



IN REPLY REFER TO

Tribal Government Services

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way, Room. W-2820
Sacramento, California 95825

MAY 30 2019

Certified Mail Number: 7016 2140 0000 7173 7523
Return Receipt Requested

Michael Mendibles, Spokesperson
California Valley Miwok Tribe Petitioners
c/o James Rusk, Esq.
Counsel for the Petitioners
Sheppard, Mullin, Richter and Hampton, LLP
4 Embarcadero Center, 17th Floor
San Francisco, California 94111-4109
jrusk@sheppardmullin.com

Certified Mail Number: 7016 2140 0000 7173 7516
Return Receipt Requested

Marie Diane Aranda and Yolanda Lisa Fontinalla
c/o Collin C. West and Thomas F. Gede
Morgan, Lewis & Bockius, LLP
One Market Street, Spear Tower
San Francisco, California 94105-1596
colin.west@morganlewis.com
tom.gede@morganlewis.com

The purpose of this correspondence is to inform you of the Bureau of Indian Affairs decision that the April 15, 2019, Secretarial Election held for the California Valley Miwok Tribe (Tribe) was invalid.

On December 30, 2015, then-Assistant Secretary – Indian Affairs Kevin K. Washburn issued a decision (the “Washburn Decision”) directing this Office to work with the Tribe to attain its goal of organizing. Additionally, the Washburn Decision defined the groups of individual Indians of Miwok ancestry eligible to participate in the initial organization of the Tribe. Most of the people who petitioned for, and took part in, the Secretarial Election are descendants of John Jeff. Previous research conducted in 1995 led to the preliminary conclusion that John Jeff was the son of base roll member Jeff Davis. As a result, these individuals were determined to be eligible to participate in the election pursuant to the Washburn Decision.

Spurred in part by an inquiry from Senator Dianne Feinstein, as well as two lawsuits challenging the election, the Bureau is conducting further review of the eligibility of all the individuals who participated in this election. As part of that review, the Bureau has reexamined the relationship between John Jeff and Jeff Davis. Genealogists in the Office of Federal Acknowledgement have established that John Jeff is not the son of Jeff Davis. See enclosed memorandum.

As such, and based on the findings of the Office of Federal Acknowledgement, most of the participating individuals did not meet the requirements to be considered eligible to participate. Consequently, I have no choice but to invalidate the election.

The disappointment that this decision will cause those who have been working cooperatively with the Bureau of Indian Affairs to organize is regrettable. But, as shown repeatedly in the litigation regarding this Tribe, the cornerstone of a successful organizational election is ensuring that every known eligible individual is given the opportunity to participate. It would be a violation of the Secretary's responsibility to the Tribe, as well encapsulated in the specific directions set out in the Washburn Decision, to approve a Secretarial Election in which most of the voters were not in fact descendants of the eligible groups.

In accordance with the authority granted to the Secretary of the Interior by the Act of June 18, 1934, (48 Stat. 984, 25 U.S.C. §5123) as amended, and delegated to me through the Indian Affairs Manual, Part 3, Chapter 4, Section 1.4, B, Authorities that are Redelegated only to Regional Directors, No 15-31, issued October 23, 2015, I possess the authority to review tribal constitutions. Further, 25 C.F.R. §81.45 vests me, as the Authorizing Official, with the responsibility to review the election results and the authority to issue a decision that is final for the Department. Therefore, in accordance with the aforementioned authority, this decision is final for the Department.

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Allutsock".

Regional Director

Enclosure

cc: See Distribution List

Distribution List:

The Honorable Senator Dianne Feinstein
331 Hart Senate Office Building
Washington, D.C. 20510

Darryl Lacounte, Director
Bureau of Indian Affairs
1849 C Street, NW
Washington, D.C. 20240

Troy Burdick, Superintendent
Bureau of Indian Affairs
Central California Agency
650 Capital Mall, Suite 8-500
Sacramento, California 95814

Karen Koch, Assistant Regional Solicitor
Pacific Southwest Region
United States Department of the Interior
2800 Cottage Way, E-1712
Sacramento, California 95825

Certified Mail No.: 7016 2140 0000 7173 7653
Return Receipt Requested
c/o Peter D. Lepsch, Esq.
Fredericks, Peebles, & Patterson, LLP
2020 L Street, Suite 250
Sacramento, California 95811

Devon Lehman McCune
Natural Resources Section
Environmental and Natural Resources Division
United States Department of Justice
999 18th Street, South Terrace, Suite 370
Denver, Colorado 80202
devon.mccune@usdoj.gov

Certified Mail No.: 7016 2140 0000 7173 7677
Return Receipt Requested
Arlo E. Smith
2211 Castro Street
San Francisco, California 94131

Certified Mail No.: 7016 2140 0000 7173 7660
Return Receipt Requested
Leon Mendibles
877 Valley Crest Drive
Carson City, Nevada 89705

Brian Collins
Environment and Natural Resources Division
United States Department of Justice
Post Office Box 7611
Washington, D.C. 20044
brian.m.collins@usdoj.gov



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAY 30 2019

MEMORANDUM

To: Pacific Region Director

From: Director, Office of Federal Acknowledgment *R. Lee Fleming*

Subject: Was John/Johnny Jeff the Son of Jeff Davis?

