

No. 8

Action: *Reject*

Name *Mary L. Byrd* and *3* children. Residence: *Mena, Ark.*

Reasons:

*It does not appear that ancestors were ever enrolled or were parties to the treaties of 1835-6 and 1846. Applicant shows no real connection with Eastern Cherokee.*

*mic. Test. P. 2086.*

Field ? Arks. Folk Co.

No. 8

Name Mary L. Byrd

With No.

Remarks:

Applicant - dead, died

Oct. 07.

is not Christ. she was  
entitled to her former  
name was probably old  
settles.

name does not appear  
on roll.

See Letter of husband  
& affidavit.

No. 8

# EASTERN CHEROKEES.

APPLICATION

OF

*Mary L. Byrd*

For share of money appropriated for the Eastern Cherokee Indians by the Act of Congress approved June 30, 1906, in accordance with the decrees of the Court of Claims of May 19 1906 and July 20, 1906.

INDIAN OFFICE EASTERN CHEROKEES. I. c SEP 1 1906 No.
---

Filed by  
Belva A. Lockwood, atty  
619 F. St. n w

Washn. Dc  
Sept. 1<sup>st</sup> 1906

B



Commissioner of Indian Affairs,  
Washington, D. C.

SIR:

I hereby make application for such share as may be due me of the fund appropriated by the Act of Congress approved June 30, 1906, in accordance with the decrees of the Court of Claims of May 18, 1905, and May 28, 1906, in favor of the Eastern Cherokees. The evidence of identity is herewith subjoined.

1. State full name—  
English name: *Mary L. Byrd*  
Indian name: *Denton & Armstrong*
2. Residence: *Mena*
3. Town and post office: *Mend*
4. County: *Polk Co*
5. State: *Arkansas*
6. Date and place of birth: *Shelby Co Ill May 3 1873*
7. By what right do you claim to share? If you claim through more than one relative living in 1851, set forth each claim separately: *I claim through*  
*my mother's children*  
*and my*
8. Are you married? *yes*
9. Name and age of wife or husband: *Robert Byrd*  
*age 36*
10. Give names of your father and mother, and your mother's name before marriage.  
Father—English name: *Samuel Denton*  
Indian name: *Denton & Armstrong*  
Mother—English name: *Nancy Jane Denton*  
Indian name: \_\_\_\_\_  
Maiden name: *Nancy Jane Snelgrove*
11. Where were they born?  
Father: *un known*  
Mother: *Harden Co Tenn*
12. Where did they reside in 1851, if living at that time?  
Father: *Texas*  
Mother: *Tennessee*
13. Date of death of your father and mother—  
Father: *Sept 20 1877* Mother: *Sept 3 1895*



4. Were they ever enrolled for annuities, land, or other benefits? If so, state when and where: unknown

5. Name all your brothers and sisters, giving ages, and if not living, the date of death:

	NAME	BORN	DIED
(1)	William Denton	1861	
(2)	Eliza Denton	1863	1896
(3)	Sarah Denton	1867	1890
(4)	Jackson Denton	1871	
(5)			
(6)	Jessima Denton	1875	

6. State English and Indian names of your grandparents on both father's and mother's side, if possible:

FATHER'S SIDE	MOTHER'S SIDE
Jonathan Denton	Billey Snellgrove
Leaty Armstrong	Eliza Meeds

7. Where were they born? unknown

8. Where did they reside in 1851, if living at that time? Tennsee  
Texas

9. Give names of all their children, and residence, if living; if not living, give dates of deaths:

(1)	English name: Samuel Denton, Died 1877
	Indian name: Denton and Armstrong
	Residence:
(2)	English name: Elias Denton Pleaks corner
	Indian name: Denton and Armstrong
	Residence: Pleaks corner Shelby Co Ill
(3)	English name: Hilliard Denton unknown death
	Indian name:
	Residence:
(4)	English name:
	Indian name:
	Residence:
(5)	English name:
	Indian name:
	Residence:

10. Have you ever been enrolled for annuities, land, or other benefits? If so, state when and where: no

21. To expedite identification, claimants should give the full English and Indian names, if possible, of their paternal and maternal ancestors back to 1835: \_\_\_\_\_

*Jonathan Denton*  
*Cathy Armstrong*

#### REMARKS.

(Under this head the applicant may give any additional information that he believes will assist in proving his claims.)

