, according to current members, was responsible for organizing funerals, enforcing mourning behavior, conducting weddings and, in general, compelling members to meet tribal standards for behavior (Beriss FD 1994). Bill Lewis is recalled as having carried a whip for enforcement purposes (Watt 1986).

The chief was also responsible for organizing periodic cemetery maintenance. However, the chief's main role, as described by current members, was to serve as "hub" of the tribe, a person who might distribute food and other necessities to needy tribal members, or arrange for help from other sources (Beriss FD 1994). While there are few recorded instances in which tribal leaders of that period represented the group in discussions with non-Indians, Jerry Joe Jackson recalls that Will Jackson led a delegation to a meeting with the LaSalle Parish school board in the early 1940's to ask that the white schools be opened to Indian children (Beriss FD 1994). Discussion with a former LaSalle Parish sheriff did not reveal any instances in which local authorities looked to tribal leadership for help with tribal members who might have broken the law (Beriss FD 1994).⁵

Summary

The 1920's and 1930's form a period in which the petitioning group coalesced, through the intermarriage of the Lewis and Jackson families, into a distinct geographical community.⁶ Correspondence from this period concerning the formation of

⁵ The former sheriff interviewed was a deputy from 1946-1967 and sheriff from 1967-1976. His recollections thus covered the period running from the end of the war until formal tribal organization.

⁶ See the Historical Report for information regarding the extent to which the Eden and Manifest groups constituted one Indian community prior to the constitution of a geographical community.

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an Indian school and the recollections of elderly non-Indians all indicate that the band was seen by its neighbors as a group of Indians with their own language and cultural activities. Lack of education, limited ability to communicate in English, and general isolation from the surrounding black and white communities probably contributed to a reinforcement of the distinctiveness of this community. While the following 50 years would prove difficult for the maintenance of a collective Indian identity, all evidence indicates that the ancestors of the Jena Band of Choctaw Indians formed a distinct community at Eden in LaSalle Parish, Louisiana, before the Second World War.

1945-1974: Continuity and Change

Introduction

In the decades after the end of World War II, conditions in LaSalle Parish changed in important ways. The lives of members of the petitioning group changed as well. The Whatley family began to sell their lands and it was no longer possible to earn a living as a sharecropper in Eden. As a result, the families began to move into the town of Jena. At the same time, a significant proportion of the young men in the tribe had served in the military. That experience opened up new horizons for them. Returning soldiers set new goals for themselves and their children, goals that would require education and skills to accomplish. In this context, tribal members worked for greater acceptance within the white communities in Jena and elsewhere. Yet even as many members of the tribe grew closer to the white communities through intermarriage and through participation in white social institutions, they also continued to maintain a distinct social and cultural identity as Indians.

Integrated Education

Indian children were admitted into white schools sometime during the mid-1940's. Various reasons have been cited for this change in school policy. The superintendent of schools for LaSalle Parish, Earl Brooks, suggests that the refusal by the Federal Office of Indian Affairs to continue funding a separate school and a Louisiana State requirement that there be at least 117 children to found a school forced the parish into integrating the Choctaw children. Mary Jones and other tribal members believe that pressure exerted on the board by Indian leaders who were fed up with being

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excluded from the schools after having served in the war may have forced their acceptance. Another story is told that suggests that Will Jackson had been ordered by the Whatleys to get the Indian children out of the fields, where they caused trouble, and into school. When the school bus driver refused to take them, because they were not white, Jackson is said to have persuaded the man with a shotgun, thus ending any anti-Indian segregation (Beriss FD 1994). Whatever the motivation, the Jena Choctaws were integrated into white schools by the mid-1940's, while Blacks were not integrated into the white LaSalle Parish school system until 1968.

Accounts concerning the amount of discrimination Indian children experienced in white schools vary. Most of those who attended schools in LaSalle and Rapides Parishes during the 1950's and 1960's claim that they were subject to anti-Indian name-calling and occasional fighting before they became teenagers, although many of them ascribe this behavior to the "perversity" of small children rather than suggesting it represented deep seated anti-Indian prejudice. Many recall being singled out by teachers to play "Indian" roles in school or class plays, or being asked by teachers to prepare presentations on what it meant to be an Indian for their classes. By the time they reached high school, most claim they were well integrated socially and had friends among both Indians and white people. For boys, integration appears to have been accomplished by way of sports and many of the men who were interviewed recall playing and excelling at sports in high school. While no specific activity appears to have played the same role for girls, all speak of acquiring white friends and, eventually, boyfriends.

Marriage Patterns

The rate of Jena Choctaw/Jena Choctaw intermarriage noted before World War II did not begin to drop significantly until after 1950, when the children born in the 1930's began to marry. Prior to 1960, the group continued to maintain a high degree of social community as can be seen from the number of marriages between members of the group (50% in 1959). After 1959, however, with few exceptions, as the children born during the 1930's and 1940's married, they took non-Indian (almost always white) partners. This has continued throughout the 1970's and 1980's until the present.

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Many, if not most, of those members who graduated from high school in the 1960's married people they had known in school. This would tend to suggest that discrimination was not a significant factor in white/Indian relations in the schools. This is not to say that there was no resistance to the intermarriage of whites and Indians. Thus, for instance, Willia Jackson, the white mother of Jerry Don Jackson, recalls that her family was quite resistant at first to her marriage to Sam Jackson. Other white wives of Indians, such as Helen Jackson, also recall that their families were less than thrilled about the marriages. However, all of those interviewed, whether Indian or white, suggested that the shock of intermarriage was often rapidly overcome (Beriss FD 1994).

Christianisation

During the immediate post-World War II period, most members of the Jena Choctaw also began to attend Christian churches. For a brief period, approximately one year (1950-51), an attempt was made to form an Indian church at Eden, the "Eden Indian Church of the Nazarene", which met in Joe Whatley's store (Jena Times, August 31, 1950, and April 5, 1951). Members recall that the turnout was not sufficient to sustain a separate Indian church, but many did begin to attend the white Nazarene church in Trout at that time. Phillip Jackson met his wife through the church and eventually became a Nazarene preacher in Alexandria. Jerry Joe Jackson also met his spouse through a Nazarene summer camp. Thus, while the Church of the Nazarene in Trout was never an exclusively Indian church, a large proportion of the tribe was, in the 1950's, active in that church (Jena Times, July 23, 1953).

Economic Activities

Since leaving agricultural work, most of the men who were able to find work have been employed in either the wood or oil industries, usually for large, non-Indian companies. The best paying jobs are often off-shore oil-related work that requires either moving away from the area or spending extended periods away from friends and family. Much of this work has, however, been insecure and many members of the tribe continued to live in poverty, often in need of assistance. Members who moved to Alexandria often were able to obtain better paying and more secure employment. Sam Jackson, father of the current chief, for instance, became a welder after moving to Alexandria.

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Patterns of Culture

Residential Patterns. As sharecropping possibilities became very limited and members of the tribe developed ambitions for economic improvement, most tribal members left Eden and moved into Jena after World War II. The process was gradual and some older members remained in Eden until the late 1950's. Until the mid-1960's a majority of the families in the town of Jena resided in close proximity to one another, with a large share living on one road, Widow's Lane. While other people besides members of the Jena Band of Choctaws lived on that road and in the general vicinity, the location of a large number of members within a particular area (generally within walking distance) facilitated the maintenance of social ties and cultural practices.

Aside from informal social interaction such as "visiting", members of the group living in Jena shared economic resources and provided each other with services during this period. Members recall that when particular families had trouble making their rent or purchasing food and clothing, they would often turn to Chris and Alice Jackson or, later, to William Lewis, who would find what was needed among other group members. It is not clear if members living outside of Jena participated in this sort of mutual support. Alice Jackson served as mid-wife to many tribal members and was also known as the person to go to for "traditional" remedies.

Although residence in a small geographic area is not conclusive evidence alone of community, it increases the opportunities for contact within the community. In the case of the Jena Band of Choctaw, more than one interviewee reported that most of the membership resided in the "same little pocket along Widow's Lane" in the town of Jena during the 1950's and 1960's, thus allowing convenient access to the homes of grandparents, aunts and uncles, and cousins (Beriss FD 1994).

Maintenance of Internal Ties. While weddings during this period were generally celebrated within Christian churches (see, for instance, the announcement in the *Jena Times*, July 15, 1948, of the marriage of Margaret Lewis and Riley Jackson at the Searcy Baptist Church), the tribe continued to use the White Rock Indian Cemetery for the burial of members during the 1950's and 1960's (see Genealogical Report). Monthly "cleanings" of the cemetery were also organized. However, as tribal members attempted to assimilate into white society, traditional Choctaw mourning

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practices were abandoned, so that Indian burials came to resemble Christian burials. Thus, while the group continued to maintain a separate cemetery for its members, their actual burial and mourning practices ceased to be distinct.

Some of the tribal members moved farther away, often finding employment in the vicinity of Alexandria, Rapides Parish, Louisiana. However, even those members who lived in Alexandria frequently returned to Jena on weekends, engaging in what tribal members call "visiting" with friends and relatives. Most of the evidence concerning "visiting" is based on the recollections of tribal members. However, the Jena Times also published weekly gossip columns until at least the 1960's and some visits, especially those of people from out-of-town to people in Jena, were recorded there. Births and deaths of tribal members who originally resided in Jena or Eden and who had moved to Alexandria or to towns near it (Tioga, Pineville, etc.) were also often noted. A number of examples are provided in the petition (JBC 1985).

Interviews with members who were born in the 1950's and 1960's revealed the character of the social community in the 1960's and 1970's. Cheryl Jackson Smith, who was born in 1954 and who lived with her mother, Mary Jackson, and grandmother, Alice Williams Jackson, until Alice's death in 1966, recalled that "everyone" came to see Granny [Alice] on weekends and to stay with her over the summer. Because of the frequent visits, the cousins all grew up together. All of the Indians, including the Lewises, came to Alice for midwife services and for other supplies and services. Her recollections help to substantiate the claims that Alice Williams Jackson was a hub for activity in the community after the death of her husband Chris Jackson (Beriss FD:Smith 1994).

Christine Jackson Norris, born in 1955, lived at Pineville, Louisiana, about 30 miles from Jena, but came home to Jena to spend the summer with Alice Williams Jackson. Throughout the rest of the year, Christine's parents drove to Jena every Saturday or Sunday to stay with the grandparents or other family members. Although they occasionally visited non-Indian families from the Nazarene Church, they only stayed with family members. She also recalled going to clean the cemetery with all the other families. They would get together to tend the individual family plots (Beriss FD:Norris 1994).

Clyde Jackson, the son of William and Mae Jones Jackson, was born at home in Eden in 1947. He recollected that when he

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was a little child, "the old people" such as his [maternal] grandparents (Louis and Ella Lewis Jones), Anderson and Rosa Jackson Lewis, William and Lillie Jackson Lewis and Albert Lewis, met together often in the different houses to discuss things in the community and working at the cemetery. He recalled that a focal point of discussion and activity was the White Rock Indian Cemetery near Eden. He remembered going with the group to the cemetery, cooking meals out there and staying all day to clean the graves and to visit with one another. Some would stay all night. Other activities included getting together to help pick someone's corn or fix a roof (Beriss FD:C. Jackson 1994).

Visiting with grandparents was not limited to the Jackson households. Patty Simmons, born 1960, was the granddaughter of Anderson and Rose Jackson Lewis, who lived in the various little communities near Jena. She recalled visiting with her grandparents three or four times a week. Although Patty's parents did not speak the Choctaw language at home, her grandparents did. Patty stated she had to "kind of guess" what they said (Beriss FD:Simmons 1994).

Clyde Jackson also told of sitting on his aunt Alice Jackson's porch and listening to her tell story after story. Alice was a good story teller who could talk until midnight (Beriss FD:C. Jackson 1994). Leon Allen, the son of Louise Lewis Allen and grandson of Albert and Sallie Jackson Lewis, was born in 1951. He stated that he grew up with his cousins and they hung out together on weekends (Beriss FD:Allen 1994).

