

414. WM. D. MCGUIRE, Crescent, Okla.
REJECTED. Applicant claims through Alexander Brown. See full report in #35. Duplicate of #22915.

415. ELIZABETH RAMSEY and 2 children, Swain, Ark.
REJECTED. Applicant nor ancestors ever enrolled. Does not establish fact of descent from a person who was a party to the treaties of 1835-6 and 1846. Applicant's ancestor through whom she claims left the Cherokees in about 1825 and lived with white people ever afterward.
EXCEPTION CASE. REJECTED. Total number of exceptions filed in this group -- 4. Original Recommendation renewed.

416. MAREYAN RAMSEY and 4 children, Swain, Ark.
REJECTED. Claims through same source as #415.

Sizemore claimant

417. GEO. WASHINGTON PLUMMER, Savatoga, Wyo.
REJECTED. Applicant is one of the Sizemore claimants. These applicants claim through Ned (or Edward), John (or Doctor Johnny Gourd), Joseph Sizemore and William Sizemore, and for convenience, they are designated the Sizemore claims. These applications number about 2000, representing approximately 5000 individuals. The claimants reside chiefly in northwestern North Carolina, northeastern Tennessee, Southwestern Virginia, and southern West Virginia, and northwestern and western Alabama. The statements in the applications and affidavits filed in support of the same and in the testimony taken are not entirely consistent but substantially the same claim is made for all these individuals. More than 80 witnesses were examined in the field and their testimony will be found in Sizemore testimony, Pages 1 to 75. It does not appear that any one of the claimants or any one of the ancestors of any of the claimants was ever enrolled with the Eastern Cherokees, nor does it appear that any of these claimants or their immediate ancestors ever lived as Indians with the Cherokee Nation or with the Eastern Cherokees. None of them appears to have been living within the Cherokee domain at the date of the treaty of 1835-6, but on the contrary, most of these claimants or their immediate ancestors were living from 150 to 300 miles from the Cherokee Domain at that time. From the applications, affidavits and testimony, it appears that Ned Sizemore, John Sizemore, and Joseph Sizemore were brothers, but the exact date or place of birth could not be definitely determined. It is probable, however, that they were born somewhere between 1740 and 1760. Some accounts fix the place of birth as Halifax Co., Va., while others say it was Halifax Co., N. C., while still another account states that Ned Sizemore "was duly enrolled upon the rolls of the Cherokee Nation taken and made in the year 1748, in the Catawba Reservation," and William H. Blevins, a prominent man among the claimants and one who has been largely instrumental in prosecuting this claim, testified (Sizemore Testimony P. 56): "I remember one Elisha Blevins

who said that old Ned Sizemore came from the Catawba River, of the Catawba Reservation, as he called it. Elisha Blevins has been dead some time. Wesley Blevins also testified in 1896 to the same effect". This would seem to indicate that Ned Sizemore came from South Carolina, but, in any event, none of the accounts places their origin within the territory of the Cherokee Indians. The claimants who were examined as witnesses were nearly all well advanced in years and testified almost without exception that they and their parents were generally recognized as white people, that neither they nor their parents had ever received any money from the Government as Indians and had never been enrolled as such. Many of them stated that until this enrollment had been agitated they had never heard to what tribe of Indians they belonged but that they had Indian blood. Henry A. Holland testified at Pilot Mountain, North Carolina (Sizemore Testimony P. 1) that he was 63 years of age, and that he knew John Sizemore (or Doctor Gourd) and Joseph Sizemore; that he never heard either of them state where they were born, and that: "I never heard either of them say that they were Indians. I heard that they were kin to them. I never heard either of them say that they were kin to the Indians. I don't remember hearing it said to what Indians they were kin. There were no bands of Indians living in Stokes County in my life time, as Indians. I never heard them spoken of as Cherokees. I am not a claimant myself; I was asked to come here by Mr. Whittaker, as agent for Mrs. Belva A. Lockwood". Morgan D. Sizemore testified at Pilot Mountain, N. C. (Sizemore Test. P. 2), that he is 46 years of age, and that: "So far as I can say, I have no Indian blood. I do not know whether there is any tradition in my family that we have Indian blood. I have never heard my father, Atha Sizemore, say that he was of Indian blood". Benjamin F. King testified at Pilot Mountain, N. C. (Sizemore Test. P. 3) that he is 53 years of age and that: "I claim Indian blood from having heard my mother say that I am kin to the Indians. I remember my grandmother quite well. I do not remember ever hearing her say anything about the Indians. Neither my mother nor my grandmother ever lived with the Indians. My mother never said to what tribe of Indians she belonged - simply said she was kin to the Indians. I never heard her mention the Cherokees. Neither my mother nor my grandmother were ever enrolled with the Indians. I have never been enrolled ". Tandy Bennett testified at Pilot Mountain, N. C. (Sizemore Test. Pages 4 and 5) that he is 67 years of age and has Indian blood in his veins through his mother who was a Sizemore; that his mother died in 1898 at the age of 82; that she was born in Halifax Co., Va.; that she got her Indian blood through her father, Joseph Sizemore who died in Halifax Co., Va.; that his understanding was that he was born there and that he (Joseph Sizemore) "was born here when the war broke out; he must have come to Stokes County about 1821 or 1822, but Doctor Johnny Gourd came out here several years before he did. Dr. Johnny Gourd