The title of this paper is a basic paternity question pertaining to two individuals: Jeff Davis (1855-1940) and John/Johnny Jeff (1863-1938). The answer will affect 178 to 183 individuals who claim direct descent from this Jeff Davis through this John/Johnny Jeff. During the late 19th century and early 20th century, both individuals were born, lived, and died in Calaveras County, California. They have been dead for 79 to 81 years, respectfully; and over 150 years have passed since the birth of John/Johnny Jeff.

The Question

Almost all direct descendants of John/Johnny Jeff claim that Jeff Davis is the father of John/Johnny Jeff; hence the question, "Was John/Johnny Jeff the son of Jeff Davis?"

Methodology and Sources

This paper will answer this specific question through the presentation of historical records that were created contemporaneously to these two individuals. In this paper, the Office of Federal Acknowledgment (OFA) staff will present historical records, chronologically laying out the facts, concerning these two individuals, Jeff Davis and John/Johnny Jeff.

To verify this claim and to answer this paternity question, one must research and analyze original and derivative records before coming to any conclusions. One must find historical records that state or define relationships. In this paper, pertinent names will be bolded for emphasis and defined relationships will be italicized such as "*daughter*," "*mother*," "*son*," "*father*," "*granddaughter*," and so forth.

OFA was able to access many documents from sources that are publicly available through the Internet. OFA searched records that are archived or maintained on several levels: national, tribal, state, county, town, family, and individual.

On the Federal level, OFA researched and examined the Federal Censuses for 1880, 1900, 1910, 1920, 1930, and 1940. Also, OFA examined records pertaining to the U.S. Social Security Death Index, 1935-2007; U.S. Social Security Applications and Claims Index, 1936-2007; and military records for WWI and WWII. These records are publicly available through Ancestry.com and Fold3.com. Within the records of the Bureau of Indian Affairs (BIA), OFA researched and examined a 1915 census and a 1929 BIA annual census. These records are publicly available through the National Archives Records Administration (NARA)(San Bruno and Washington, D.C.).

Additionally on the Federal level, OFA researched and examined the 1928, 1933, 1950, and 1972 applications, roll, and distribution funds records. The applications for enrollment with the Indians of the State of California under the Act of May 18, 1928 (45 Stat. L. 602), commonly referred as the "1928 CA Indians claims applications," and subsequent 1950 and 1972 distribution funds records are privacy protected by the NARA (San Bruno) and the BIA. The 1933 "Indians of California Roll" is publicly available through Ancestry.com.

On the tribal level, the staff reviewed and examined two tribal election lists: one containing the names of 178 individuals and the other 183.

On the state level, the staff researched and examined the California Birth Index, 1905-1995; California Death Index, 1905-1939; and California Death Index, 1940-1997. These records are publicly available through Ancestry.com.

On the county level, the staff researched Calaveras County, California marriage records through Ancestry.com. In addition, OFA researched and examined the Calaveras County Coroner's inquest records through FamilySearch.com and local newspaper articles and obituaries from the Calaveras Genealogical Society through www.calaverasgenealogy.com.

On the town, family, and individual levels, OFA researched and examined records such as pictures, cemetery inventories, headstones, newspaper articles, and obituaries. These records and information are publicly available and OFA accessed them on the Internet through www.findagrave.com, www.ancestry.com, www.FamilySearch.com, www.genealogybank.com, www.newspapers.com, www.newspaperarchive.com, www.cdnc.ucr.edu (California Newspaper Digital Collections), and www.chroniclingamerica.loc.gov (Library of Congress).

Background

In 1915, Special Agent John J. Terrell, United States Indian Service, Department of the Interior, visited an Indian settlement known as "Sheepranch" in Calaveras County, California. He enumerated 12 "Sheepranch Indians": [1] Peter Hodge and *wife* [2] Annize and four children [3] Malinda, [4] Lena, [5] Tom, and [6] Andy; [7] **Jeff Davis** and his *wife* [8] Betsey; [9] Mrs. Limpy; [10] John Tecumchey and *wife* [11] Pinkey; and [12] Mamy Duncan, "*granddaughter* of Jeff Davis." Terrell entitled this enumeration, "(Sheepranch Indians), Census of the Indians at

and near Sheepranch in Calaveras County." He transmitted this census in a letter dated August 13, 1915, to the Commissioner of Indian Affairs.¹

Jeff Davis (1855-1940)

With respect to the above question, this Jeff Davis of the 1915 Terrell List, must be explored. His name was recorded mostly as Jeff Davis; however, he was also known as "Jef Davis," "Jeff Long," "Chep Davis," "Mr. Laun," and "Jeff Laun." His birth date was June 20, 1855; moreover, his age was recorded variously among the records, calculating approximate birth years between 1850 and 1860. He had three wives during his life: (1) Lavina, who died before 1900, (2) Chuella, who died before 1915, and (3) Betsey/Betsy, who died in 1929. Jeff Davis had one son, Ike Davis, by his first wife, Lavina. He did not have any children by his second or third wives. Jeff Davis died on December 5, 1940, and is buried at Sheep Ranch Cemetery, Sheep Ranch, Calaveras County, California. The record does not reflect that Jeff Davis had a son, John/Johnny Jeff. Except for his son Ike Davis, Jeff Davis did not have any descendants.