These few examples confirm that a social network of first degree family relationships existed during the 1960's and 1970's in which children, parents, grandparents, aunts and uncles and cousins kept in close contact. Visiting in the homes of the grandparents, aunts, and uncles kept the kinship ties alive and supported the activities of the community. The elders not only discussed the needs of the people, but also informally organized to clean and maintain the Indian cemetery. Maintenance of the cemetery involved organizing all-day work crews and taking food and preparing it at the cemetery.

In summary current members who were children in the 1950's recall that their parents would often take them to Jena on weekends and gather at the home of Chris and Alice Jackson, or the home of William Lewis. The adults would discuss matters such as cemetery upkeep, marriages and other (unspecified) tribal business while the children would play.

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The adult discussions were always conducted in Choctaw. Children of parents living in Alexandria were often sent to Jena to spend the summer with relatives.

Language Maintenance. Many tribal members did continue to speak Choctaw after the end of World War II and many of the members who grew up in unmixed Indian households still speak the language fluently today, although the occasions for its use are greatly reduced. Members of the Jena Band are thought to speak a particular dialect of Choctaw, although they claim to have no trouble understanding Choctaw speakers in either Mississippi or Oklahoma (Gregory 1977; JBC 1985, 12). Of the 23 people interviewed by the BAR anthropologist in 1994, 11 are currently either fluent Choctaw speakers or claim to have been fluent until the age of 10 or 11 (Beriss FD 1994). Since those members who claim fluency in Choctaw come from families in which both parents were themselves Indians, it is probably safe to assume that the siblings of those members are or have been fluent speakers until recently.

Loss of fluency is usually ascribed to attendance in white schools and an insistence at home that English be spoken so that the children would do better in school. Those who grew up in Choctaw-speaking households suggest that they mostly learned English at school, although their parents could speak it. They note that in general English was referred to as "White" speech and Choctaw as "Indian." Clyde Jackson, a former tribal chairman who is 47 years old, recalls that one of his first teachers thought that he had some sort of learning disability and came home to meet his parents in order to discuss it with them. It was only there that the teacher realized that he had never learned English and set about becoming his personal tutor in the subject (Beriss FD 1994).

Jerry Don Jackson, the current tribal chief, grew up in Tioga, Louisiana, but would spend a month or more with his grandmother, Alice Williams Jackson. His aunt, Mary Jackson Jones, and cousin, Cheryl Jackson Smith, lived in the same house. They all spoke Choctaw, so that by the end of his visit with his grandmother, he was also speaking Choctaw with fluency (Beriss FD 1994).

Political Authority

The social interaction that persisted throughout the 1960's implied that a form of informal, community leadership also

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existed. As a doctoral candidate who researched in the Jena area stated,

Being without an acknowledged leader should not presuppose inertia in group interests since the community continued to function as a tribal unit. Without tribal leadership being vested in one person, the community assumed the role of a decision-making apparatus when a situation warranted a group consensus (Watt 1986, 157).

As noted above, at various times during the 1950's and 1960's Chris Jackson and William Lewis were seen as central to "visiting" and to relations between Indians and surrounding non-Indian communities. The band currently lists Chris Jackson as tribal leader from 1950 to 1958, followed by William Lewis from 1958 until 1968. However, during these two decades, as in previous decades, real political authority among the Jena Choctaw is difficult to define.

Jerry Don Jackson, who is currently the tribal chief, was born in 1950, and therefore was 18 when the last traditional chief, William Lewis, died in 1968. He remembered that he didn't think much of William Lewis as a leader: that he was a mean old sucker who scared the little children. On the other hand, he recalled that William Lewis did try to get road improvements out to the cemetery and organized work crews to clean up the cemetery. In another instance he recalled that when a family wanted to purchase a small piece of property, William Lewis negotiated with the land owner so that the family could work off the payments (Beriss FD:J. Jackson 1994).

One of the central activities for tribal members during the 1950's and 1960's was, as noted above, "visiting" between members, especially between members who had moved to the area around Alexandria and those in Jena. Discussion with current members suggest that the home of Chris and Alice Jackson was most often a focus of those visits during the 1950s and that even after the death of Chris Jackson, Alice remained important as a "hub" for such visiting. Furthermore, even into the 1960's, Alice is said to have been a major resource for tribal members, whether for services (such as delivering babies) or for organizing economic assistance for tribal members in difficulty.

At the same time, William Lewis is described by many as having assumed tribal leadership after the death of Chris

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Jackson. His leadership was based, it is said, on his authority to make decisions concerning burial of dead members in the White Rock Cemetery and his control of relations with outside authorities, such as the LaSalle Parish School Board.

The uncertainty surrounding who was in fact leader of the band during the two decades following World War II may also stem from conflicts between the Jackson and Lewis families that have their origins in the war years. Two sets of events are often recounted as having contributed to this conflict, all centering on behavior attributed to Anderson Lewis. Anderson's first wife was Lucille Jackson, daughter of Chris and Alice Jackson. Anderson and Lucille had one son, Earl. When Lucille contracted tuberculosis, he is said to have abandoned her and his son, leaving her to die at her parents home. As a consequence, Chris and Alice raised Earl as one of their own children. While this caused some resentment, Anderson is also accused of appropriating the military allotments received for Ziek, his brother, while he served in the Navy during the war. Some say that Anderson's failure to share these with Lucille and Earl also caused resentment, although others simply fault him for stealing the money and, thus, causing Ziek's suicide upon returning from the war, out of despair (Beriss FD 1994). An unrelated hypothesis concerning the split between the two families suggests that the Jacksons succeeded in being relatively more economically secure than the Lewises and, in doing so, sparked resentment (Beriss FD 1994).

The conflict between the two families renders any attempt to analyze Jena Choctaw leadership during the 1950's and 1960's difficult. While the responsibilities attributed to Chris Jackson, and then to William Lewis, provide a somewhat convincing case for an orderly succession of oldest males to tribal leadership, the stories about services requested and rendered by Alice Jackson suggest that the leadership was effectively in her hands for much of the period attributed to William Lewis. At the very least, loyalties and political authority within the group were divided after the death of Chris Jackson. Current members attribute this division to a conflict over the relative places of members of each of the two main families, Lewis and Jackson, within the petitioning group in the years after World War II.

Summary

Between the end of World War II and 1974, the rural geographical unity established prior to the war dispersed as

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a result of changing economic conditions, although a large portion of the tribe did gather in one area of the town of Jena, Louisiana. Members' efforts to become upwardly mobile were met by an apparent willingness on the part of the white community to help Indians assimilate into white society, as evidenced by the opening of the white schools to Indians over 20 years before the integration of Blacks was begun. Furthermore, tribal members apparently began to intermarry with whites without experiencing any particular discrimination.

Nonetheless, despite the dissolution of the external structural context that imposed distinctiveness on them before the war, evidence presented to BAR indicates that the group retained a separate identity and community in the period 1945-1974. Members recall that "visiting" was an especially significant aspect of maintaining a sense of belonging to something larger than an extended family. Speaking (or hearing) Choctaw reinforced a sense that the people they visited or lived with were distinct from the majority of other residents in the area. Participating in funerals or in cemetery cleaning also contributed to this sense. In short, a variety of social institutions and culturally distinct patterns of behavior contributed to a sense of belonging to a group that was neither black nor white in a part of the country where those were the only alternatives available. This was, in a sense, the meaning of being "Indian" in the post-war decades in north-central Louisiana. As members often remark about that period, "we knew we were different" (Beriss FD 1994). That judgement, and the social relationships that framed it, defined the Jena Band of Choctaw until the early 1970's.

1974 to the Present: the Pursuit of Recognition

Introduction

Given the increasing rate of intermarriage and the rather dismal economic prospects for people of all ethnic origins in LaSalle Parish, there is some doubt as to how long past the 1960's the petitioner could have remained a cohesive group without some sort of dramatic change in organization. By the early 1970's, hopes that assimilation might guarantee upward economic mobility for most of the band had been dashed (Faine 1985). Furthermore, a variety of social movements in the United States had contributed to a national context in which ethnic identities had once again become fashionable. In many parts of the country, being part of an

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ethnic or racial minority had become a source of pride and a mobilizing force for activists.⁷

After the death William Lewis in 1968, there was a short gap of five or six years before the group formally organized in 1974. In interviews conducted by the BAR anthropologist, current Jena Choctaw members recollected that during this time there was a transition between the old style of traditional leadership and the post-1974 formally organized and incorporated entity, the Jena Band of Choctaw Indians of Louisiana. The men who would have traditionally been in line for the position of leader of the group were unable to do so, either because of ill health (alcoholism took a heavy toll) or because they lived outside the immediate area of Jena.

The cousins who had grown up together and visited in the homes of their Choctaw grandparents were young adults by the early 1970's. Most had at least a high school education and some had attended college. According to the interviews, they informally discussed what they should do to keep the tribe going. Jerry Don Jackson recalled that they were all young and active, maybe even militant, recognizing that they were as good as the Coushatta or any other group; they were ready for a change; it "didn't take much" to encourage the rest of the people to meet and formally organize as a prelude to seeking Federal recognition (Beriss FD:J. Jackson 1994).

Thus, in 1974, the group of Choctaws living in Jena formally organized into the Jena Band of Choctaw Indians of Louisiana. The organization of the band as a non-profit corporation and as a Louisiana state-recognized tribe provided access to resources and created a formal structure where only informal kin-relations had existed in the past. This formal structure was not, however, in the view of those who created it, intended to replace those informal relations. Rather, they hoped to strengthen them and provide official structures through which outside relations could be managed (Beriss FD 1994).

⁷ For the development of American Indian activism in Louisiana in the 1960's, see Watt 1986. For a more national perspective, as well as an analysis of a southeastern U.S. example, see Blu 1980.

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Formal Structures of the Jena Band of Choctaw Indians

The Jena Choctaws had, until the 1970's, viewed themselves as an Indian group almost by default. When asked how they knew they were members of a tribe prior to the 1970's, many remarked that the tribe was taken for granted: "we just knew we were Indians" (Beriss FD 1994). Concern with state or Federal recognition was nearly non-existent, although some tribal members recall visiting Mississippi and Oklahoma Choctaw reservations and admiring the resources those recognized groups could draw upon (Beriss FD 1994).

Organization. Real motivation to organize the group came, in the early 1970's, from outside Jena. In reaction to Indian activism in Louisiana, the state government had formed the Louisiana Office of Indian Affairs, with Ernest Sickey, a member of the Coushatta Tribe, as its first director.⁸ Sickey, along with his staff, encouraged the Jena Choctaws to adopt a formal organization and apply for state recognition.

Sickey was not, however, a stranger to the Jena Choctaws. During the 1950's and 1960's, he and his mother, who was part Choctaw, would come to Jena to visit Alice Williams Jackson. The two women were cousins, having known each other as children and both being descended from an ancestor named Baptiste (Beriss FD:J. Jackson 1994; Beriss FD:Mary Jones 1994). Mary Jackson Jones and Cheryl Jackson Smith both recalled that Alice Jackson would sometimes go to Coushatta to visit her relatives. Therefore, when Ernest Sickey came to Jena in the 1970's, it was not simply in his role as director of a government agency trying to organize a new tribe, but also as an Indian who knew that a functioning community of closely related Indians already existed.

A few local non-Indians worked with Sickey to help encourage the Jena group to organize itself. These included M.D. Regions, then mayor of the town of Pollock, who was active in statewide politics. A small group of young members of the tribe, including Clyde Jackson, Jerry Don Jackson, and Jesse Lewis, organized meetings with members of the community and wrote, with outside help, a constitution for

⁸ At that time there were only two Federally recognized tribes in Louisiana (Coushatta and Chitimacha).

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the group.⁹ The constitution was adopted in a general meeting of the tribe at the LaSalle Parish courthouse in 1974 and a tribal council with five members was also elected. The original members included Jerry Don Jackson, Clyde Jackson, Leon Allen, Mary Jones and Dorothy Nugent. At age 44, Mary Jones was the oldest member of this group, the youth of which represented a break with traditional leadership.