*I hereby appoint Betsy A. Lockwood, of Washington, D.C., my true and lawful attorney for me, and sign my name, place and stamp, and allow her a commission of ten (10) per cent*

NOTE.—Answers should be brief but explicit; the words "Yes," "No," "Unknown," etc., may be used in cases where applicable. Read the questions carefully.

I solemnly swear that the foregoing statements made by me are true to the best of my knowledge and belief.

(Signature.) *Mary J. Byrd*

Subscribed and sworn to before me this *29<sup>th</sup>* day of *August*, 1906.

My commission expires

*Oct 31<sup>st</sup>*, 190*6*

*C. E. Thomas Justice of Peace*  
Notary Public.

#### AFFIDAVIT.

(The following affidavit must be sworn to by two or more witnesses who are well acquainted with the applicant.)

Personally appeared before me *James W. Lindsey* and *J. M. Byrd*, who, being duly sworn, on oath depose and say that they are well acquainted with *Abbey L. Byrd*, who makes the foregoing application and statements, and have known *her* for *11* years and *21* years, respectively, and know *her* to be the identical person *she* represents *her self* to be, and that the statements made by *her* are true, to the best of their knowledge and belief, and they have no interest whatever in *her* claim.

Witnesses to mark.

Signatures of witnesses.

*James W. Lindsey*  
*J. M. Byrd*

Subscribed and sworn to before me this *29<sup>th</sup>* day of *August*, 1906.

My commission expires

*Oct. 31<sup>st</sup>*, 190*6*

*C. E. Thomas Justice of Peace*  
Notary Public.

NOTE.—Affidavits should be made, whenever practicable, before a notary public, clerk of the court, or before a person having a seal. If sworn to before an Indian agent or disbursing agent of the Indian service, it need not be executed before a notary, etc.

11-621

### CERTIFICATE OF MAGISTRACY.

STATE OF ARKANSAS;

County of *Paul*

*W. H. Martin*

County Clerk in and for the County and State aforesaid, do hereby certify that

*C. E. Thomas*

whose genuine signature appears to the above and foregoing.



I hereby appoint Delia U. Lockwood  
of Washington, D.C., my true and lawful  
attorney for me, and in my name, place  
and stead, and allow her a commission  
of ten (10) per cent

NOTE.—Answers should be brief but explicit; the words "Yes," "No," "Unknown," etc., may be used in cases where applicable. Read the questions carefully.

I solemnly swear that the foregoing statements made by me are true to the best of my knowledge and belief.

(Signature.) Mary I. Byrd

Subscribed and sworn to before me this 29<sup>th</sup> day of August, 1906.

My commission expires

Oct 31<sup>st</sup>, 1906

C. E. Thomas Justice of Peace  
Notary Public.

#### AFFIDAVIT.

(The following affidavit must be sworn to by two or more witnesses who are well acquainted with the applicant.)

Personally appeared before me James W. Lindsey and  
M. I. Byrd, who, being duly sworn, on oath depose and  
say that they are well acquainted with Mary I. Byrd, who makes the  
foregoing application and statements, and have known her for 11 years and 21 years,  
respectively, and know her to be the identical person she represents her self to be, and  
that the statements made by her are true, to the best of their knowledge and belief, and  
they have no interest whatever in her claim.

Witnesses to mark.

Signatures of witnesses.

James W. Lindsey  
M. I. Byrd

Subscribed and sworn to before me this 29<sup>th</sup> day of August, 1906.

My commission expires

Oct. 31<sup>st</sup>, 1906

C. E. Thomas Justice of Peace  
Notary Public.

NOTE.—Affidavits should be made, whenever practicable, before a notary public, clerk of the court, or before a person having a seal. If sworn to before an Indian agent or disbursing agent of the Indian service, it need not be executed before a notary, etc.

6-621

Form No. 149.

Printed and for sale by Arkansas Democrat Co., Blank Book Manufacturers, Printers and Stationers, Little Rock, Ark.