The earliest record that OFA researched was the 1880 Federal Census. Jeff Davis appears on this census in the Seventh Township, Calaveras County, California, with his wife **Lavina**. The Federal census enumerator, A.H. Coulter, did not record any children of this couple. To provide further context, Enumerator Coulter listed this couple with 18 other individuals under the household of "Captain Chips," age 67. No relationships are defined between Captain Chips and these 20 other individuals. However, they comprised all together: one family of 5, 6 couples, and 3 single individuals. Directly listed under Captain Chips was "**Charley**," age 37 [born about 1843]; with his "*Wife*," **Limpy**, age 37 [born about 1843]; "*Daughter*," Ina, age 12 [born about 1868]; "*Son*," Frank, age 6 [born about 1872]; and an unnamed "*Daughter*," "A girl," age 4 [born about 1876]. Enumerator Coulter subsequently listed **Jeff Davis**, age 20 [born about 1860] and "*Wife*," **Lavina**, age 30 [born about 1850]; Bill Hall, age 25, and "*Wife*," Lilie, age 30; Jeff, age 30 [born about 1850], and **Pinkey**, age 17 [born about 1863]; Dick, age 60, and his "*Wife*," Dolly, age 60; Real Foot, age 70, and his "*Wife*," Mauna, age 70; Abe Lincoln, age 20, and his "*Wife*," Mary, age 20; Sooky, age 45; Emma, age 17; and Jack, age 40.²

This historical document establishes a relationship between Jeff Davis, born about 1860 and his wife, Lavina, born about 1850. This document also introduces other individuals (Charley, Limpy, Pinkey, Ina, Frank, and an unnamed female) who factor into Jeff Davis' immediate family, as subsequent records will show.

In 1900, **Jeff Davis**, age 41 [born about 1859] appears on the Federal Census in Murphys Township, Calaveras County, California, living in the household of his mother, **Limpy**, age 60

¹ Terrell 1915, pp. 1-3. This census is also cited as the "1915 Terrell List."

² U.S. Census 1880, CA, Calaveras Co., Seventh Township, ED 42, p. 40, lines 2 to 8, and 11-12. Other evidence discussed in this paper will show family relationships to this Charlie family comprising Jeff Davis' father (Charlie); his grandfather, Jim; his mother, Limpy; siblings, Ina and Pinkey; and one son, Ike Davis. For example, this Jeff (line 11), not to be confused with John/Johnny Jeff, was a brother-in-law to Jeff Davis and was born almost 13 years before the John/Johnny Jeff in question. Other records define Pinkey as another sister of Jeff Davis.

[born about 1840]). Federal census enumerator, E.H. Schaeffle recorded "*wid*" (widower) **Jeff Davis** as Limpy's "*son*," and **Ike Davis**, age 13 [born about 1887] as Limpy's "*grandson*."³

This historical document establishes relationships between Jeff Davis and his mother, Limpy; and between Jeff Davis and his son, Ike Davis. This record also implies that widower Jeff Davis' first wife, Lavina, died before 1900. Comparing the 1880 and 1900 Federal Censuses, one may deduce that these stated relationships to Limpy indicate that Ike Davis was the *son* of Jeff Davis and Jeff Davis' *first wife*, Lavina. One may also deduce that this Lavina died between 1887 and 1900 (after the birth of Ike Davis and before Enumerator Schaeffle recorded Jeff Davis as a "widower" in 1900).

In 1905/06, Special Agent Charles E. Kelsey, for the Office of Indian Services, Department of the Interior, enumerated Indian individuals, who lived in settlements, by county in California. For the "Avery" Indian settlement located in Calaveras County, Special Agent Kelsey noted a "**Jeff Long & wife**" who were listed between "**Jessie Duncan & wife, 1 child**" and **Pinkie**. Special Agent Kelsey did not list any children of this Jeff Long & wife.⁴

This historical document establishes an alias for Jeff Davis and a relationship between Jeff Davis also known as "Jeff Long" and his [presumed second] unnamed wife [Chuella]. Also, previous and subsequent records reveal that this Jessie Duncan is Jeff Davis' stepson through Betsey (Jeff Davis' third wife) and that this Pinkie is Jeff Davis' sister.

In 1910, **Jeff Davis**, age 58 [born about 1852], appears on the Federal Census in District 3, Calaveras County, California, with his new "*wife*," **Chuella**, age 55 [born about 1855]. Federal census enumerator, T. J. Burrow recorded that this new couple had been married for a year and that this marriage was Jeff Davis' second and Chuella's third.⁵ No children of Jeff and Chuella Davis are recorded in this household.

This historical document establishes a relationship between Jeff Davis and his wife, Chuella; that this relationship was Jeff Davis' second marriage (married for a year), and that Chuella would be beyond her child bearing years.

On the 1915 Terrell List, Jeff Davis is recorded as 58 years old [born about 1857], and with an older "*wife*," **Betsey** [his third wife], 60 years old [born about 1855].⁶ Jeff Davis' "*granddaughter*" is listed as "Mamy Duncan," age 8 [born about 1907].

This historical document establishes a relationship between Jeff Davis and his third wife, Betsey; and Jeff Davis and "*granddaughter*" Mamy Duncan. Records discussed below reveal that "Mamy Duncan" is the daughter of Jesse Duncan (also known as Jessie Sissel/Cecil/Cissil) and Jesse Duncan was the son of Thomas Duncan or Theodore Sissel and **Betsey**. This record also documents that Betsey was beyond her child bearing years. Taken together, these records show

³ U.S. Census 1900, CA, Calaveras Co., Murphys Township, ED 141, 17B, dwl#12, fam#12.