Clyde Jackson reported that one possible traditional candidate for chief or chairman of the newly organized Jena Band of Choctaw Indians, Anderson Lewis, was asked to be the leader, but he refused, stating that a chief couldn't do what the old chiefs used to; that a chief no longer had the authority to punish a member who disobeyed a tribal ruling (Beriss FD:C. Jackson 1994). Others implied that because Anderson was often cited as a source of friction between the Jackson and Lewis factions, he would not have been considered as an acceptable leader to the whole community (Beriss FD 1994).

As originally organized, tribal membership was limited to people of one quarter or higher Choctaw blood quantum, descended from Choctaws who had settled in LaSalle Parish in the nineteenth century. A board of trustees, or tribal council, was established and while the original members' terms were staggered, the regular term of office for a council member was established at three years. By-laws were later adopted defining the positions of chairman, vice-chairman, secretary, and treasurer. In recent years, the title of chairman has been dropped in favor of "chief." The position remains, however, elected. The term of office for this position is four years.

Motivations were varied among the 1974 organizers. Clyde Jackson characterizes his own motivations as a desire to assert the ethnic pride he had been denied growing up in Jena and, at the same time, as a desire to help find resources to improve the lives of current and future tribal members (Beriss FD:C. Jackson 1994). For Jerry Jackson, the impetus came from a letter from the Bureau of Indian Affairs confirming his grandfather's enrollment on the Mississippi

⁹ These men were also among the first high school graduates of the tribe and at least one (Jerry Don) had attended some college, making them the most educated members. In their early to mid-20's at the time, they were about the same age as many of the prominent activists around the country at the time.

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Choctaw membership rolls and his own eligibility for college tuition assistance through the tribe (Hale 4/25/68). This led him to think that "something ought to be done" to make their own band more politically effective and to find a way to provide such benefits to their own members (Beriss FD:J. Jackson 1994). Whatever their motivations, the creation of a formal tribal structure has, in the succeeding two decades, begun to replace the ties that "visiting" had maintained in previous times.

Tribal Council Activities. Leon Allen served as a councilman in the early days of the incorporated entity. He stated that they mostly met to learn how to get organized and to let the people know that they were there. They met at the courthouse and at the different people's houses before the center was built (Beriss FD:Allen 1994).

The formal tribal organization provides an equally formal set of political authorities, sanctioned by elections. The legitimacy of the elected leaders among the membership is no longer a function of age, as with the "traditional" tribal leaders. Instead, becoming and remaining leader of the Jena Band of Choctaw Indians requires an ability to produce tangible benefits for the membership, organizing skills similar to those of a professional politician, an ability to manage factional disputes within the tribe and to represent the tribe to outside groups and, finally, to fulfill some of the functions required of the traditional leaders, such as organizing and presiding at funerals.

Since adoption of the constitution in 1974, there have been three different heads of the organization. Jerry Don Jackson was first elected by the other members of the tribal council. One year later a formal election was held by the entire tribe and Clyde Jackson became chair, a position he held until 1985, when he became director of the Governor's Commission on Indian Affairs for the State of Louisiana and moved to Baton Rouge. George Allen was then elected to the position and held it for one year, when he was asked to resign by the council following concerns about some of the grant money the tribe had received. Jerry Don Jackson was appointed to the position by the council to replace George Allen and has been subsequently elected to two full terms.

Elections and other changes in tribal government since 1974 have been hotly contested, generating a great deal of interest among members. For instance, the replacement of George Allen by Jerry Don Jackson is recounted either as an underhanded coup or as a welcome effort to clean house and

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make the tribe respectable, depending on whom the interviewer asks (Beriss FD 1994). Disagreements over access to the facilities at the tribal center, use of grant funds, and the regularity of tribal meetings have led to the development of tribal factions that cut across the Lewis/Jackson division within the tribe. The two groups that have developed as a result of these disputes constitute the primary active political elements within the Jena Band at this time. They are most easily defined in terms of the leaders they support for the position of tribal chief: either Clyde Jackson, the former chief; or Jerry Don Jackson, who currently holds the position (Beriss FD 1994).

Despite the existence of distinct parties within the Jena Band, the legitimate authority of the current tribal government to represent the group's interests to outsiders is not questioned. Thus, for instance, in anticipation of the visit of an anthropologist from BAR, Chief Jackson asked members to write brief letters explaining concretely what the tribe had done for them over the years and why they felt Federal acknowledgment would be important. He received 41 letters, a little over 25% of the tribe, in response to this request, from those who oppose his leadership as well as from those who support it (JBC 1994). The fact that so many of the members were willing to put aside their differences in support of the acknowledgment effort suggests that the tribal government is seen as a legitimate governing body.

The acceptance of the current form of tribal leadership by the members is based in part on its ability to deliver services. Some of the details of these services will be described below. Over the past two decades, they have included access to CETA and JTPA jobs programs, in cooperation with the Louisiana Intertribal Council, of which the Jena Choctaw are members. After the Jena Band of Choctaw organized in 1974, outside, local sources supplied free labor and goods, and even legal assistance to the Band (C. Jackson 1994).

Families with children in school have benefited from funding for the purchase of school supplies and clothing as well as from help with their children's health care (see Historical Report). Much of this aid has been funded by grants from the state of Louisiana and from the Federal government. More recently, the council helped organize - and Jena Choctaw children attended - an Indian summer camp called Himnita Abina as part of a state drug education program. The tribal council has also conducted adult education classes in cooperation with the LaSalle Parish School

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District, under an Indian Education grant, to help members prepare to get their GED.

The ability of the tribal leadership to produce a sense of belonging to something more significant, in state and national terms, than two closely related families has also served to legitimize political authority. Thus, for instance, Clyde Jackson's service as Director of the Louisiana Commission on Indian Affairs in the 1980's gave members a sense that the Jena Choctaw had begun to occupy a more important place in Indian affairs in general. The ability of the current chief, Jerry Don Jackson, to command the attention of state Indian officials, such as Diana Williamson, or to organize the arrival of researchers from BAR, also serves that purpose (Beriss FD 1994).

It appears that one of the reasons Jerry Jackson has succeeded in remaining in office has been the promise that he would be able to obtain Federal acknowledgment for the petitioner, but not all members are certain that acknowledgment would benefit the chief's opponents as well as his supporters. When the BAR historian and genealogist did not interview a wide range of members, many apparently expressed dismay and, according to the chief, became suspicious that he was "keeping them to himself," presumably for dubious purposes (Beriss FD 1994).¹⁰ He made it clear when the third member of the BAR team arrived in Jena that interview with as many members as possible, opponents as well as supporters, would not only be useful to the BAR anthropologist, but also would help to shore up his own political support (Beriss FD 1994).

These interviews with the petitioning group indicated that members, even when they made it clear that they did not support Chief Jackson, did feel some responsibility toward the larger community. The BAR anthropologist was told that several members were extremely nervous about the potential damage they believed they could do to the petitioner's efforts to achieve Federal acknowledgment (Beriss FD 1994).

Social Interaction and Patterns of Culture

Many of trends breaking down the social isolation of the petitioner's community that began after World War II have continued since the 1960's. Thus, all the Jena Band of

¹⁰ The nature of BAR historical and genealogical research did not require extensive interviews with members.

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Choctaw Indians' children attend integrated schools and most believe they will marry whites, since there is little opportunity to do otherwise. Few of the young people know more than a smattering of Choctaw although, of course, even that is considerably more than non-Indians are likely to know. While approximately 61% of the membership still resides within the three-parish area, actual housing is dispersed among housing occupied primarily by white residents of the area.¹¹ It is now ties of kinship, and of membership in an organized entity, rather than geography, which bind the members together.

Members do retain some distinctive characteristics. A recent study to evaluate the tribe's use of grants from the Administration for Native Americans (Orbis Associates 1989; Faine 1985) concluded that Jena Band of Choctaw families and individuals are generally poorer and less educated than other residents of the area. Thus, for instance, they note that Jena Choctaw families in LaSalle Parish are headed by younger adults with more and younger children than those of non-Indians in the Parish. They also noted that Indian households and families were larger than those of non-Indians in the Parish, but that their actual housing was smaller and of lower quality. These and other conclusions in these reports were generally confirmed through observation and direct questioning of tribal members. Whether a result of past or present discrimination against Indians, it is clear that even in the disadvantaged context of north-central Louisiana, many of the Jena Band of Choctaw remain economically disadvantaged and undereducated.

Interaction among tribal members is still a central element of many members' lives. News travels rapidly by phone and many members still make a point of stopping by each other's homes to exchange gossip in person. Members who are unable to support themselves adequately are often taken care of by others, as a supplement to the aid they may receive from the parish or state. This is particularly the case of older members with alcohol abuse problems. The sharing of economic resources among members is still a central focus of the lives of the petitioner's membership. Thus, for instance, several members do not own automobiles and, as a consequence, are dependent on others to help them get to and from their places of work. Making oneself available to

¹¹ Jena Band members rarely live in housing interspersed in primarily Black residential areas.

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other members to render such services is considered a normal part of being part of the Jena Band of Choctaw Indians.

As a formal organization, the petitioner itself has also taken on some responsibility for helping out members in difficulty. The Jena Band has, for instance, distributed aid in the form of school supplies and clothing for students in recent years. On several occasions, arrangements have been made for children to receive free haircuts for school. These haircutting events have usually been organized as part of parties for the entire membership and the services of a barber or hairstylist have been volunteered. At least once in recent years the petitioner has arranged for the children of one member to be cared for while the member was in jail, thus preventing the children from being taken away from the parent. Money has also been sent to members who have found themselves stranded while in other cities. Virtually every parent interviewed spoke of instances in which the help of the tribe, whether in information or material resources, had been indispensable for their children. Also, most of those interviewed who have grown up since the tribal government was organized recount similar stories.

Emphasis is also placed on teaching and maintaining a sense of Indian identity among the children and, if possible, on keeping children as close to the band as possible. Since the Jena Band is not Federally recognized, the Indian Child Welfare Act does not apply. However, the petitioner has made efforts in a variety of instances to prevent children from being taken from members, as noted above. One member also adopted one of the children of a Jena Band couple after they died, so that she would not be raised by non-Indians. Although they recognize the difficulties within such a small group, children are encouraged to meet and marry other members of the band. Failing that, efforts are made to see that they meet as many Choctaw from Mississippi and Oklahoma as possible (Beriss FD 1994).

Language use has declined significantly over the years. However, in those families where at least one parent is a fluent Choctaw speaker, efforts are made to teach as much to the children as possible. Thus, for instance, Larry Jackson insists that grace before meals be recited in Choctaw in his household. Others hope that their children will pick up at least a smattering of Choctaw language through attendance in history and language classes provided at the tribal center. Between 15 and 20 children participate in these classes, given after school hours or during the summer, at any one time. While the extent to which the children actually adopt

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elements of the taught culture as part of their lives is open to question, it appears that attendance in such classes by the children of tribal members has itself become an important element in the lives of Indian children, comparable to attendance in Sunday school or confirmation classes among church-going Americans.

Distinct Social Institutions

As the preceding section suggests, the tribal center has joined the White Rock Indian Cemetery as a central social institution for members of the Jena Band of Choctaw. The center, located just outside of downtown Jena, was built within a few years of the formal organization of the tribe in 1974. It consists of a large central room with meeting tables and displays of tribal and other Indian memorabilia, three offices, and a kitchen. Tennis courts are located behind the center and there are basketball hoops in the parking lot. The center also has facilities for holding barbecues.

The center is currently decorated to present the petitioner's identity and history in a manner that is both informative both to outsiders and useful as a tool in teaching children. Most walls are covered in photographs of members, with one devoted to those who served in the military and another to photos of the Penick Indian school. There is a large wooden plaque on one wall that lists the leadership since 1850, along with the manner in which each chief came into office, whether "traditional" or "elected." Similar decorations are displayed in the offices, especially that of the Chief.

A steady stream of members and families stop by for a variety of reasons every day.¹² Some come simply to drop their children off for history class or other youth activities (the tribe organizes many such activities during the summer months). Others come by to arrange to participate in some of the Indian programs administered by the tribal council for the state, such as placement in jobs through JTPA. There are also relatively regular meetings concerning tribal activities and attendance at those

¹² Prior to 1986 the tribal center featured pool tables and was open for much of the night. At that time it served as more of a focus for youth activity, especially given the absence of bars in Jena. Chief Jackson felt that such activity did not present the tribe in the manner he and other members desired and had the pool tables removed.