died and was buried in Stokes Co. I have seen him thousands of times and he was a very old man. I could not say that I have heard him say that he was Indian. He resembled an Indian right smart; I don't recollect his saying that he was an Indian. I remember Joseph Sizemore. I don't remember him saying he was an Indian. I was in the twenties when he died. I saw him frequently in my life-time and have talked some to him. He was pretty dark-skinned but he passed as a white man. I never heard of Joseph Sizemore or Dr. Gourd receiving any money from the Government as Indians nor my mother, Rebecca Bennett; if she had gotten it I would have known it. My mother lived in Stokes Co., N. C., in 1851. I never heard her say anything about any enrollment of Indians by the Government. I have heard Dr. Gourd called an old Indian doctor. I never was enrolled for any benefits as an Indian. I have heard of there being Indians ever since I can recollect. I know they have been called Cherokees. When people would get mad they would call them Cherokee Indians. They would not take it very well. I have been called a Cherokee Indian but of course I did not like it. I have always lived as a white man and have tried to fill a white man's place. There are none of our family who claim Indian blood other than through Joseph Sizemore". James H. Sizemore testified at East Bend, N. C. (Sizemore Test. P. 7 and 8), that he is 67 years of age and was born and raised in Yadkin Co., N. C.; that he has never lived with the Indians and never received any money from the government on account of his Indian blood; that his father was Isom Sizemore who was born in Halifax Co., Va. - that his father never received any money from the government on account of his Indian blood, and that: "I never heard him say to what tribe of Indians he belonged. In 1851 he lived in Stokes County and lived there in 1835 also. Dr. Johnny Gourd had fair skin and dark eyes and light hair. I remember him. He lived with my father right smart while before he died. I have heard my grandfather say that he was an Indian, but I don't recollect him telling of what Indian he was, but he said he was from Cherokee. My father voted and was mustered. My great grandfather lived in Virginia but was born and married in Cherokee, and then he moved to Virginia when by grandfather was a small boy. My grandfather, John, told me this. I have never heard it said that my great grandfather, John Sizemore, was a captain in the Revolutionary War, fighting with the Colonies". John E. Stallings testified at Yadkinville, N. C. (Sizemore Test. P. 13) that he was 55 years of age and that: "I have always been a voter and my grandfather, Isom Sizemore, was a voter. I have always been considered a white man in this community." Leah M. Harris also testified in Yadkinville, N. C. (Sizemore Test. P. 14) that she is 69 years of age and that her father was Isom Sizemore, and that he died 23 years ago at the age of 92, and that he was born in Va. and that she knew Dr. Johnny Sizemore, and that: "He was born in Cherokee; I don't recollect in which Cherokee he was born, he just said he was born in