⁴ Kelsey 1905/06, p. 57. This census is also cited as the "1905/06 Kelsey List." Findagrave.com presented in Jeff Davis' memorial his alias, "Mr. Laun" and abstracted two articles from the newspaper Prospect (Prospect, 7/1/1899 and 10/28/1899).

⁵ U.S. Census 1910, CA, Calaveras Co., District 3 Township, ED 12, 2A, dwl#13, fam#13.

⁶ Terrell 1915, p. 3.

that Mamy Duncan was the biological *granddaughter* of Betsey, Jeff Davis's third wife; and therefore the *step-granddaughter* of Jeff Davis.

In September 1918, **Ike Davis** registered for WWI military service. His draft registration card shows that Ike Davis was age 33, born in 1885, and his permanent residence as "Sheepranch, Calaveras, Cal." **Jeff Davis** is listed as his "[n]earest [r]elative" of that same location.⁷ Two months later, a "Mrs. Ike Davis" dies on November 28, 1918, and then Ike Davis dies on December 10, 1918.⁸ Both died in Calaveras County, California.

This historical document further establishes a relationship, "nearest relative" between Jeff Davis and his son Ike Davis. Supporting death information on Findagrave.com (although not created contemporaneously to these individuals) shows that "Caloosa" Davis [Mrs. Ike Davis] was born in 1843, died on November 28, 1918, and is buried at Sheep Ranch Cemetery, Sheep Ranch, Calaveras County, California.⁹ Findagrave.com also shows that Ike Davis was born on July 1, 1883, died on December 10, 1918, and also is buried at Sheep Ranch Cemetery, Sheep Ranch, Calaveras County, California.¹⁰

In 1920, Jeff Davis appears on the Federal Census in Murphys Township, Calaveras County, California as "Jef Davis," and age 62 [born about 1858]. He is living with his *wife*, **Betsy** [his third wife], age 70, and his *mother*, "**Rose**" [also known as **Limpy**] age 80, as part of the household of John "Tecumseh" and his wife, "Pinky," and dependent "Mamie Cissil."¹¹

This historical document establishes a relationship between Jeff Davis and his wife, Betsey; and between Jeff Davis and his mother Rose [Limpy]. This record also documents that others are associated with Jeff Davis, such as Pinky, Pinky's husband John Tecumseh, and Mamie Cissil.

In 1929, Examiner of Inheritance, Fred A. Baker, Office of Indian Affairs, Department of the Interior, assisted Jeff Davis in filing his "Application for enrollment with the Indians of the State of California under the Act of May 18, 1928 (45 Stat. L. 602)." In his application #2892, Jeff Davis reported that he was born in 1858 and was "head" of the household which consisted of his "*wife*," **Betsy**, age 90, born in 1838 and died on "**January 13, 1929**"; and his "*mother*," **Limpy Davis**, age 98, born in 1830. He also gave the name of his "*father*" as **Charlie Davis** who died in 1894 and the name of his grandfather on the "Father's Side" as **Jim**.¹²

This historical document establishes relationships between Jeff Davis and his third wife, Betsy/Betsey; Jeff Davis and his mother Limpy; Jeff Davis and his father Charlie Davis; and his grandfather, Jim. This record, when compared with another 1928 CA Indians claims application, clarifies the complex relationship between Jeff Davis and "Mamy Duncan" whom Special Agent John J. Terrell listed as Jeff Davis' "granddaughter" in 1915.

⁷ U.S., World War I Draft Registration Cards, 1917-1918, Ancestry.com (accessed on 5/25/2019).

⁸ CA, Death Index, 1905-1939, for Ike and Mrs. Ike Davis, Ancestry.com (accessed on 5/25/2019).

⁹ Memorial of Caloosa Davis, Sheep Ranch Cemetery, Sheep Ranch, Calaveras Co., CA, www.findagrave.com (accessed on 5/25/2019).

¹⁰ Memorial of Ike Davis, Sheep Ranch Cemetery, Sheep Ranch, Calaveras Co., CA, www.findagrave.com (accessed on 5/25/2019).

¹¹ U.S. Census 1920, CA, Calaveras Co., Murphys Township, ED 14, 5B, dwl#145, fam#147. This "Mamie Cissil" was the daughter of Jesse Sissel/Cecil/Cissil also known as Jessie Duncan.

¹² 1928 CA Indians claims application #2892.

Application #2897 of Jesse Sissel reveals that his “*mother*” was “**Betsy**” who died on “**January 13, 1929.**”¹³ This historical record establishes that Jesse Sissel/Duncan was the stepson of Jeff Davis and that Mamy/Mayme Duncan/Sissel was a stepgranddaughter of Jeff Davis, rather than a “granddaughter.” These historical records also establish that Betsey/Betsy was beyond her child bearing years when married to Jeff Davis. Therefore, Jeff Davis does not have any descendants through Betsey/Betsy, his third wife.