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meetings usually averages around 30, according to Chief Jackson (Beriss FD 1994).

The White Rock Indian Cemetery remains the other central social institution for the Jena Band of Choctaw. An acre of land that had long been used for burial purposes by the group was donated to the tribe in 1982 by a descendant of the Whatley family (see Historical Report and Genealogical Report). They have since been able to acquire a steel fence, which now surrounds that acre. Not all of the graves made in the past are actually within the fenced-off area and tribal members are no longer certain as to where all of the dead are buried. However, the fenced-off land is now maintained by the tribe as a project of the history classes. The grass is mowed and shows evidence of frequent attention, as do most of the graves. The cemetery is now also used by the history classes as a tool for teaching about the group's past.

The formal organization of the Jena Band of Choctaw Indians as a state-recognized tribe in 1974 provided a framework to maintain a distinct Choctaw community in LaSalle Parish. Through the elected chief and tribal council, the Jena Choctaw are able to conduct relations with non-Indian authorities in terms that those authorities are prepared to understand. This self-presentation has been crucial in gaining support from outside groups (Indian and non-Indian alike) for Federal acknowledgment. At the same time, that support has provided access to resources, such as JTPA funds, that have proven significant not only in providing jobs for members, but in shoring up the legitimacy of the current tribal government.

While tribal members have maintained a strong sense of community, understood as significant social relations among members, over the years, the formal tribal organization has provided a focus for renewal of that community. Even when faced with an inevitably high rate of out-marriage, members have a source to turn to for the education of their children and for the organization of relations within the group. This has, for many, renewed members' sense of attachment to the band. As noted, the Jena Choctaws are in many ways poorer than the average citizens of the area. However, as a social institution, the tribe has served as a collective bulwark against the severe economic difficulties of life in north-central Louisiana.

GENEALOGICAL TECHNICAL REPORT

JENA BAND OF CHOCTAW INDIANS

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JENA BAND OF CHOCTAW INDIANS

SUMMARY OF THE EVIDENCE

The Indians who settled in the wooded hills of the western section of Catahoula Parish (now LaSalle) were variously referred to locally as the Choctaw on Trout Creek, the Eden Indians, the Whatley Indians, the Bowie Indians, and the Jena Choctaw. The name used when the group formally incorporated in 1974 was the Jena Band of Choctaw Indians of Louisiana. When the petitioner adopted a new constitution in 1990, the official name became the Jena Band of Choctaw Indians. The variations in the name apparently do not represent different factions or changes in the population, but are simply popular local names and formal names for the incorporated entity which is petitioning for Federal acknowledgment as a tribe of American Indians. This report will use the term the petitioner when referring to the Jena Band of Choctaw Indians.

Ancestors of the petitioner have resided in or near Jena, LaSalle Parish, Louisiana, since before 1880 (Census 1880a, 1880b). All of the current membership descends from individuals who were either identified as Indian on the 1870 and 1880 Federal censuses or were identified specifically as Choctaw on the 1900 and 1910 Federal censuses (Census 1870c, 1880a, 1880b, 1880c, 1900a, 1900b, 1900c, 1910a, 1910b).

The petitioner claims descent from the Mississippi Choctaw who removed to Louisiana during the last half of the 19th century (Jena Band of Choctaw Indians (hereafter cited as JBC) 1993e). All except 18 of the 153 on the current membership list have at least one ancestor identified as a "Fullblood Mississippi Choctaw Indian" by the U.S. Commission to the Five Civilized Tribes Roll, a.k.a. the Dawes Commission (U.S. Commission 1902).

An analysis of the petition, of the applications to and testimonies before the Dawes Commission, of the Federal censuses and other documentation reveals that the petitioner's membership descends from individuals who were identified as Choctaw Indians living in Catahoula Parish as early as 1880. Although there were no formal membership rolls prior to 1974, the rolls since that time consistently list the same individuals and families with variations occurring through births and deaths. There is no evidence

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that any of the petitioner's membership belongs to any federally recognized tribe.

The petitioner enclosed certified copies of its articles of incorporation and 1990 constitution. The evidence indicates that the articles espoused in the constitution and in tribal council resolutions reflects the actual practices regarding membership criteria. The two key elements for membership in the Jena Band of Choctaw Indians are descent from the Choctaw who lived in LaSalle Parish in 1880, 1900, or 1910 and possession of at least 1/4 Choctaw blood.

The petitioner submitted ancestry charts and individual history sheets which show 100 percent of the member's descend from two or more of the Choctaw Indians who resided in Catahoula (now LaSalle) Parish, Louisiana in 1880, 1900, or 1910. Over 88 percent of the 1993 membership has an ancestor who was identified as a Mississippi Choctaw in the records of the Daves Commission. The lineages and family relationships can be confirmed through the census records and the testimonies given regarding the Mississippi Choctaw before Daves Commission.

GOVERNING DOCUMENTS

The petitioner did not have a formal written constitution or governing document prior to incorporation in 1974. The petitioner submitted certified copies of the Articles of Incorporation dated April 20, 1974 which stated that a future constitution will further define membership (JBC 1985a, Art. VI, p.45). In December 1988, the tribal council adopted a resolution clarifying Article Six of the Articles of Incorporation (JBC 1988b). Additionally, uncertified and undated copies of by-laws for the Jena Band of Choctaw Indians of Louisiana, Inc. for 1976 were in the minutes of the tribal council (JBC 1976). Officers named in these bylaws were the chairman, vice-chairman, secretary, and treasurer (JBC 1976). Some of the petitioner's documents also show that a "council member" participated in governing activities of the group. At least five persons constituted the 1976 council.

The petition also includes a certified copy of the constitution which was adopted on December 22, 1990 (JBC 1990a). Attached to the constitution are a resolution by the constitutional development committee calling for a tribal election on the final draft of the constitution, certification of the ballot count, and the tribal council

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resolution adopting the 1990 constitution (JBC 1990a, 1990b, 1990c, 1990d). With adoption of the 1990 constitution, the governing body became the tribal council consisting of four council members and a chief (JBC 1990a).

Table I compares the provisions of the two governing documents.

The Articles of Incorporation primarily define how the corporation relates to outside entities; on the other hand, the constitution focuses more on the internal activities and relationships of the membership and the governing body. The 1990 constitution and later by-laws reflect the unique character of the Jena Band of Choctaw Indians, especially regarding membership criteria.

Article II of the constitution defines the jurisdiction of the Jena Choctaw as extending to all lands now held, or which may be acquired by the Jena Choctaw and to all persons who are now or who may become members of the tribe. The constitution states that LaSalle, Grant, and Rapides Parishes in Louisiana comprise the primary service area.

According to the 1990 constitution, the tribal council is to hold regular meetings on the second Saturday in January, April, July and October each year. Special meetings of the tribal council may be called in the following circumstances: the tribal chief deems it necessary, or the tribal chief has a written request from at least three members of the council (JBC 1990a, Art. V).

Jena Choctaw over the age of 18 years and registered according to the election ordinance are eligible to vote in any tribal election. The chief and the council members are elected by the membership at large. Lists of voters for an election in the early 1980's and of registered voters in 1991 are in the minutes of the petitioner's council meetings (JBC 1991). The four council member candidates with the highest number of votes received are elected to office. Candidates for chief run specifically for that office (JBC 1990a, Art. VI).

Candidates for the tribal council must be an enrolled member of the tribe, be an actual resident of the primary service area, be at least 21 years old, and have attended at least eight hours of tribal government training provided by the

TABLE I
COMPARISON of the GOVERNING DOCUMENTS

1974 ARTICLES OF INCORPORATION JENA BAND OF CHOCTAW INDIANS OF LOUISIANA	1990 CONSTITUTION JENA BAND OF CHOCTAW INDIANS
<p>PURPOSE: (Article I) Administer donations for eleemosynary, religious, cultural and educational purposes; promote and preserve the cultural heritage of the Choctaw peoples; disseminate information on history and culture of Louisiana Indians; encourage ethnic unity of Louisiana Indians</p>	<p>PURPOSE: (Preamble) Establish self government for members; promote the common welfare (of the Jena Choctaw)</p>
<p>GOVERNING BODY: (Article V) Board of Trustees (5 members: 3 year terms)</p>	<p>GOVERNING BODY: (Article IV) Jena Tribal Council (4 members: 4 year terms) and Chief (4 year term)</p>
<p>POWERS: (Article II) To conduct programs and distribute funds; administer grants; possess the powers, rights, privileges, capacities and immunities of a non-profit organization</p>	<p>POWERS: (Article VIII) Legislate affairs; negotiate contracts; conduct business; establish procedures to conduct tribal government and business operations; hire legal council; appropriate available funds for the benefit of the tribe and individual member or surviving non-member spouse unless they remarry outside of the tribe; levy and collect taxes and raise revenue to meet the needs of the Tribe or support tribal government operations</p>
<p>MEMBERSHIP: (Article VI) (A) Two classes of membership (B) Persons of 1/4 degree or more Choctaw Indian blood directly from those who settled in LaSalle Parish, Louisiana. In the event the Secretary of the Interior approves a constitution and set of By-laws for the "Jena Band of Choctaw Indians of Louisiana" then the members of that tribe as defined in such constitution and By-laws shall thereafter constitute the membership of the corporation. (C) Persons contributing services are eligible for honorary memberships, without voting privileges and services</p>	<p>MEMBERSHIP: (Article III.) Sec.1. All individuals on the roll dated November 26, 1990, consisting of Choctaw possessing 1/4 degree or more Choctaw blood quantum. Sec:2. All individuals who are descendants of members on the November 26, 1990 roll who meet the following requirements of Choctaw blood quantum. (a) 1/4 or more Choctaw Blood Quantum until December 1994 (b) 1/8 or more Choctaw blood quantum beginning January 1, 1995. (c) As of January 1, 2000, membership will be based on decendancy from the November 26, 1990 Tribal roll (Art.III) Sec.3. The tribal Council may promulgate ordinances re: maintaining an up-to-date membership roll. Sec.4. No person shall be enrolled in Jena Band...if enrolled in another federally recognized or non-recognized tribe</p>

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petitioner before each election (JBC 1990a, Act.VI, Sec.4). Candidates for Chief must meet all of the qualifications for council membership as well as have served a term on the council, or be an incumbent (JBC 1990a Art.VI, Sec.5).

The constitution also directs when and how elections are to be held, allows for run-off elections if there is no clear majority vote for the office of chief, describes how to fill vacancies, and prescribes when and how a council member or the chief can be removed from office (JBC 1990a, Art.VI, VII). Articles VIII, IX, and X describe the duties and powers of the tribal council, the tribal council president, and the chief. These powers pertain to the administration of the organization and the accumulation, dispersal and safeguarding of tribal resources (JBC 1990a).

Although the tribal council and the chief are responsible for the functions of the tribe, provisions are made in the constitution whereby the general membership can propose ordinances or overturn previous resolutions and ordinances through initiatives and referendums (JBC 1990a, Art.XI, Sec. 1-4). Provision is also made to amend the constitution (JBC 1990a, Art.XIII).

MEMBERSHIP CRITERIA

There is no evidence that the petitioner had formal criteria for membership prior to incorporation in 1974. The articles of incorporation defined the membership as consisting of the Choctaw Indians with 1/4 or more Choctaw Indian blood, who descend from the Choctaw who settled in LaSalle Parish, Louisiana. Furthermore, the articles of incorporation state that a future constitution and by-laws, if approved by the Secretary of the Interior, will define the membership (JBC 1974, Art.VI).

Clarification of Article Six came with tribal council Resolution-1, on December 7, 1988:

The members of this corporation shall consist of all persons of one-quarter (1/4) degree or more Choctaw Indian blood, directly descended from those persons identified as Choctaw Indian and listed on the United States Department of Commerce & Labor-Bureau of the Census Reports for the years 1880, 1900, & 1910 (JBC 1988b).