Cherokee. I have always passed as a white woman and my father as a white man. I have heard Dr. John Sizemore say that he was an Indian. He said that he belonged to the white complexion Indians. I never heard him say any other tribe of Indians than that. I never paid much attention to him. He was a good looking old man and was light complexioned. I made him a suit of clothes, got him a new hat, and he shaved up and looked like another man. I have heard my father say he was kin to the Indians. I never heard him say to what tribe of Indians he was kin. When grandfather came to our house he wore his hair down on his shoulders, his beard down on his chest, and wore a little old green cap." John Henry Sizemore testified at Wilkesboro, N. C. (Sizemore Test. P. 16) that he is 61 years of age and had heard his father speak of having Indian blood; that: "He said his father was kin to the Indians. He did not say to what tribe of Indians. We always passed in the community as white people". James Woody, 84 years of age, who is not a claimant but was produced as a witness on behalf of these claimants, in speaking of Ned Sizemore (Sizemore Test. P. 20) states that he had seen old Ned Sizemore. "I do not know what descent he originated from, but he was represented to be somewhat Indian". He also states that he knew Owen Sizemore and that: "I did not hear it talked when I first knew them what they were or what they originated from. Ned Sizemore was here in this country when I was a boy. Owen Sizemore was regarded as a white man but he had a little grain of Indian in him. Before this present money question came up, I never heard that the Sizemores were Cherokee Indians. They used to meet on the hills and muster. I do not know whether Ned Sizemore mustered or not, but the younger men did". Catharine Petty, 64 years of age (Sizemore Test. P. 21) testified that she was born and always lived in Ashe Co., N. C., and claims Cherokee blood through her father, David Osborn; that her father was 92 or 93 years of age at the time of his death, which took place in 1902, and that: "I have heard my father say that he was kin to the Indians. He never said what kin we were. He never received any money from the Government on account of his Indian blood that I know of. I never knew of my father visiting the Indians. He was recognized as a white man in the community in which he lived. My father always voted". Jesse D. Osborn, a brother of Catharine Petty, testified (Sizemore Test. P. 22) that his grandfather, Jesse Osborn, lived and died in Ashe Co., N. C., and that: "I have been a voter all my life. I have never heard that the Indians visited my father or grandfather or that they ever visited the Indians. Francis M. Woody, 82 years of age and brother of James Woody referred to above, testified (Sizemore Test. P. 26) that he knew old Ned Sizemore when affiant was 17 or 16 years of age, and that Ned Sizemore was then about 60 or 70 years of age and claimed to be a full-blood Cherokee Indian. He testified that: "I have heard old Ned say that he was an Indian many a time. He used to brag of being a Cherokee Indian. He

never spoke of having received any money from the government on account of his Indian blood that I ever heard. He went backwards and forwards to Cherokee to visit the tribe many a time. He died in Allegheny Co., to the best of my recollect - that he was probably in the fifties". If the Ned Sizemore referred to was the one referred to as the ancestor of so many of these claimants, he certainly must have been more than 60 or 70 years of age when this affiant was 16 years old, and if he lived in the fifties, he must have been considerably over a hundred years of age at the time of his death. This witness testified: "Ned Sizemore's beard was not gray when I first saw him. I never knew an Indian living in this country except the Sizemores". This is the most direct testimony connecting the Sizemores with the Cherokee people and is not consistent with the testimony of his brother, James Woody, above referred to, nor with the testimony of other witnesses and claimants that Ned Sizemore came from Halifax Co. or from the Catawba Reservation. Eli J. Phipps testified at Jefferson, N. C. (Sizemore Test. P. 30) and that he is 64 years of age and lived in Ashe Co. all his life, and that: "I have always been a recognized white man in the community and have always voted. I have always been taught that I am a descendant of an Eastern Cherokee Indian". Nancy E. Porter testified at Jefferson, N. C. (Sizemore Test. P. 31) that she was born in Grayson Co., Va. and that: "I have always been taught that I have Indian blood by my father and mother and have also heard others say the same thing. I do not remember what kind of Indian they said I was descended from. My father lived with white people all his life. I did not know of any Indians living in Grayson Co., with the exception of my father and his connections". John A. Peak testified at Grassy Creek, N. C. (Sizemore Test. P. 36) that he is 77 years of age and claims his Indian blood from the Sizemore race; that "Old Ned Sizemore lived on a creek called Blackwater that ran into Clinch River right at where he lived in Lee County, Va. Old man Owen lived up on Clinch River on the Virginia side. I suppose they were recognized white people, for there was nothing said about Indian or negro in those days. I do not recollect hearing anything mentioned about their being Indians - I cannot remember. I did not apply because I thought I was Indian, for I did not know, but I am kin to the Sizemores". Owen Blevins testified at Grassy Creek, N. C. (Sizemore Test. P. 37) that he is 62 years of age and claims Indian blood through his father. "I heard that Sizemore was a full blood Cherokee. I have been taught that all my life. My father was a recognized white man in the community in which he lived. My father's Indian blood came through his mother, Lydia Blevins, who was a daughter of Owen Sizemore". George Blevins testified at Grassy Creek, N. C. (Sizemore Test. P. 39) that he was born and raised in Ashe Co. and in [sic] 79 years of age, and that: "I have been a voter and was always recognized as a white man with the exception of the Indian blood in [sic] I never received any money from