In 1929, BIA Superintendent L.A. Dorrington listed **Jeff Davis** as being born in 1858. Directly under Jeff Davis, Superintendent Dorrington listed on the 1929 BIA Annual census **Betsey Davis**, born in 1838 and noted that she died on “January 29, 1929,” and **Limpy Davis**, born in 1830.¹⁴

This historical document establishes an approximate birth year of 1858 for Jeff Davis and further supports his relationship with his third wife, Betsey/Betsy. Her death date of “January 29, 1929” also supports her identity and clarifies the relationship between Jeff Davis, Jesse Sissel/Duncan, and Mamy/Mayme Sissel/Duncan.

In February 1930, **Limpy** died at Sheep Ranch, Calaveras County, California. Her obituary closed with this description: “L[i]mpy belonged to the Digger tribe and that a *son*, ‘Jeff Davis,’ is chief of the dwindling tribe at Sheep Ranch.”¹⁵ This historical document further supports the relationship between Jeff Davis and his mother Limpy.

In 1930, **Jeff Davis** appears on the Federal Census in Murphys Township, Calaveras County, California. Federal census enumerator Herbert C. Lewis recorded Jeff Davis as being age 73 [born about 1857] and single. Enumerator Lewis recorded the previously visited household of “Jess M. Duncan,” age 65 [born about 1865], Jess M. Duncan’s “*Daughter*,” “Mamie,” age 22 [born about 1908], and boarders “Pinkey Davis,” age 63 [born about 1867] and “John Techumca,” age 60 [born about 1870].¹⁶

This historical document establishes an approximate birth year of 1857 for Jeff Davis. This document further demonstrates that Jeff Davis was living next to his stepson, “Jess M. Duncan;” his stepgranddaughter, “Mamie;” his sister, “Pinkey Davis;” and his brother-in-law, John Techumca.”

In 1940, **Jeff Davis** appears on the Federal Census at Sheep Ranch, Murphys Township, Calaveras County, California. Federal census enumerator James F. Bower recorded “Chep” Davis, age 90 [born about 1850], “*Lodger*” in the household of “Johnnie Techumca,” age 75 [born about 1865], and his “*Wife*,” “Pinkie,” age 75 [born about 1865].¹⁷

¹³ 1928 CA Indians claims application #2897. Jesse Sissel would be Jeff Davis’ stepson, and “Mayme” would be Jeff Davis’ stepgranddaughter, rather than “granddaughter” as reported on the 1915 Terrell List.

¹⁴ 1929 BIA Annual Census, Sacramento Agency, p. 2. Although Superintendent Dorrington listed these three individuals one after another, he did not state the relationships between them. What is important is the death date for Betsey which matched the death date of Jess Sissel’s mother, Betsy, on his 1928 CA Indians claims application #2897.

¹⁵ *Oakland Tribune*, April 20, 1930, p. 79, www.newspapers.com (accessed on 5/25/2019).

¹⁶ U.S. Census 1930, CA, Calaveras Co., Murphys Township, ED 5-5, 4A, dwl#103.

¹⁷ U.S. Census 1940, CA, Calaveras Co., Sheep Ranch, Murphys Township, ED 5-4, 4B, dwl#495.

This historical document establishes "Chep Davis" as another variant name for Jeff Davis and an age calculating an approximate birth year of 1850. Jeff Davis is living with his sister, "Pinkie," and brother-in-law, "Johnnie Techumca."

Jeff Davis died on December 5, 1940 and is buried at the Sheep Ranch Cemetery, Sheep Ranch, Calaveras County, California.¹⁸ Although not contemporary to Jeff Davis' lifetime, his memorial on Findagrave.com states,

His parents were Rose "Limpy" Davis and Charley Jeff, both Native American. AKA Mr. Laun. Age 85 yrs 5 mo 15 days. Laborer. Native American. Burial 12/08/1940. Widower. Chief of the Piute Indian tribe in Sheep Ranch for 30 years. Sisters Ina Hodge and Pinkey Tecumseh. Census records show 3 wives for him over the years. Only one child, Ike, could be traced to him. (Mr. Laun AKA Jeff Davis, elected Chief at a tribal gathering *Prospect* 7/1/1899) (Indians arranging PowWow. Jeff Laun, lately decreed chief, to make inaugural address. *Prospect* 10/28/1899 - from "Goldrush" #4741871.¹⁹

This information provides citations to two 1899 newspaper articles that show Jeff Davis's using two alternate names: Mr. Laun and Jeff Laun. These references helped to show that the "Jeff Long"[syllable sound quite similar to "Laun") on the 1905-06 Kelsey List is the same as Jeff Davis. The Calaveras Genealogical Society's Calaveras Co., Death Index has this entry for Jeff Davis: "Davis, Jeff (AKA Mr. Laun) 06/20/1855 Sheep Ranch, CA 12/05/1940 Sheep Ranch, CA Sheep Ranch, CA."²⁰

The California Death Index shows he was born on June 20, 1855 and died on December 5, 1940, in Calaveras County, California, his mother's maiden name was "Limpi," and his father's surname is "Jeff."²¹

John/Johnny Jeff

With respect to the above question, this John/Johnny Jeff must be explored, as well. John/Johnny Jeff does not appear on the 1915 Terrell List. His name was recorded mostly as John Jeff or Johnny Jeff; however, he was also known as "Johnny," "John Jeffs," "Jeff," "John Jeff," and "J. Jeff." His birth date is recorded twice: June 15, 1863 and October 25, 1867; moreover, his age was recorded variously among the records, calculating approximate birth years between 1863 and July 1876. His mother was Livianna/Liviana/Susner/Susie Jeff who was born May 14, 1848 and died May 9, 1939. He had one known sibling, a sister, Emma. He had one wife: Tillie Billy/Billee. John Jeff and his wife, Tillie Billy/Billee had nine children. John/Johnny Jeff died on December 13, 1938.