Although the clarification statement does not specifically state that the Choctaw on the 1880, 1900, and 1910 censuses

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resided in LaSalle Parish, when combined with the wording in the articles of incorporation, it appears that the membership was based on ancestral residence in LaSalle Parish as well as degree of Choctaw blood.

Since membership as defined in the 1990 constitution is based on the November 26, 1990 roll, it follows that the current membership also depends on the individual's ancestors having settled in LaSalle Parish. Article Six of the 1990 constitution also extends the blood quantum requirements to include those with 1/8 or more Choctaw blood beginning in January 1995 and to include all descendants of the November 1990 roll as of January 1, 2000. For future generations, the 1990 roll in effect becomes the petitioner's base roll.

MEMBERSHIP ROLLS

There is no evidence that the petitioner maintained a formal record of its members prior to incorporation in 1974. The petition included copies of a membership roll dated December 1, 1974, a list of people living in 1980, a membership roll and deceased membership list dated January 1, 1982 (JBC 1974b, 1980, 1982b). Lists of births and deaths since December 1, 1984 accompanied a membership list dated August 5, 1993. The petitioner also submitted certified copies of membership rolls dated December 1, 1984, November 26, 1990, a "Tribal Roll Effective 6/01/92," and a membership roll dated October 12, 1993. The 1974 and 1982 membership rolls included the following personal data on each member: sex, birth date, birth place, tribe, blood degree, parents names, parents birth places, tribe, and blood degree. The 1984 and 1993 lists included the address of each individual as well as the same personal data on the two previous lists. Names appear to be listed on the rolls in small family groups, but there was no consistent recording of names by family, residence, blood degree, or membership numbers (JBC 1984a, 1993d).

Residence Patterns. The residences taken from the 1984 membership list, which was entered into a D-base IV program and used for statistical purposes during the research process, showed the petitioner living in a relatively small geographical area centered around the town of Jena in north central Louisiana. The largest concentration of the petitioner's membership (44 percent) was within the communities of Jena, Trout, and Belah, Louisiana; an area less than seven miles in diameter. The petitioner's

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ancestors settled in the same rural area over a hundred years ago, only moving into the town of Jena after World War II (Census 1880a, 1880b, JBC 1993e, 73-75). In 1984, 54 percent (68 of 126) lived within 20 miles of Jena (JBC 1984a). Seventy-two percent of the membership lived within 30 miles of Jena and 85 percent lived within the state of Louisiana (JBC 1984a).

The White Rock Indian Cemetery provided additional evidence of continual residence in the Eden and Jena area. In 1982, one of the Whatley heirs deeded the 1.29 acres to the Jena Band of Choctaw Indians which contained the Choctaw graves. According to the oral traditions of the Jena Choctaw, they have "always" buried their dead in the same cemetery on the Whatley land near Eden, Louisiana. Recollections by the old neighbors and Whatley descendants revealed that burials occurred in the 1910's and 1920's; however, the graves were not clearly marked and have since become "lost." Some stones that marked graves do not have names or dates on them and there are other unmarked graves in the vicinity of the marked graves (FD 1994c). The petitioner submitted a list which showed Indians were buried in the cemetery in each decade from the 1930's to the 1980's (JBC 1985b, 89). The following chart shows the number of recorded burials in each decade from 1930 to 1980 (1984 when the petition was prepared).

DECADE	NUMBER of BURIALS
1930's	5
1940's	3
1950's	3
1960's	2
1970's	7
1980 to 1983-4	1

This chart demonstrates the continuity of [recorded] burials in the White Rock Indian Cemetery over a 50 year time span.

Enrollment Procedures. In 1983 the tribal council sent a letter to the membership asking them to fill out individual history charts and ancestry charts (JBC 1983). The petitioner then used the resulting charts to compile a complete, updated membership list (FD 1994c).

The Articles of Incorporation did not address the issue of enrollment other than to state that the constitution and by-laws would define the membership (JBC 1974a). The first

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reference to enrollment procedures appeared in the 1976 by-laws which stated that the tribal council had the power to correct the membership roll and to pass ordinances governing future membership, loss of membership, and adoption of members, (JBC 1976, Art.3). All members must have at least 1/4 degree Choctaw blood. The council also placed the burden of proof on the applicant in establishing eligibility for enrollment (JBC 1976, Art.3, sec.2).

The by-laws dated July 14, 1986, and certified by the tribal council were identical to the 1976 by-laws, except the section regarding burden of proof was omitted (JBC 1986, Art.3). While not specifically stated, the burden of proof requirement is understood to still be in effect.

When asked what someone would have to do to become a member, Jerry D. Jackson, chief (formerly called chairman) of the Jena Band of Choctaw Indians replied, "They'd have to be related to me. They would have to prove kinship to the group" (FD 1994c). Before 1983, he added, everybody just knew everybody, they were all related and they didn't need a membership roll. The chief also stated that he knew everyone by name, except for some of the little children, and knew where they lived (FD 1994c). The names of 29 children were added to the membership roll between 1974 and 1984 (JBC 1974b, 1984a). The names of thirty-six children were added to the membership since 1984 (JBC 1993b). No new adults or families were added to the 1984 or 1993 membership rolls (JBC 1984a, 1993b). Jerry D. Jackson said that he could not just put someone on the roll; the council would not let him do that. Members have to have 1/4 or more Choctaw blood or the council wouldn't allow them to be on the roll. He also added that adoption "wouldn't fly here" (FD 1994c).

Based on an analysis of the membership rolls during the research process, membership in the petitioning group depends on descent of the Choctaw Indians who settled in Catahoula Parish, Louisiana before 1880 and whose names appear on the Federal censuses for 1880, 1900, and 1910 (FD 1994c, JBC 1988b, 1990a). Therefore, Article III of the constitution and the 1988 resolution regarding membership and blood degree reflect the petitioner's actual practices regarding membership.

Neither the petitioner's constitution and by-laws nor the minutes of the tribal council meetings revealed any formal procedure for enrolling new members. When asked if the council ever discussed who could or could not be on the

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roll, one council member replied that the subject had come up recently when someone called and asked if they could be put on the membership roll. The council discussion centered on whether the individual was from one of the original families or not. Citing the constitution as their guide for membership, the council member concluded that, "If you're not one of us, then you are not one of us." Enrollment is managed through informal means within the tribal council because the group has a small population of closely related members, who for the most part, live within a relatively small geographic area (FD 1994c).

Potential Membership. The petitioner does not appear to actively recruit new membership, adding only the children of members if the child meets the blood quantum requirements. Provisions made in the 1990 amendments to the by-laws allow future membership to include those who have less than 1/4 Choctaw blood quantum (JBC 1990d).

At present, potential membership growth is limited to the descendants of the families who were living in Catahoula Parish in 1880, 1900, and 1910 and who have more than 1/4 Choctaw blood. Of the 153 names on the 1993 membership roll, 69, or over 45 per cent, have 1/4 Choctaw blood quantum (JBC 1993b). Because of previous generations of in-marriage between the families, there are few in the current generation who are not already closely related to the rest of the membership. Customarily, and in particular since the early 1950's when the petitioner embraced Christianity, marriages between close relations are frowned on; therefore, the number of possible Indian spouses in the immediate vicinity is severely limited (JBC 1985b). For example, when a Choctaw couple married in the early 1980's, there was some controversy within the group because the bride and groom were second cousins (FD 1994c). In fact, the couple are related six ways through mutual great-grand parents or great-great-grand parents (JBC 1985b).

Table II demonstrates the number of new marriages for the Choctaw Indians who resided in Catahoula (and LaSalle) Parish between 1870 (including the people who were shown as adult Indians in 1870 or 1880) and 1985 when the ancestry charts were submitted by the petitioner. Marriages are arranged by decade, using the ancestry charts, the Federal censuses, the Dawes Roll testimonies, and the marriage registers in Catahoula, LaSalle, and Rapides Parishes either for date of marriage or for the birth of the eldest known child.

TABLE II
COMMENCEMENT DATES of NEW MARRIAGES for the MEMBERS of the
JENA BAND OF CHOCTAW INDIANS

CHOCTAW to CHOCTAW MARRIAGES	CHOCTAW to NON-INDIAN MARRIAGES
YEAR and NUMBER of MARRIAGES	YEAR and NUMBER of MARRIAGES
1820 ■ 1822 ■	
1830 ■ 1835 ■ ■ 1838 ■	
1840 ■ 1845 ■ 1847 ■ 1848 ■	
1850 ■ ■ 1853 ■ 1855 ■ ■	
1862 ■ ■ 1865 ■ 1868 ■	1862 ■
1870 ■ 1874 ■	
1880 ■ ■ ■ ■	
1890 ■ 1891 ■ 1893 ■ 1896 ■	
1900 ■ 1901 ■ 1902 ■	
1910 ■ 1912 ■ 1914 ■ 1917 ■	1900 ■ 1905 ■ 1908 ■
1921 ■ 1922 ■ 1925 ■ ■	
1932 ■ 1935 ■	
1947 ■ 1949 ■	1944 ■ - 1949 ■ ■
	1950 ■ 1954 ■
	1955 ■ 1957 ■
	1960 ■ 1961 ■ ■ 1962 ■ 1963 ■
	1966 ■ 1964 ■ 1967 ■ 1968 ■
	1971 ■ 1972 ■ ■ ■
1978 ■	1973 ■ ■ ■ 1974 ■ ■
	1976 ■ ■ 1977 ■ ■ 1979 ■
1980 ■	1981 ■ 1982 ■ ■ ■ 1984 ■

■ = Beginning date of marriage (Based on age of eldest child if exact marriage date is unknown)

From the table it is easy to see that the Choctaw married within their own community until after World War II. Between 1820 and 1899, the Choctaw married almost exclusively within the Indian community. In 1862, the marriage of the parents of Louisiana Brown represented the only union between a Choctaw and a non-Indian. For 30 years

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after the first community of Indians was identified in Catahoula Parish on the census records (1870 to 1900), the petitioner had 100 percent of in-group marriages. The three dates at the turn of the century (1900, 1905, and 1908) represent the births of three children who were born to Indian women. In each case, it was the only child born to the Choctaw mother and the non-Indian father. In two of the instances, (1900 and 1908) the mother died shortly after the birth of the child; therefore, the dates do not represent long-term marriages.

With the arrival of the Lewis family (sometimes called the Bowie Indians from Manifest, Catahoula Parish, Louisiana) in the Eden community in the 1910's, the Jackson family had new opportunities for Choctaw marriage partners. Therefore, between 1910 and 1949, over 75 percent of the marriages were between members of the group. The first first child of a Jackson-Lewis marriage was born in 1914; therefore contact between the families existed prior to that date. Seven of the Jacksons married children or grandchildren of William Bill Lewis. Five of William Bill Lewis' children married Jacksons, including one son who married three different Jackson women. The results are that a significant proportion of the modern membership are the children or grandchildren of a Lewis-Jackson marriage. Over 56 percent (71 of 126), of the membership in 1984 were the children (19 members) or grandchildren (52 members) of a Lewis-Jackson marriage (JBC 1984a, 1985b).

Table III shows that the predominance of marriages between the Jena Choctaw endured until 1960. The marriages between Choctaw in the Eden community that had originated during the the 1920's and 1930's continued to exist in the Jena community through the 1950's and 1960's. There were 14 marriages within the Choctaw population between 1950 and 1959, 7 of the marriages, 50 percent, had both a Choctaw husband and wife. Thus, the high degree of in-group marriages was maintained until 1959. There is no evidence that the Jena Choctaw married into any other tribe of Indians.