### CERTIFICATE OF MAGISTRACY.

STATE OF ARKANSAS;

County of Polk

},

W. N. Martin

County Clerk in and for the County and State aforesaid, do hereby certify that

C. E. Thomas

whose genuine signature appears to the above and foregoing

is, and was at the time he signed the same, a

Justice of the Peace of said County, duly commissioned and sworn, that his Commission is dated February  
6<sup>th</sup> 1905 and will expire October 31 1906, and that his official acts are entitled to full  
faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office,

this the 10<sup>th</sup> day of April, 1906

W. N. Martin Clerk.



[L. S.]

Witness my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 1908.

Clerk of the \_\_\_\_\_

To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary Public, or Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk, unless such certificate is already on file in the Pension Office, when such fact should be stated.

Division \_\_\_\_\_

Pension \_\_\_\_\_

No. 86

## Additional Evidence.

CLAIM OF

*Mary C. Byrd*  
by  
*Robert G. Byrd,*  
AFFIDAVIT OF  
*husband.*

FILED BY

**Belva A. Lockwood,**  
Attorney and Solicitor,  
619 F STREET, NORTHWEST,  
WASHINGTON, D. C.

COURT OF CLAIMS

EASTERN CHEROKEES.

Rec. DEC 15 1908

No. \_\_\_\_\_

SPECIAL NOTICE.—The civil officer before whom this affidavit is executed should be careful to fill in all spaces, both in the caption and jurat.

## GENERAL AFFIDAVIT. No. 8,

State of Arkansas, County of Polk, ss:

In the matter of the claim of Mary L. Byrd for her  
pro rata share of her 3 children deceased

ON THIS 2<sup>nd</sup> day of December, A. D. 1908, personally appeared before me

a Notary Public in and for the aforesaid County, duly authorized to administer

oaths Robert G. Byrd aged 38 years, a resident of Mena

in the County of Polk, and State of Arkansas

whose Post-office address is as above husband of the said

Mary L. Byrd deceased, aged 34 years, a resident of and father  
to her 3 children, in the county of who wishes to complete

and state of The claim, whose Post-office address is

well known to be reputable and entitled to credit, and who, being duly sworn, declared in relation to aforesaid case

as follows: Mary L. Byrd died Oct. 1907. At Mena Ark. I was

present when she died. My second wife was an  
(Note.—Affiants should state how they gain a knowledge of the facts to which they testify.)  
Eastern Cherokee Indian on her father's side. I know  
her father was a Cherokee Indian. Her mother was not  
an Indian. I do not know if my second wife  
father was enrolled among Cherokee Indians in 1851.  
My wife father and mother were married in 1859. Her  
grand parents were both living in 1851. They lived in the  
State of Ills.

further declare that no interest in said case and not concerned in its prosecution.

Robert G. Byrd



STATE OF Arkansas, COUNTY OF Beck, ss.

Sworn to and subscribed before me this day by the above named affiant, and I certify that I read said affidavit to said affiant, including the words

erased, and the words

added, and acquainted

with its contents before He executed the same. I further certify that I am in nowise interested in said case, nor am I concerned in its prosecution; and that said affiant who is personally known to me and that He is a credible person

[L. S.]

Josh Hamilton  
(Official Signature)  
Notary Public  
(Official Character.)

My Commission Expires Feb 16 1909

I, \_\_\_\_\_, Clerk of the County Court in and for aforesaid

County and State, do certify that

Esq., who has signed his name to the foregoing declaration and affidavit, was, at the time of so doing

in and for said County and State, duly commissioned and sworn;

that all his official acts are entitled to full faith and credit, and that his signature thereunto is genuine.

Witness my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_, 1908

[L. S.]

Clerk of the

To be executed before a Court of Record or some officer thereof having custody of its seal, a Notary Public, or Justice of the Peace, whose official signature shall be verified by his official seal, and in case he has none, his signature and official character shall be certified by a Clerk of a Court of Record, or a City or County Clerk, unless such certificate is already on file in the Pension Office, when such fact should be stated.