¹⁸ Memorial of Jeff Davis, Sheep Ranch Cemetery, Sheep Ranch, Calaveras Co., CA, www.findagrave.com (accessed on 5/25/2019).

¹⁹ Memorial of Jeff Davis, Sheep Ranch Cemetery, Sheep Ranch, Calaveras Co., CA, www.findagrave.com (accessed on 5/25/2019).

²⁰ Calaveras County Genealogical Society, Calaveras County Death Index, www.calaverasgenealogy.com (accessed on 5/25/2019).

²¹ CA, Death Index, 1940-1997, Jeff Davis, Ancestry.com (accessed on 5/25/2019).

The earliest record that OFA researched was the 1880 Federal Census. In 1880, a “**Johnny**,” age 6 [born about 1874] appears on the Federal Census in the Seventh Township, Calaveras County, California. The Federal census enumerator, A.H. Coulter listed directly above “**Johnny**” a girl “**Emma**,” age 8 [born about 1872] and listed below women, “**Livianna**,” age 30 [born about 1850].²²

This historical document does not provide defined relationships but gives names and ages. When comparing this document with other documents discussed below, the facts support that this record pertains to John/Johnny Jeff, his sister, Emma Jack, and mother, Livianna/Liviana/Susner/Susie.

Numerous contemporary documents indicate that John Jeff was the son of one “**Indian Jeff**.” In 1889, “**Indian Jeff**,” was shot while trying to protect Johnny Jeff from an armed white man. Before he died in January 1890, “**Indian Jeff**” acknowledged *his son*, Johnny Jeff and deposed that “a white man pointed a pistol at *his son*.”²³ “**Indian Jeff**” was 40 years old when he died in 1890, making his birth year about 1850. Johnny Jeff gave testimony during an inquest into the murder of “**Indian Jeff**.” Justice of the Peace (Acting Coroner) J.R. Smith asked Johnny Jeff, “You were acquainted with Jeff?” Johnny Jeff responded, “Yes. He was my father.”²⁴ Acting Coroner Smith asked a similar question to another witness, **Emma** Jack, “Were you acquainted with Jeff the man who was shot?” She responded, “Yes. He is my father.”²⁵

This historical document establishes the relationships between John/Johnny Jeff and “**Indian Jeff**.” It also establishes John/Johnny Jeff’s sister as Emma Jack, sharing the same father, “**Indian Jeff**.” This document is significant because “**Indian Jeff**” acknowledged his son, Johnny Jeff. In addition, “**Johnny Jeff**” and “**Emma**,” both acknowledged their father, “**Indian Jeff**.” These facts were created under a legal process.

In 1900, John/Johnny Jeff appears on the Federal Census in Mokelumne Township, Calaveras County, California as “**John Jeffs**,” age 23, and born in July 1876.²⁶ This historical document establishes a variant name for John/Johnny Jeff and his birth month and year.

In 1905/06, Special Agent Charles E. Kelsey, for the Office of Indian Services, Department of the Interior, enumerated Indian individuals, who lived in settlements, by county in California. For the “**Angels**” Indian settlement located in Calaveras County, Special Agent Kelsey noted “**Jeff & wife, 2 children, mother**.”²⁷ This historical document establishes a variant name for John/Johnny Jeff and supports “**Jeff**” was married, had two children [Hattie and Laura Jeff], and a mother [Livianna/Liviana]. This document also provides a variant birth month and year, and provides a family configuration that matches with the facts from the records discussed below.

²² U.S. Census 1880, CA, Calaveras Co., Seventh Township, ED 42, p. 16, fam#14.

²³ Coroner’s inquest records, Calaveras County, California, 1854-1955 and index 1854-1956, Box 91, 1890, www.familysearch.org (accessed 5/25/2019), p. 12, Image 648.

²⁴ Coroner’s inquest records, Calaveras County, California, 1854-1955 and index 1854-1956, Box 91, 1890, www.familysearch.org (accessed 5/25/2019), p. 6, Image 653.

²⁵ Coroner’s inquest records, Calaveras County, California, 1854-1955 and index 1854-1956, Box 91, 1890, www.familysearch.org (accessed 5/25/2019), p. 5, Image 652.

²⁶ U.S. Census 1900, CA, Calaveras Co., Mokelumne Township, ED 140, 21A, dwl#7, fam#7.

²⁷ Kelsey 1905/06, p. 57.

In 1910, John/Johnny Jeff appears on the Federal Census in Township 2 (Mokelumne), Calaveras County, California as "Johnny Jeff," and age 38 [born about 1872]. Federal census enumerator Allen H. McCarty recorded that Johnny Jeff's wife was Tillie, age 29 [born about 1881], and his children: Hattie, Laura, Babb, and Carrie. **Liviana** Jeff, age 58 [born about 1852] was living in the next household.²⁸

John/Johnny Jeff does not appear on the 1915 Terrell List of the Sheepranch Indians.