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TABLE III
CONTINUANCE OF EXISTING MARRIAGES AMONG THE JENA CHOCTAW INDIANS AFTER
WORLD WAR I

1	1	1	1	1	1	1	1	1
9	9	9	9	9	9	9	9	9
1	2	3	4	5	6	7	8	9
0	0	0	0	0	0	0	0	0
1917*****								1958
						1921*****		1959
1922*****								1968
1925*****			1932 (About)					
1925*****								1975
		1932*****						1978
			1944+++++					1959
			1947*****					1975
			1949+++++					1972
			1949*****					1970
			1949+++++			1954 (>)		
			1950+++++					1982
			1954+++++					1975
			1956+++++					>
			1956+++++					1977
			1960+++++					1973
			1961+ (No Data)					
			1961+++++					1970
			1963+++			1965 (No Data)		
			1964+ (No Data)					
			1964+++++					1973 (>)
			1966+++++					> (>)
1967+++++								1971 (>)
								1968+ (No Data)

- * Represents one year of marriage between members of the Jena Choctaw
- + Represents one year of marriage between a Jena Choctaw and a non-Indian
- > Date of birth of last known child; no later data available

In Table III, the beginning date for a marriage was taken from the birth of the first known child if no other record was available. The end date for a marriage was based on the death of one of the parties, a divorce date, or the birth of the last child if no other data was available. The petitioner did not provide vital statistics for non-Indian spouses. One marriage between a half-blood Choctaw and a non-Indian in 1932 was not included in the statistics since the couple never lived in the Jena community.

Table II and Table III show that virtually all marriages prior to 1949 were between two Jena Choctaw and that until

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1959, at least half of the marriages existing within the community were between two Jena Choctaw.

Table III demonstrates that the longevity of the in-group marriages added stability to the community during the 1950's and 1960's. The children and grandchildren, whether residents of Jena or not, had a strong core community of all-Indian parents, grandparents, aunts and uncles, thus providing a "home-base" for families or individuals who had moved from the Jena area in search of jobs (see the anthropologist's report). Five of the in-group marriages lasted until the late 1960's and three continued past 1975. After 1960, the number of marriages between Choctaw and non-Indians was greater than marriages in which both husband and wife were Choctaw. Over 30 percent of the marriages were endogamous until 1965 and over 23 percent of the marriages were endogamous until 1970. Table IV depicts the percentage of endogamous marriages from 1950, when new marriages were almost exclusively to non-Indians, until 1984 when the petition for acknowledgment was submitted.

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TABLE IV
PERCENT OF JENA CHOCTAW ENDOGAMOUS MARRIAGES

YEAR	NUMBER OF ENDOGAMOUS MARRIAGES	NUMBER OF EXOGAMOUS MARRIAGES	PERCENT OF ENDOGAMOUS MARRIAGES
1950	7	4	64%
1951	7	4	64%
1952	7	4	64%
1953	7	4	64%
1954	7	5*	58%
1955	7	5	58%
1956	7	6	53%
1957	7	6	53%
1958	7	6	53%
1959	6	6	50%
1960	5	6	45%
1961	5	8*	38%
1962	5	8	38%
1963	5	9	36%
1964	5	11*	31%
1965	5	11*	31%
1966	5	12	29%
1967	5	12	29%
1968	5	13*	28%
1969	4	13*	23%
1970	4	12*	25%
1971	3	13*	18%
1972	3	15*	17%
1973	3	19*	14%
1974	3	21*	13%
1975	3	20*	13%
1976	1	22*	4%
1977	1	23*	4%
1978	1	24*	4%
1979	1	25*	3%
1980	2	25*	7%
1981	2	26*	7%
1982	2	28*	7%
1984	2	29*	6%

* No data available after this date for one of the marriages. The last information was for the birth of a child.

Note: See Appendix A

DESCENT FROM A HISTORIC TRIBE

The petitioner claims descent from the historic Mississippi Choctaw tribe of Indians who settled in the area of western Catahoula Parish (now LaSalle). At least ten Choctaw, either named in the testimonies of the Dawes Commission or

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cited in the Federal census records, can be identified as the progenitors of the petitioner. They are: (1) John (or Joe) Gibson, (2) George Williams, (3) Bill Johnson, father of the Jackson/Berry line, (4) John Allen, (5) Emily Edmond Baptiste/Batise, (6) John Gibson/Baptiste/Batise; (7) Susan, mother of Willis Jackson/Berry, (8) Polley, wife of Wilson Williams, (9) William Bill Lewis, and (10) Mary Whatley/Wac-le, wife of William Bill Lewis (). Family tradition identifies another progenitor, Amos or Semus Whatley/Wac-le, as the father of Susannah and Roselia Whatley; however, he has not yet been located in any public records. Aside from the Federal Censuses and the Dawes Commission records, there are few records available that identify the petitioner's progenitors before 1910. A review of these sources will help to determine the origins of the Jena Choctaw.

The Census

A search of the Federal census records from 1810 to 1920 of Catahoula and LaSalle Parishes sheds light on the residences of the petitioner's ancestors. From 1810 until 1908, the area known as Eden, which is west of Jena, Louisiana, between Trout Creek and Bayou Funny Louis was in Catahoula Parish. When Catahoula Parish was divided in 1908, this same area became part of the newly formed LaSalle Parish. In this report, the records also reflect the division of old Catahoula Parish, thus the census references will be for Catahoula Parish until 1900. The 1910 and 1920 censuses will refer to both Catahoula and LaSalle Parishes since at least one of the petitioners families lived near Manifest in Catahoula Parish until after 1910.

The Whatleys were a large land-owning family and were the progenitors of the Whatley families for whom many Jena Choctaw worked in the first half of the twentieth century (Whatley 1906-1909, 1922-25, 1931-34). Even though the Police Jury Districts, Parish and Census Wards or Division boundaries changed through the years, the Whatley land-owners remained stable; therefore, the Whatleys, particularly William and Phineas, act as landmarks in locating the Indians on the census records. In the same respect, the Bowie family, who lived near Manifest, became a finding aid for locating the Lewis family.

The first Federal census for Louisiana was taken in 1810, enumerating heads of families by town, city or county. Individuals were identified as free white males, free white females, other free persons, except Indians not taxed

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(Indians living on reservations), and slaves. White males and females were further defined by age groups; however, no such identifiers were assigned to the other free persons or the slaves (Commerce, 10, Census 1810).

In Catahoula Parish in 1810, a household of free people of color named "Bunch" were living near William Whatley and Phineas Whatley. It is not known if these free people of color were Indian; however, the surname does not occur in the later Indian families.

None of the surnames that are associated with the petitioner in the latter part of the 19th century can be clearly determined as belonging to Indian families in Catahoula before 1870. Surnames Gibson, Williams, Johns(t)on, and Allen are occasionally found in the census records; however, the names are not exclusive to the Indian families, and the combinations of given names and surnames do not match the petitioner's progenitors (Census 1810, 1820, 1830, 1840, 1850, 1860a, 1870c). A careful study of the districts where the Whatley families resided did not reveal any notes or irregularities in the Federal censuses before 1870 that might indicate households of Indians.

In 1860, the Arkansas census enumerator crossed the western border and made a limited census of the "Indian Lands" of the Five Civilized Tribes. This is the only enumeration of Indians and whites in Indian Territory before 1900. None of the names in the Choctaw Nation in 1860 could be associated with the Choctaw who settled in Catahoula Parish, Louisiana (1860b).

The 1870 census, revealed two communities of Indians living in Catahoula and Grant Parishes, Louisiana. Since the 1870 Federal census was the first to enumerate Indians, it is also the first to positively identify Indians in Catahoula Parish (now LaSalle) in close proximity to where the ancestors of the petitioner later resided (Census 1870a, 1870b, 1870c). The only Indians in Catahoula Parish resided in three households neighboring the Whatleys. In Ward One, Household #18, John Dixon age 41, wife and 5 children; Household #38, Milly Hughes and son Billy age 12; and Ward Two, James Polk age 30 and wife Elizabeth age 25 (Census 1870a, p.13, 1870b, p.6). None of the 1870 Indian family names, Dixon, Hughes, and Polk, are repeated in the Indian families residing in Catahoula in 1880 or later. Although they have similar first names and ages as the Indians on the 1880 enumerations and it is possible that some of the 1870 individuals were still in Catahoula in 1880, relationships

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between individuals listed in the two decades cannot be proven due to a lack of documentation (1880a, 1880b). Another clue to the origins of the Catahoula Parish Indians comes from the 1870 census which gives Mississippi as the birthplace of James and Elizabeth Polk. Since they were aged 30 and 25 respectively, then they probably were born in Mississippi about 1840 and 1845 (Census 1870a, p.13). All of the other Catahoula Parish Indians on the 1870 census were shown as having been born in Louisiana.

In neighboring Grant Parish, there were seven Indian households: Ward 5, Household #13, John Gibson age 32, Emily Gibson age 22, Rosalia Gibson age 5, and Mandy Gibson age 3 which appears to be the same family later called Baptiste/Batise or Edmond in the Jena community (U.S. Commission 1902, Entry #5964); Household #14, Salvey Chunkey, Louisiana Brown, age 8, who appears to be the same Louisiana Brown who married Sam Gibson of Jena (U.S. Commission 1902, Entry 5949) and Thomas Jackson age 21; Household #15, Sipp Cumplon age 23, Mary I. Cumplon age 20, and Polly Cumplon age 80, born in Mississippi (Dawes, Census 1870c, p.2, 1880a, 1880b). None of the other four Grant Parish Indians can be clearly associated with the later Jena Choctaw families.

A search for individuals identified as Indian in 1870 in 14 parishes in northeast and central Louisiana and six counties in eastern Mississippi, home of the old Choctaw Nation, did not reveal any one who could be conclusively identified as the progenitors of the petitioner (Census 1870d, 1870e, 1870f).

The 1880 Federal census of Catahoula (now LaSalle) Parish was the first to identify by name the Indian ancestors of the petitioner. The Allen, Williams, Gibson, and Berry (a.k.a. Jackson) families, who resided in Ward Five and Ward Eight, were the only Indians in all of Catahoula Parish. They maintained four Indian households with as many as eight distinct families and adult males in residence (Census 1880a, 1880b). Three of the adults, Sam Allen, his mother Sally Allen, and Joseph Allen, were listed as having been born in Mississippi (Census 1880a).

The instructions to the 1880 census takers regarding counting the Indian population were:

It is the prime objective of the enumeration to obtain the name, and requisite particulars as to personal description, of every person in the

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United States, of whatever age, sex, color, race, or condition, with this single exception, viz: that "Indians not taxed" shall be omitted from the enumeration.

Indians

By the phrase "Indians not taxed" is meant Indians living on reservations under the care of the Government agents, or roaming individually, or in bands, over unsettled tracts of country.

Indians not in tribal relations, whether full-bloods or half-breeds, who are found mingled with the white populations, residing in white families, engaged as servants or laborers, or living in huts or wigwags on the outskirts of towns or settlements are to be regarded as a part of the ordinary population...and are to be embraced in the enumeration (Commerce 1989, 30).

By following these instructions, the census taker enumerated the Indian households as they occurred within the general population of Catahoula Parish, revealing the close proximity of the residences. The 1880 census is the first to place the petitioner's ancestors in close proximity with the Whatley families and in the same neighborhood where Indians resided in 1870. [Indian households underlined.] In Ward 8: Household (#blank) Sam Allen, Sally Allen, his mother, and Melissa Allen, an orphan. In Ward Five: Household #10 Phineas Whatley, Household #11, Uriah Whatley; Household #4, Samuel Whatley; Household #5, Joseph Allen family; Household #6, Simon Allen and wife, George Williams aged 60, Wilson Williams wife and children, Sopha Berry and daughter Nancy Berry; Household #7, Willis Berry (a.k.a. Jackson) and [probable wife] Rosa, Lucy Among [probably Louisiana Brown,] Jeff Davis [appears to be Jeff or Davis Umber mentioned in the Daves rolls testimonies], and Samuel Gibson aged 30; and Household #2 Allen Whatley and Household #3, Phinias Whatley. (Census 1880a, 1880b).

There is no census available for 1890.

The Federal censuses of 1900 and 1910 included separate schedules listing the Indian populations living within a given ward, precinct or parish as well as Indians living on reservations. Not only was an individual identified as Indian, but more specifically as being of a particular tribe. All of the Indians in Catahoula and LaSalle Parishes were identified as Choctaw Indians. Used in combination with

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the place of birth of the individual and the tribe or race and birthplaces for the parents of each Indian enumerated, a picture develops of the origins of each person enumerated on the 1900 and 1910 censuses (Census 1900a, 1900b, 1900c, 1910a, 1910b).