Division

Pension

Additional Evidence,

CLAIM OF

Mary G. Byrd

by

Robert G. Byrd,

AFFIDAVIT OF

Husband,

FILED BY

**Belva A. Lockwood,**

Attorney and Solicitor,

619 F STREET, NORTHWEST,

WASHINGTON, D. C.

COURT OF CLAIMS

EASTERN CHEROKEES.

Rec. DEC 15 1908



Appln. No. 8.

8

State of Arkansas

County of Polk

The Affiant Mary L. Byrd after being duly sworn Deposes and says  
1<sup>st</sup> I claim to be an Eastern Cherokee — Indian. Through my Father Samuel Denton, he was an Indian and belongs to the Cherokee Trib. of his mother, which was a Cherokee. her name was — Armstrong.

2<sup>d</sup> my mother was not an Indian

3<sup>d</sup> my Parents was not enrolled in 1857.

4<sup>th</sup> my Parents was married in 1857

5 my Parents was living in Texas in 1857

6 my Grand Parents & my Father Emigrated from Kentucky, Tenn. & Virginia to Texas

Mary L Byrd

Subscribed and sworn to before me this

14<sup>th</sup> day of September 1906

C. E. Thomas Justice of Peace

Form No. 149 \*

Printed and for sale by Arkansas Democrat Co., Blank Book Manufacturers, Printers and Stationers, Little Rock, Ark.

## CERTIFICATE OF MAGISTRACY.

STATE OF ARKANSAS,

County of Polk

I, W. N. Martin

County Clerk in and for the County and State aforesaid, do hereby certify that

C. E. Thomas

whose genuine signature appears to the above and foregoing

is, and was ~~at~~ time he signed the same, a

Justice of the Peace of said County, duly commissioned and sworn, that his Commission is dated Feb.

6 1905 and will expire Oct 31, 1906, and that his official acts are entitled to full

faith and credit.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of office.

this the 10<sup>th</sup> day of April 1906

W. N. Martin Clerk.



August 29, 1906  
Behind of Lockwood  
as there is no place on  
the blank I will give you the  
names of my children

Harry Byrd  
dud Byrd  
vernie Byrd.

My grand Parents  
Jonathan Denton  
Was Borned Between or about  
1794 or 1796  
Mary armstrong Was Borned  
about 1797 or 1799 I do not know  
The exact date of their Birth

Mary J. Byrd



EASTERN CHEROKEES.

Appln. No. 8.

September 6, 1906.

Belva A. Lockwood,

619 F Street, N. W.,

Washington, D. C.

Madam:-

Relative to the application of Mary L. Byrd of Mena, Arkansas, for participation in the fund arising from the judgment of the Court of Claims in favor of the Eastern Cherokees, you are advised that said application does not set forth fully through whom the said applicant makes claim to share in said fund. She should furnish an affidavit under oath, answering the following questions:

Through which parent does she claim to be an Eastern Cherokee?

Was her father an Indian; if so, to what tribe did he belong?

Was her mother an Indian; if so, to what tribe did she belong?

Were either of her parents enrolled with Eastern Cherokees in 1851, and if so, state which one was so enrolled.

When were her parents married?

COURT OF CLAIMS  
EASTERN CHEROKEES.  
Rec. OCT 18 1907  
No. 8

X

rec. Oct 1907

8



Mend. Ark.

Oct. 11 1907  
Commissioner of Indian  
affairs, Washington D.C.  
Dear Sir: Will Wright  
you in regard to my  
application which is No. 8  
Will you please inform  
me as to <sup>what</sup> has been done.  
With Warm  
yours Resp-

Mary L. Byrd



Appl. #8

November 16, 1907.

Mary L. Byrd,  
Mena, Ark.

Madam:

Relative to your application for participation in the fund arising from the judgment of the Court of Claims in favor of the Eastern Cherokees, please state full name of your grandmother on your father's side. Do you claim through any other source than through her? If possible, please state when and where your grandparents on your father's side were born and also when they moved West. Where did your grandmother on your father's side reside? in 1835 and 1851, if living at that time.

Can you furnish us with evidence tending to establish the fact that your parents or grandparents were recognized members of the Eastern Cherokee tribe of Indians at the date of the Treaty of 1835-36 and 1846? If so, please state what the evidence is, and send us the names and correct addresses of any witnesses who will testify to that effect.