In 1920, John/Johnny Jeff appears on the Federal Census in Angels Township, Calaveras County, California as "John Jeff," and age 49 [born about 1871]. He is living with his wife Tillie, age 40 [born about 1880], and his children: Hettie, Laura, Manie, Carrie, Ray, Hempy, and Len. His stepson is listed as Jimmy Rayes, and grandchildren Lodson and Birdie Hodge; and Florence and Louie Quitts.²⁹ **Liviana** Jeff, age 76 [born about 1844], was living in the household of her son-in-law Frank Fisher in Mokelumne Township, Calaveras County, California.³⁰

In 1929, Examiner of Inheritance, Fred A. Baker, Office of Indian Affairs, Department of the Interior, assisted "John Jeff" in filing his "Application for enrollment with the Indians of the State of California under the Act of May 18, 1928 (45 Stat. L. 602)." In his application #2906, "John Jeff" reported that he was born on October 25, 1867 and was "head" of the household which consisted of his mother **Susner (Susie) Jeff**, age 80, born on May 14, 1848. He also reported that his wife was "Tillie Jeff, nee Billy." Examiner Baker cross referenced the two applications #2906 and #2907. He also noted that Susner was "also called Lavianna." He gave the name of his father as "**Jeff**" who died "long ago." This statement, made by John Jeff in 1929, is significant for the purposes of this inquiry, since Jeff Davis was still alive in 1929. Examiner Baker made a cross-reference to John Jeff's wife Tillie's application #2907. On her application she reported her maiden name as "Billy" and her minor children were listed as follows: Manuel, Ray, Hempie, Lennie, Tessie, and Walter.³¹

In 1929, BIA Superintendent L.A. Dorrington lists John/Johnny Jeff as "John Jeff," born in 1867 and "head" of a household comprising wife Tillie Jeff and children: Manuel, Ray, Hempie, Lennie, Tessie, and Walter. **Susner Jeff** is directly listed next as "head" and born in 1848.³²

In 1930, John/Johnny Jeff appears on the Federal Census in Altaville District, Angels Township 4, Calaveras County, California as "J. Jeff," and age 60 [born about 1870]. Federal census enumerator Lucien A. Stephens recorded that J. Jeff's wife was Tillie, age 50 [born about 1880], and his family comprised daughter Hattie, grandson Texas, granddaughter Mabel, son Ray, son Hempy, son Lennie, daughter Tessie, and son Walter.³³ Federal census enumerator Allen H. McCarty recorded that a **Susie Jeff**, age 78 [born about 1852], was the head of her own household, living alone in West Point Township, Calaveras County, California.³⁴

²⁸ U.S. Census 1910, CA, Calaveras Co., Township 2 (Mokelumne), ED 11, 28A, dwt#7, fam#7 and dwt#8, fam#8.

²⁹ U.S. Census 1920, CA, Calaveras Co., Angels Township, ED 15, 11B-12A, dwt#256, fam#257.

³⁰ U.S. Census 1920, CA, Calaveras Co., Mokelumne Township, ED 13, 11A, dwt#329, fam#329.

³¹ 1928 CA Indians claims applications #2906 and 2907.

³² 1929 BIA Annual Census, Sacramento Agency, p. 6.

³³ U.S. Census 1930, CA, Calaveras Co., Altaville District, Angels Township, ED 5-7, 2B, dwt#55, fam#55.

³⁴ U.S. Census 1930, CA, Calaveras Co., West Point Township, ED 5-10, 4A, dwt#115, fam#115.

John/Johnny Jeff died at the age of 75 on December 13, 1938 [born about 1863], in Calaveras County, California.³⁵ His mother Susie Jeff died at the age of 94 on May 9, 1939 [born about 1845], in Calaveras County, California.³⁶ The Standard Certificate of Death, for Susie Jeff, shows that she was born on September 16, 1844, and died on May 9, 1939. This record also shows that she was a widow and her deceased husband was "Indian Jeff."³⁷ The Calaveras Genealogical Society's Calaveras Co., Death Index has an index entry for John/Johnny Jeff: "Jeff, Johnny 06/15/1863 West Point, CA 12/13/1938 Vallecito, CA Saunders Ranch Indian Cem. Vallecito, CA."³⁸

Age Comparisons

Some evidence suggests that Jeff Davis and John/Johnny Jeff are too close in age to be father and son. This evidence is conflicting for each. Sources give Jeff Davis' birth year as early as 1850 (1940 Federal Census) and as late as 1860 (1880 Federal Census). For example, the California Death Index presents Jeff Davis as being born in 1855. The California Death Index presents "John Jeff" as being born in 1863. Jeff Davis would have been 8 years old and conceiving a child at that young age would have been biologically impossible.

Based on the latest birth year (1860) for Jeff Davis and the earliest birth year (1863) date for John/Johnny Jeff; Jeff Davis would have been 3 years old and conceiving a child would have been biologically impossible.

Based on the earliest birth year (1850) for Jeff Davis and the earliest birth year (1863) of John/Johnny Jeff, Jeff Davis would have been 13 years old and conceiving a child would have been possible.

Based on the latest birth year (1860) for Jeff Davis and the latest year (1876) for John/Johnny Jeff, Jeff Davis would have been 16 and conceiving a child would have been possible.

Based on the earliest birth year (1850) for Jeff Davis and the latest birth year (1876) for John/Johnny Jeff, Jeff Davis would have been 26 and conceiving a child would have been possible.

OFA finds that the current record is too inconsistent to determine whether it was biologically possible for Jeff Davis to be the father of John/Johnny Jeff.