The Indian population schedule of Ward Five, Catahoula Parish, Louisiana, for 1900 identifies 32 Choctaw Indians residing in eight households. One Choctaw family, William Bill Lewis, (first appearance in the census), resided in Ward Seven and another Choctaw household, Mary Lewis, sister to Bill Lewis, was living in Ward Six, for a total of ten households and 40 individuals who were identified as Choctaw Indians (Census 1900a, 1900b). With the exception of one family where the wife was listed as 1/2 white and the stepchildren of the husband were listed as 1/4 white, all of the individuals were identified as full blooded Choctaw (Census 1900a, 1900b).

According to the 1900 census, the oldest living Choctaw, Joe [a.k.a. John] Allen, was born in Mississippi in January 1832,¹ (Census 1900a). Five of the other adult Choctaw in Catahoula Parish had at least one parent who was born in Mississippi. On the other hand, in 1910 and 1920, none of the Choctaw living in LaSalle and Catahoula Parishes, including the same adults who appeared on the 1900 census, have their birthplaces or their parents birthplaces as Mississippi (Census 1910a, 1910b, 1920).

In 1908, LaSalle Parish was formed from the western half of Catahoula Parish so that in 1910, both LaSalle and Catahoula Parishes were searched for ancestors of the petitioner. The William Bill Lewis family is enumerated on the Indian schedule for Harrisonburg, Ward 7, Catahoula Parish (Census 1910a). The other 26 Choctaw Indians are found in four households in Ward 3, LaSalle Parish (Census 1910b). The reduced population was a result of several of the Choctaw families removing to Oklahoma.

By 1920, the William Bill Lewis family and the Mary Lewis household had moved to Police Jury Ward 3, LaSalle Parish, joining the Jackson families which included remnants of the Williams and Edmond/Baptiste families (Census 1920). Although no separate Indian schedule was taken in 1920,

¹ In testimony before the U.S. Commission to the Five Civilized Tribes (Dawes Commission) in 1902, John Allen states that he is 80 years old, or born about 1822.

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"Indian" was still used as a racial designation. The 23 Indians living in four households in Ward 3 were the only individuals in LaSalle Parish or Catahoula parish to be identified as Indian (Census 1920). They were the same people who had been designated as Choctaw Indians in 1900 and 1910. The 1920 census is the last one open to the public; therefore, other sources must be searched for information on the more recent generations.

In summary, an Indian community was first identified in western Catahoula Parish (now LaSalle) on the 1870 Federal census. One Indian family and one individual from 1870 Grant Parish later become a part of the Jena community (Census 1870c, 1880a, 1880b). According to the censuses, the ancestors of the current petitioning entity resided in Catahoula Parish as early as 1880 and continued to live there through 1920. Two other Choctaw households appeared in Catahoula Parish on the 1900 census but removed to the Jena, LaSalle Parish community before 1920.

Five of the ten adult Indians over age 21 in Catahoula Parish in 1880 were listed with Mississippi as their birthplaces. According to the 1900 census, three of the twenty adults were born in Mississippi, and five adults in 1900 had at least one parent's birthplace as being Mississippi. In 1910 and 1920 however, none the Choctaw, including the same individuals enumerated in 1900 and 1910, list Mississippi as the birthplace for themselves or for their parents.²

The petitioner has provided ancestral charts and individual history charts for everyone on the 1984 membership list. The petitioner also provided large, computer generated pedigree charts for all 153 members on the 1993 membership list petition materials. According to these records and all of the documentation available at this time, each member of the petitioning group descends from at least two people who were identified as Choctaw Indians in 1900 or 1910. At least 66 members descend from four of the original Choctaw

² Conflicts in the census accounts may be attributed to ignorance on the part of the individual interviewed or to indifference on the part of the census taker. In either case, other records, such as the Dawes Rolls, should be consulted to resolve any conflicts.

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progenitors and 24 descend from six or more of the original progenitors within five generations (JBC 1985b).³

U.S. Commission to the Five Civilized Tribes in 1902

An Act of Congress dated March 3, 1893 (27 Stat. 645) established a commission to negotiate agreements with the Five Civilized Tribes (Cherokee, Creek, Choctaw, Chickasaw, and Seminole) to dissolve tribal governments and to allot land in Indian Territory (Oklahoma) to individual members of the tribes. Known as the "Dawes Commission," in reference to its chairman, Senator Henry L. Dawes, the commission was authorized in 1896 to prepare enrollment lists for each of the Five Civilized tribes. Legislation in 1897 allowed the Choctaw in Mississippi and Louisiana who removed to Indian Territory to be included in the enrollment (Watt 74-75). The resulting rolls, commonly called the "Dawes Rolls," consist of lists of Citizens by blood, Freedmen, minors, and newborns in each of the five tribes as well as the category, Mississippi Choctaw (U.S. Commission 1902, Commission 1907).

In order to give all tribal members the opportunity to enroll and relocate in Indian Territory, notices were printed in newspapers in Mississippi, Louisiana, Texas, Tennessee, Arkansas, and Alabama (Watts p.73). In the last days before the deadline for applying for enrollment as Mississippi Choctaw, representatives of the Allen, Williams, Baptiste, Gibson, and Jackson families, of Post Office Tullos, Catahoula Parish, Louisiana, arrived at Muskogee, Indian Territory. On June 30 and July 1, 1902 they applied for identification as Mississippi Choctaw and gave testimony regarding their ancestry, blood degree, and familial relationships (U.S. Commission 1902 Field #'s 5949-5969). The commissioners also included comments on the applicant's [Indian] appearance and if an interpreter was needed (U.S. Commission 1902, Field #5959). Actual enrollment was contingent on the applicant's removing to Indian Territory and staying on the allotted land for at least six months. Applicants who were identified as full blood Choctaw, but who did not meet the residency requirements, subsequently had their applications marked "Rejected." (See the

³ The petitioner's constitution specifies that the membership descend from ancestors identified on the 1880, 1900, and 1910 censuses of LaSalle (Catahoula) Parish, Louisiana. Descent within four generations refers to the member's great-grandparents, grandparents, or parents.

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historical report for a full explanation of the Dawes Commission.)

The applications and cards contained valuable genealogical information. In addition to giving the applicant's name, age, sex, and blood degree, they named the father and mother of the applicant and stated if they are living or dead. The testimonies given before the Commission often included information about the applicant's residence in Mississippi, when the applicant moved to Louisiana, grandparents' names, their Indian names, and their immediate families.

John Allen (Hatubbee) aged about 80 years, stated that his parents had both lived a long time on "Ontokolo Creek" in the old Choctaw Nation in Mississippi, and that he himself was born in Scott County, Mississippi (U.S. Commission 1902, Field #5950). Sam Gibson (age 51), Thomas Williams, a.k.a. Tom Tell/Tell Williams (age 29), and Willis Jackson (age 47) also state that they or their parents were born in Mississippi, but they had moved to Louisiana when they were young (U.S. Commission 1902, Field #'s 5949, 5959, 5963).

Members of the Allen, Baptiste/Edmonde, Gibson, Jackson, and Williams families applied to the Dawes Commission as full blood Mississippi Choctaws residing in LaSalle Parish, Louisiana. Only a few of the Baptiste/Edmonde and Gibson families remained in Oklahoma to claim their allotments. Most of the Jacksons and Williams and the two John Allens returned to LaSalle Parish. The account books from the Whatley stores and the 1910 census show that Will(is), Wes, Martha Jane, and Chris Jackson; Thomas, Victoria, Melissa, and Joanna Williams; John Allen, Senior and Junior (Young Allen), and [Sam] Gibson were again residing in the area of Eden, LaSalle Parish (Census 1910b, Whatley 1906-1909).

The vast majority (over 88 percent) of the petitioner's 153 members on the 1993 roll descends from at least one Mississippi Choctaw who appeared on the preliminary Dawes Roll (U.S. Commission 1902, JBC 1993b).

While the testimonies before the Dawes Commission were self-serving, they were corroborated by the data in the Federal census records. Together the two records, given at different times and for different purposes, substantiate the oral traditions that the petitioner's ancestors were originally Mississippi Choctaw.

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Other Evidence

Under the conditions of the treaty of 1830 at Dancing Rabbit Creek, Mississippi Choctaw were to cede their land east of the Mississippi and remove within the next two years to the Choctaw Nation in Indian Territory. Choctaw wishing to remain in Mississippi would be granted specific acreages of land for the head of the family, and each child living with him based on their age and marital status (U.S. Statutes 1833). A census of Indians owning land under the treaty was made in the early 1830's, showing the name of the head of house, number in the family, location of the farm, and general remarks (ASP:PL, Vol.7: 50).

Comparing the Indian names on this return with Indian names of the applicants and their parents or grandparents in the Daves Commission testimonies, reveals additional circumstantial evidence supporting claims for connections to the Mississippi Choctaw. John Allen (Hatubbee), his father John (Ah-hoc-la-tubbee) and mother Mollie (Satonah), Sam Gibson's father John Gibson (Te-wah-la-to-ubbee), John's father-in-law, Ah-a-be-tippee, and Bill Johnson (Ela-palo-ubbee), cited in the Daves testimonies, were of an age to have been living at the time of the 1830 Treaty of Dancing Rabbit Creek (U.S. Commission 1902). The names Haklotabe [occurs once], Hatubbee or Hotubbee [occurs four times], Holatubbee [occurs once], and Hochtubbee [occurs once] all appear as Indians owning land in Mississippi under the treaty of 1830 (ASP:PL, Vol.VII, 50,91,98,108,111,135). Although the names are the same or similar on both lists, there is no evidence available at this time that they are one in the same.

The surnames associated with the Choctaw at Jena, Louisiana: Allen, Williams, Gibson, Lewis, Jackson and Baptiste, are also found among the Mississippi Choctaw in Scott, Leake, Kemper, Newton, and Neshoba counties in Mississippi (Census 1880d, MCA 1903, MCA 1921-1928).

Parish Records

A search of the land, tax, succession (probate), cattle brands, and marriage records for Catahoula, LaSalle, and Rapides Parishes did not uncover any records that could be identified with the Choctaw Indians living in those parishes during the nineteenth century. They did not buy or sell

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land, pay taxes⁴, will property to their heirs, or marry by civil authority. One registration of voters for the year 1878 in Catahoula Parish for "whites and negroes" gives the individual's age and birth place. Although the surnames Jackson, Williams, Lewis, Allen, and Johnson appear on the registration, none of the first names, ages or birth places correspond with names of the petitioner's ancestors (Anonymous 1984).

Twentieth Century Records

After the turn of the century, a variety of records begin to identify the petitioner's ancestors and to confirm family relations. Some of the records were of private origin while others were generated by local or state authorities.

Other than the Federal census records and the 1902 Daves Commission applications, there is no body of public records that identify the Choctaw Indians of LaSalle Parish until after World War II when their first civil marriages are recorded.

Private Records

The petitioner maintains copies of the Whatley store ledgers covering the years 1906-1909, 1922-1926, and 1929-1934. The ledgers were originally in possession of one of the Whatley heirs who allowed the petitioner to copy the pages with references to the Indians. Although the ledgers are incomplete, they do provide a considerable amount of information regarding the Indians who lived near Eden over a thirty year time period. The early ledgers show Victory (Victoria) Indian, Sally Indian, Joanna Indian, Tell (a.k.a. Thomas Tell) Indian, Melissa Indian, Hemon Indian, Allen Indian, Sr. and Allen Indian, Jr. purchasing merchandise and paying for it through a day or week's work or skinning and curing hides. Chris Indian and Willie Indian first appear in the record in 1908 (Whatley 1906-1909, 1). Both Victory and Alice Indian purchase goods on the account of Tell Indian and part of Willie's account was paid by cash from "Wess" Indian. The census and Daves Commission records

⁴ The petition states that the Indian John or Joseph Allen paid taxes on livestock between 1877 and 1884; however, there were at least two other men named John or Joseph Allen living in Catahoula Parish whose names appear on the 1878 voter's registration list. The petition did not include a copy of the tax records referred to, so it is not clear at this point which Allen was the taxpayer.