Very respectfully,

Special Commissioner.

CHB/ALS

8

MB attend clerk

Dec The 23 1907  
Mr Miller Special Commissioner  
Washington D.C.  
I will answer yours of  
Nov the 16 My Wife  
Mary L Byrd is Dead  
She Died Oct the 9 and  
I have Bin very much  
Delayed in answering your  
Letter She Did not come  
through my one only  
grand Mother she was  
Born in Virginia or Tennessee  
grand father Born in Scotland  
I dont know just what state  
He lived in Texas in 1851  
grand Mother Name was  
Polly Armstrong



grand Berrants was  
married in about 1822 or 23,  
and went West in a few  
years after I dont know just  
what year

I dont know of  
any body that knew  
them at that time I could  
refer you to I am at a lost  
condition Regarding evidence  
I have heard My Wife's mother  
say her children were part  
Cherokee that have claimed  
the same ever since I have  
known them

Over

COURT OF CLAIMS  
EASTERN CHEROKEES.

Rec. DEC 27 1907

No.

Kaw Mr Miller  
i Have 3 children as you  
understand an i am a Poor  
Man an i am a Hard Way  
of Supporting Them an  
i will Grately appreciate  
every thing you can  
do for Me  
i am in a Hard Shape  
With My Little children  
yours Truly Truly  
P J Byrd



Andrew Jackson Denton being first duly sworn in behalf of Mary L. Byrd (deceased), deposes and says:

That I am 33 years of age. Mary L. Byrd was my sister. She died last October (1907). I have not filed application myself to participate in this fund. She claimed Indian descent through her father. My mother is a white woman. She claimed through her mother's mother's father's mother. My father was mostly raised in Illinois. Don't know where he was born. He was about fifty when he died. He left Texas and went to Illinois when a boy and he died in Illinois. I was born in Illinois myself. I think my father claimed to be 1/4 Cherokee. Don't know whether my father ever lived with the Indians as a member of the tribe. His mother might have lived with the Indians in Kentucky, I think. My father's mother was recognized as an Indian but I don't know how my father was recognized. Never heard of my father or his mother being on any Indian rolls nor receiving any money from the government by reason of their Indian blood. I never made application to the Dawes Commission, and if my sister ever did I don't know it. My grandmother Armstrong died in Illinois. She went from Texas to Illinois when my father did. I think my grandmother at one time lived in Tenn. She might have left there and come to Texas. My grandmother Armstrong had a brother and I believe she had a couple of sisters. The brother's name was John Armstrong. One of the sisters was named Nancy, I think. I believe she married a Scribner. Am not sure about this. I never knew anything about the Old Settler payment. Never heard of it. The reason I never filed application is because I just kept putting it off until it was too late. I have a brother in Texas and a sister in Oklahoma. Don't think either of them has made application. They didn't know anything about it for a long time.

*Andrew Jackson Denton*  
Signature of Witness.

*apparently white*  
Subscribed and sworn to before me at Mena, Ark. this 20th day of August 1908.

*70*  
Ass't to Special Commissioner of the Court of Claims.

*8*  
2086

759  
No. 9

Nov. 25th, 1908.

Joseph Lynch Ward,  
Maysville, Ark.

Sir:

Relative to your application for participation in the Eastern Cherokee fund, please furnish this office at once with the ages of your grand-daughters, Etta M. Huddleston, Jennie Florence Greer and Alice Edna Greer. In giving these ages, please state the day, month and year of their birth.

Refer to "FST No. 9"      Awaiting your early  
reply, I am,

Very respectfully,

Special Commissioner.

FST/SCM

8



COURT OF CLAIMS EASTERN CHEROKEES.	
Rec.	MAR 25 1909
No.	8

*pipe, let*

MAR 25 1909

8

Mend. Ark

8/20 1909

Mr. Guion Miller

Special Commissioner

Dear Sir Will you Please

Let me know what has

been Done with the

application of Mary

J. Byrd No 8

as I have heard it

has been proven up

Will you please ~~give~~

Reply as soon as

Possible

in closed you will

find a Postal for reply

Respect yours

R. G. Byrd