Pacific Region's 2016 Analysis

In 2013, people associated with the Sheep Ranch Rancheria voted to ratify a tribal constitution. In a decision issued December 30, 2015, Assistant Secretary – Indian Affairs Washburn

³⁵ CA, Death Index, 1905-1939, for John Jeff, Ancestry.com (accessed on 5/25/2019).

³⁶ CA, Death Index, 1905-1939, for Susie Jeff, Ancestry.com (accessed on 5/25/2019).

³⁷ Office of Clerk-Recorder, County of Calaveras, San Andreas, California, Local Registration #30, District #550, Certified copy, October 1, 2004.

³⁸ Calaveras County Genealogical Society, Calaveras County Death Index, 1/12/2012, www.calaverasgenealogy.com (accessed on 5/25/2019).

determined the criteria for eligibility to take part in the initial organization of the Tribe. Mr. Washburn determined that descendants of the 1915 Terrell census were eligible. He also determined that descendants of Miwok Indians on the 1929 BIA census of Calaveras County could be permitted to take part in the initial organization, at the discretion of those who were eligible. In 2016, the Pacific Regional Office of the BIA undertook to determine whether people who voted in the 2013 election were eligible to do so. The BIA found that the most of those voters traced their ancestry to John Jeff. John Jeff is on the 1929 BIA census; Jeff Davis is on the 1915 Terrell census. The BIA stated that "Bureau records demonstrate that John Jeff is the son of Jeff Davis," and concluded that the voters met the eligibility requirements established by Mr. Washburn.³⁹

As part of preparing this memorandum, OFA requested copies of the Bureau records relied on by the BIA in 2016, and received in response a 16-page file. One of those pages is a genealogy sheet showing that "Jefferson Davis (Indian Jeff)" is the father of John Jeff. As firmly established by the evidence cited in this memo, Indian Jeff and Jefferson Davis are not the same person. Moreover, there is nothing on that page to indicate when or by whom it was created, nor does it cite any sources for the information presented. We conclude that the document's suggestion that Jefferson Davis is the father of John Jeff is not supported.

We note that another document in the file is a "DRAFT" family tree purporting to show the descendants of Charles Jeff. That tree correctly distinguishes between Indian Jeff and Jeff Davis, and shows John Jeff as the son of Indian Jeff. But the tree indicates that Indian Jeff and Jeff Davis were brothers, and that Limpy Davis was their mother. Limpy Davis is on the 1915 Terrell census. Therefore this family tree supports the conclusion that the descendants of John Jeff are eligible to take part in the initial organization of the Tribe. But BIA's 2016 determination was premised on descent from Jeff Davis, not from Limpy. More importantly, this family tree, like the genealogy sheet discussed in the preceding paragraph, lacks any indication of when or by whom it was created, and does not cite any source material. We conclude that this document's suggestion that Limpy Davis was John Jeff's grandmother is not supported.

There does not appear to be any other document within that file purporting to show that John Jeff was the son of Jeff Davis. The file contains two copies of a family tree showing that John Jeff is the son of "Jeff" and his wife Susie Susner. As established by the evidence cited in this memo, Susie Susner's husband was "Indian Jeff," who is not the same person as Jeff Davis.

OFA concludes contemporary documents refute the BIA's 2016 conclusion that John Jeff is the son of Jeff Davis.

Conclusions

Based on the record we were able to assemble in the limited time available, we conclude that John/Johnny Jeff (1863-1938) is not the son of Jeff Davis (1855-1940).

³⁹ July 25, 2016 BIA Report

John/Johnny Jeff's father was "Indian Jeff" and his mother was Livianna/Liviana/Susner/Susie (she died in 1939), not Jeff Davis and his first wife Lavina (she died before 1900), second wife Chuella, or third wife Betsey.

Before his death in January 1890, "Indian Jeff" acknowledged that he had a *son*, Johnny Jeff, and Johnny Jeff acknowledged his *father* as "Indian Jeff" (paternity defined through legal process).

John/Johnny's father, "Indian Jeff," died in 1890 and Jeff Davis died in 1940. Clearly, these men are not one and the same.

John/Johnny Jeff's mother, Susie/Susner/Livianna/Liviana Jeff, was born about 1850 and lived to 1939. Jeff Davis' first wife Lavina was born in 1850 and died between 1885 and 1900. Clearly, these women are not one and the same.

Ike Davis (1885-1918) was the only documented issue between Jeff Davis and Lavina. It also appears that Jeff Davis neither had any children by his second wife, Chuella, nor his third wife, Betsey.

Addendum

After issuing the above Memorandum on the morning of May 29, 2019, OFA received in the afternoon (same date) from the Calaveras Genealogical Society copies of five articles related to Jeff Davis:

"Jeff Davis Funeral Held in Sheep Ranch. *Calaveras Prospect*, 12/14/1940.

"Indian Limpy Age 100, Dies." *Calaveras Prospect*, 2/22/1930.

"Annual Pow-wow." *Calaveras Prospect*, 10/28/1899.

"A New Chief." *Calaveras Prospect*, 7/1/1899.

"There was a rumpas in the Indian camp . . ." *Calaveras Prospect*, 8/14/1885.

These articles corroborate the conclusion of the Memorandum that John/Johnny Jeff (1863-1938) is not the son of Jeff Davis (1855-1940).