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prove that that Melissa, Joana, Victoria (Victory), and Tom Tell were brother and sisters, the children of Wilson and Polly Williams. Sally Ann, Hemon and Allen, Jr. (Young Allen) were the children of John Allen (Hatubee). The "Willie Indian" may refer to either Willis Jackson (the father of Chris, Wes, and Will Jackson) or to his son Will Jackson (Whatley 1906-1909, 285).

In 1922 Will Indian and Katie are on the same account but in the following year the same account is under the names of Will Jackson and Katie (Whatley 1922-1926, 293, 320). "John Lewis, Indian" in December 26, 1922 is the first reference to an Indian with the surname Lewis. In the same year and month, Bill and "Roseila" (William Bill and Roselia Lewis) have an account (Whatley 1929-34, 44). The last ledger entry for Bill and Roselia Lewis ends in April 1933 followed by an account in the name of "Rozelia Lewis (Ind.)" beginning on April 6, 1933, thus establishing an approximate date of death for William Bill Lewis (Whatley 1929-1934, 249, 278).

Although close family members such as sibling, spouse, or child of the person with the account often purchased items or made payments on an account, there were occasions when more distantly related and unrelated Indians charge goods to the account of another Indian. For example, Gibson [Sam Gibson?] purchased coffee on Thomas Tell's account in 1909, Lillie Williams was on the account of her aunt, Melissa Indian [Williams], and "Louis" paid cash towards the account of Chris Jackson in 1922 (Whatley 1906-1909, 442; 1922-1926, 43; 1922-1926, 362). Since Chris did not have a brother or child by the name of Louis, the entry referred either to Louis Jones, the son of Melissa Williams who lived with Chris and Alice Jackson until he was about 16 years old, or to William Bill Lewis/Louis.

The early store accounts did not address any of the Indians by their last name, but only used the first name and "Indian" to distinguish the accounts. In the mid- to late 1920's, the surnames Jackson and Lewis are added to the accounts. Accounts were credited by day labor, washing, housecleaning, cotton picking or ginning, tanning hides, or supplying wood (Whatley 1922-26, 1929-34).

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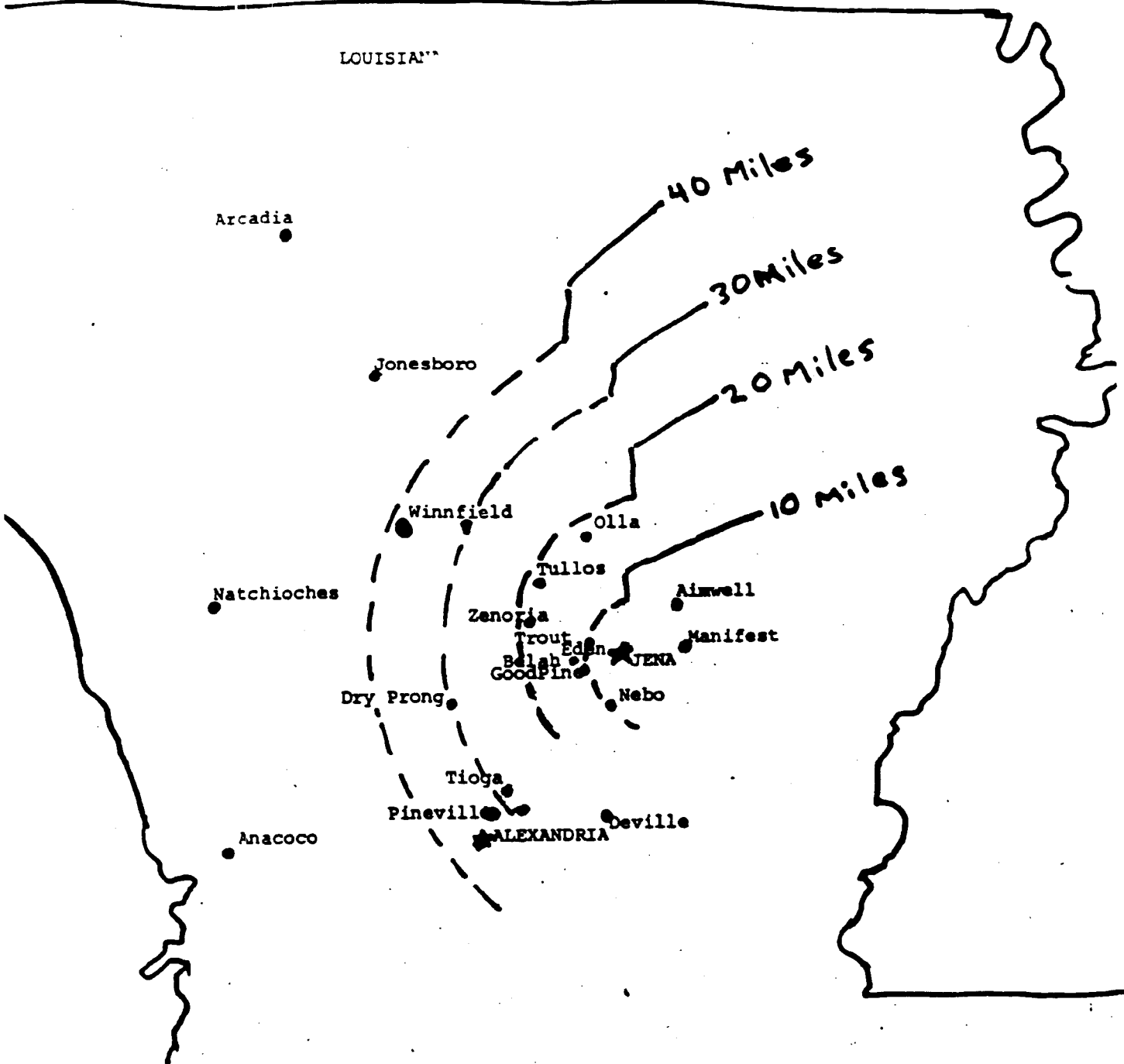
Local Records

According to the petitioner, their ancestors were married by Indian custom until about 1950. The fact that the names of the Choctaw ancestors do not appear in the Catahoula and LaSalle Parish marriage registers seems to confirm the oral tradition. The earliest known public record of a marriage involving a member of the petitioning group appears in LaSalle Parish in 1945, (LaSalle Marriage Book J-K), in which instance the bride married a non-Indian. The earliest recorded marriage between two Choctaw occurred in LaSalle Parish 1948 (LaSalle marriage Book J-K, 225). The indexes to the marriage records themselves do not identify the race of the bride or groom; however, the petitioner identified all non-Indians on their ancestry charts and individual history sheets.

Federal Records

Registrations for the draft for World War I identify two of the Jackson men as Indian, name their wives as next of kin, give their residences as Eden, LaSalle Parish, and name the Whatleys as their employers (Selective Service System, Serial #793, #1024).

As previously discussed, the Federal censuses for 1900 and 1910 identify the Indians in Catahoula and LaSalle Parishes as Choctaw, and the 1920 Federal census identifies the petitioner's ancestors as Indian. The census records also help to clarify family relationships, ages, and birth places.



RESIDENCE PATTERNS: JENA BAND OF CHOCTAW INDIANS

APPENDIX I

JENA CHOCTAW MARRIAGES from CENSUS, DAWES ROLLS, and CHARTS
 Age for oldest Indian child if marriage date not known, names of
 families who resided in the Jena community using the 1984
 Membership Roll/Ancestry Charts Birthdates are from the census or
 from Dawes Commission records.

SEE TABLE II FOR SUMMARY OF THIS INFORMATION BY DECADES

SEE TABLE III FOR LONGEVITY OF MARRIAGES FROM 1920

* = Choctaw to Choctaw marriages

+ = Choctaw to non-Indian marriages

- *1820 George Williams b.
- *1822 John Allen b.
- *1830 Betsey/Liz _____ (who marries John Allen) b.
- *1835 Sallee _____ Allen b.
- *1835 Sopha Berry b.
- *1838 John Gibson/Edmond/Baptiste b.
- *1840 John/Joe Allen b.
- *1845 Simon Allen b.
- *1847 Wilson Williams b.
- *1848 Emily _____ Gibson/Edmond/Baptiste b.
- *1850 Sam Gibson b.
- *1850 Polly _____ Williams b.
- *1853 Willis Jackson b.
- *1855 Sam Allen b.
- *1855 Martha _____ Allen b.
- *1862 John/Joe and Betsey/Liz Allen m.
- +1862 Louisiana Brown b. (1/2)
- *1868 Jeff Davis/Umber b.
- *1870 Wilson and Polly Williams m.
- *1874 Nancy Bowie b.
- *1880 Mary Whatley m. father of Rosalie and Susanna
- *1880 Simon and Martha Allen m.
- *1880's Sam and Louisiana m.
- *1880's Willis and Rosa m.
- *1890 William Bill Lewis and Mary m.
- *1891 Mandy Edmond and --- Horton m.
- *1893 Tom Tell Williams and Susan Edmond m.
- *1896 Ida Baptiste and Joe Umber m.

- *1900 Heman Allen and Mary Jane _____ ; he died ca. 1910/11
- +1900 Nancy Bowies's child b. (1/2) ; no data
- *1901 Will Jackson and Mary Ann Williams ; he died 1950
- *1902 William Bill and susannah; she died 1908
- +1905 Melissa's child, Louis Jones b. (1/2); no data
- +1908 Ivy Fairbanks b. (1/2) no data
- *1910 Tom Tell and Mrs. Mary Jane Allen ; he died 1916
- *1912 William Bill and Rosalie ; he died 1933
- *1914 Will Jackson and Katie Lewis ; she died 1938
- *1917 Chris Jackson and Alice Williams ; he died 1958
- *1921 Albert Lewis and Sallie Jackson ; she (?) died 1959
- *1922 Lillie Jackson and William Lewis;

*1925 Ella Lewis and Louis Jones ; she d. 1975
 *1925-30 Anderson Lewis and Lucille Jackson; div, she d. ca 1935
 *1932 Anderson Lewis and Rosa Jackson ; she died 1975
 +1932 Ivy Fairbanks and _____ (non-Ind); both living 1994
 +1944 Johnson Lewis and Victoria Crane ; he died 1959
 *1947 William Jackson and Mae Jones he d. 1975, she 1976
 *1949 Riley Jackson and Margaret Lewis; div. 1970
 +1949 Sam Jackson and Willia ; he died 1972
 +1949 Ellie Lewis m. _____; last child 1954
 +1950 Louise Lewis m. _____: she d. 1982
 +1955 Philip Jackson m. _____; he died 1975
 +1956 Jerry Joe Jackson m. n-I; both living 1994
 +1957 Wilma Lewis m. n-I; she d. 1977
 +1960 Dorothy Lewis m. n-I; child b. 1973
 +1961 Janice _____ m. n-I ; no data
 +1961 Elsie m. n-I; she d. 1970
 +1963 Marie Lewis m. n-I; child b. 1965
 +1964 Manuel m. n-I; child b. 1965
 +1964 Phyllis Lewis m. n-I; child b. 1973
 +1966 Hazel Lewis m. n-I; child b. 1981
 +1967 Mary Jackson m. n-I; aft 1971
 +1968 Linda Chellette m. n-I; no data
 +1971 George Allen m. n-I; no data
 +1972 William Lewis Jr. m. n-I
 +1972 Rickey Gene Jackson m n-I
 +1972 Clarice m. n-I
 +1973 Verda m. n-I
 +1973 Phyllis Jackson m. n-I
 +1973 Larry Jackson m. n-I
 +1973 Dorothy Sue Sullivan m. n-I
 +1974 Cheryl Jackson m. Allen
 +1974 Chris Jackson m. n-I
 +1976 Milton Lewis m. n-I
 +1976 Clarice m. n-I
 +1977 Patricia m. n-I
 +1977 Peggy Jackson m. Johnny
 *1978 Anderson Lewis and Lillie Jackson Lewis
 +1979 Clifton Jackson m. n-I
 *1980 Herman Jackson m Dena Louise Nugent
 +1981 Cheryl Jackson m. n-I
 +1982 Waren m. n-I
 +1982 Kathy m. n-I
 +1982 Evelyn m. n-I
 +1984 Thelma Sullivan m. n-I

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