the Government on account of my Indian blood nor did my father. I claim Indian blood through my father's side only. He claimed to be of Cherokee Indian blood". John Baldwin also testified at Grassy Creek, N. C. (Sizemore Test. P. 40) that he is 70 years of age and was born in Ashe Co., N. C. and that: "I have always been taught that I had Cherokee Indian ancestors. My father lived in Grayson Co., Va. He was a very old man when he died". His father died in 1898. He claimed through his father's mother, Catherine Hart. He further testified that his grandmother, Catherine Hart, lived in Ashe Co., and that "My grandmother, father and I were considered white people, but when people got mad with us they would throw up the Indian". In this connection, it may be well to note that the Cherokee Nation surrendered all claim to the territory that now constitutes Ashe Co., N. C. by the Treaty of 1777, and no portion of Ashe County is within a hundred miles of what constituted the Cherokee domain in 1835-6. Mary A. Sullivan testified at Weasels, N. C. (Sizemore Test. P. 44) that she claims through her mother, Louisa Baldwin, who is 77 years of age, who was born and raised in Grayson Co., Va., and that her mother's Indian blood came through her father, William Baldwin, who was also born in Grayson Co., Va. This is likewise in territory which was surrendered by the Cherokees as early as 1768 and is still further removed from the Cherokee domain in 1835-6. Matilda Davis testified at Weasels, N. C. (Sizemore Test. P. 47) that she is 68 years of age, was born in Ashe Co., N. C. and that: "I do not know what kind of Indians the Sizemores were thought to be. My Indian blood comes through my mother who was a Blevins. I have heard my mother say that her grandfather was a fullblood Indian. His name was Neddie Sizemore. I reckon she was born in Ashe Co. and lived there most of her life". David Tucker who lives near Weasels, N. C. and who is not a claimant, testified (Sizemore Test. P. 48) that he is 87 years of age and moved to Ashe Co. when he was ten years old; that he had seen Ned Sizemore many times, that he was an old man and claimed to be Cherokee; that his acquaintance with him terminated when affiant was about grown; that he believed he went west; that the people in the neighborhood recognized Ned Sizemore as an Indian, and that: "I have heard it said he took part in the war of 1812, but I do not know. Old Ned Sizemore was a preacher. I have heard his preach. He talked English very well. He did not show any signs of white blood. I have heard all through life that Old Ned ought to have a claim, although the Sizemores I have known have not talked a great deal about their Indian blood until the time of the land matters in the Indian Territory". Byron Sturgill testified at Weasels, N. C. (Sizemore Test. P. 49) that he is 62 years of age and claims his Indian blood through his mother only; that she has been dead about thirty years, and that - "She never spoke to me about her Indian blood. Cicero Price, up in the mountains, told me about my Indian blood since this Cherokee judgment. Before

that, I had not heard that I was related to the Cherokees". William H. Blevins, 67 years of age, testified at Marion, Va. (Sizemore Test. P. 56) that he was born in Ashe Co., N. C. and claims through his father who lived and died in Ashe Co., N. C. That he never received any money from the Government on account of his Indian blood; and that: "I have heard my father say that old Ned Sizemore lived in what is now Alleghany Co., N. C., but was then Ashe Co. I have heard that old man Ned Sizemore's father was John Sizemore and he lived in Stokes Co., N. C. and had a son, Dr. Johnny Gourd Sizemore who was a brother of Old Ned. I remember one Elisha Blevins, who said that Old Ned Sizemore came from the Catawba River or Catawba Reservation, as he called it. Elisha Blevins has been dead some time. Wesley Blevins also testified in 1896 to the same effect. I never heard that any of the Sizemores ever received any money from the Government on account of their Indian blood. If they did, I think I should have known it - that since I was old enough to recollect. I was not enrolled on the census of Eastern Cherokee Indians in 1835 and never heard of it before. I was not enrolled in 1851 by the Government. I did not receive any of the money paid in 1851 and none of the Sizemore family did that I know of. I have heard my father and his brother talk something about the enrollment of 1851. They were afraid of the enrollment, were afraid they would be carried to the Territory and scattered on that account. I do not think my father was enrolled in 1835 or any of the Sizemores that I know anything of. They were afraid of the enrollment. My father, Armstrong Blevins, I do not think was a party to the treaty of 1835 and 1836, and did not claim to be an Indian at all. I suppose Wells Blevins was living in 1835 and 1836. He lived in Ashe Co., N. C. I do not know that any of the descendants of the Sizemores, or Old Ned himself, ever lived with the Cherokee Indians". While it seems certain that there has been a tradition in this family that they had a certain degree of Indian blood, the testimony is entirely too indefinite to establish a connection with the Eastern Cherokee Indians at the time of the Treaty of 1835. The locality where these claimants and their ancestors are shown to have been living from a period considerably prior to 1800 up to the present time, is a territory that, during this time, has not been frequented by Cherokee Indians. It is a region much more likely to have been occupied by Indians from Va. or by the Catawba Indians who ranged from South Carolina up through North Carolina into Va. It is also significant that the name of Sizemore does not appear upon any of the Cherokee rolls. For the foregoing reasons, all of these Sizemore claims have been rejected.

EXCEPTION CASE. REJECTED. Sizemore group. Total number of exceptions filed in this group -- 701. Original Recommendation renewed.

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